

# UPSHUR COUNTY COMMISSION MEETING

August 12, 2021

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, August 12, 2021 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Terry B. Cutright, Commissioner; Kristie G. Tenney, Commissioner; Carol J. Smith, County Clerk; Carrie L. Wallace, County Administrator and Lois A. Marsh, Secretary.

The meeting began with a moment of silent meditation and prayer followed by the Pledge of Allegiance. All motions passed unanimously unless otherwise stated.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the regular meeting minutes of July 29, 2021, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign correspondence to West Virginia State Delegates and Senators expressing opposition towards Critical Race Theory. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the advertisement for a Community Corrections Case Manager/Counselor. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Sales Order and related documents between KOMAX Business Systems and the Upshur County Commission for a new color copier to be located in the Addressing & Mapping Department. This lease will be for a 36-month period in the amount of \$1,532.04 due annually. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the correspondence from Software Systems, Inc. regarding changes in maintenance contract amounts for 2021-2022 maintenance levels. This maintenance includes program updates, telephone support and time spent performing data conversions and other on-site tasks depending upon which level is requested for each system. Carrie Wallace explained that Tabatha Perry had checked with each department and all of them would remain at the same levels. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the Notice of Public Auction. Carrie Wallace explained that one vehicle had been removed from the auction list in the agenda packet. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the WV CDBG Small Cities Block Grant Program Grant Announcement No. 4 for the Elkins Road PSD Phase III Water System Improvement Project. This amendment will modify the project funding structure. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign correspondence to Ryan Halsey, Project Manager, enclosing Community Development Block Grant – Small Cities Block Grant Request for Payment for the Elkins Road PSD Phase III Water System Improvements in the amount of \$57,074.30. This is for Request for Funds #22. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign correspondence from Jonathan Vickers, Assistant Director, Chief Inspector's Division of the WV State Auditor's Office, revising the services to be provided to the Upshur County Commission for the fiscal year ended June 30, 2020. The fee for the single audit services will now be \$36,650. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the request from Brian Elmore for appointment to the Upshur County Enhanced Emergency Telephone Advisory Board as the fire service representative. Mr. Elmore's term will be effective immediately and expire June 30, 2024. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved Mariah Goldsmith as a volunteer at the Lewis-Upshur Animal Control Facility. Carrie Wallace explained that this is in addition to her part-time employment at the Animal Control Facility and due to Petco funding, she will assist with transporting animals.

Kristie Tenney reviewed the following "For Your Information" items: (copy included)

1. Public Service Commission of West Virginia to hold Public Comment Hearings on Suddenlink – August 23<sup>rd</sup> and 24<sup>th</sup>
2. United States of America Federal Energy Regulatory Commission – Notice of Availability of the Draft Supplemental Environmental Impact Statement for the Proposed Atlantic Coast Pipeline Restoration Project and Supply Heater Restoration Project – July 23, 2021

# UPSHUR COUNTY COMMISSION MEETING

August 12, 2021

3. Correspondence from the Weyerhaeuser Giving Fund, announcing the award of \$10,000 to the Upshur County Youth Camp.
4. Upshur County Building & Floodplain permits for the month of July, 2021
5. Upshur County E911 Communication Reports – July, 2021
  - Monthly Department Summary Report
  - Monthly Wrecker Report
  - YTD Wrecker Report
6. Public Notices:
  - a) Newsletters and/or Event Notifications: (none)
  - b) Agendas and/or Notice of Meetings:
    - Buckhannon-Upshur Airport Authority August 9, 2021
    - Lewis-Upshur Community Corrections August 9, 2021
    - Buckhannon-Upshur Parks & Recreation Advisory Board August 9, 2021
    - Elkins Road PSD August 10, 2021
  - c) Meeting Minutes:
    - Adrian PSD July 1, 2021
  - d) Meetings:
    - 08/03/21-4:00 p.m.-Hodgesville PSD
    - 08/03/21-5:00 p.m.-Elkins Road PSD - CANCELLED
    - 08/05/21-3:00 p.m.-Adrian PSD
    - 08/05/21-6:00 p.m.-Buckhannon-Upshur Board of Health
    - 08/05/21-7:00 p.m.-Banks District VFD
    - 08/05/21-7:00 p.m.-Selbyville VFD
    - 08/08/21-6:00 p.m.-Washington District VFD
    - 08/09/21-12:00 p.m.-Upshur County Family Resource Network
    - 08/09/21-4:00 p.m.-Buckhannon Upshur Airport Authority
    - 08/09/21-4:30 p.m.-Upshur County Solid Waste Authority
    - 08/09/21-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
    - 08/09/21-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
    - 08/10/21-5:00 p.m.-Elkins Road PSD - Special
    - 08/10/21-7:00 p.m.-Warren District VFD
    - 08/10/21-7:30 p.m.-Adrian VFD
    - 08/11/21-12:00 p.m.-Upshur County Senior Center Board
    - 08/11/21-3:00 p.m.-Tennerton PSD
    - 08/11/21-3:00 p.m.-Upshur County Conventions & Visitors Bureau
    - 08/11/21-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
    - 08/11/21-7:00 p.m.-Ellamore VFD
    - 08/12/21-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
    - 08/12/21-7:30 p.m.-Buckhannon VFD
    - 08/16/21-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
    - 08/18/21-12:00 p.m.-Lewis Upshur LEPC
    - 08/18/21-4:00 p.m.-Upshur County Public Library Board
    - 08/19/21-6:30 p.m.-Upshur County Youth Camp Board
    - 08/19/21-7:00 p.m.-City Council of Buckhannon
    - 08/20/21-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
    - 08/23/21-7:00 p.m.-Upshur County Fire Fighters Association
    - 08/24/21-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
    - 08/24/21-6:30 p.m.-Upshur County Fire Board, Inc.
    - 08/25/21-7:00 a.m.-Upshur County Development Authority – Annual Meeting
    - 08/25/21-10:00 a.m.-James W. Curry Advisory Board
    - 09/16/21-6:00 p.m.-Upshur County Farmland Protection Board

# UPSHUR COUNTY COMMISSION MEETING

August 12, 2021

## 7. Appointments Needed or Upcoming:

- Buckhannon-Upshur Airport Authority (unexpired term - 6/30/21) - City Representative
- Upshur County Fire Board (7/1/21-6/30/24) – Fire Association Representative
- Buckhannon-Upshur Parks and Recreation Advisory Board (7/1/21-6/30/23)-City Representative
- Buckhannon-Upshur Parks and Recreation Advisory Board (7/1/21-6/30/23)-City Representative
- Buckhannon-Upshur Parks and Recreation Advisory Board (7/1/21-6/30/23)-BOE Representative
- Upshur County Farmland Protection Board (7/1/21-6/30/25)-Farm Bureau Representative
- Corridor H Authority (7/1/21-6/30/25)
- Upshur County Enhanced Emergency Telephone Advisory Board (7/1/21-6/30/24)-Fire Association
- Upshur County Fire Board (unexpired term 6/30/22)-Community Representative - 1<sup>st</sup> Mag. District
- Wes-Mon-Ty Resource Conservation & Development (6/1/21-6/30/23)-County Commission

*\*\*\*If you are interested in serving on an Upshur County board, please submit your letter of interest to the Commission Office at 91 W. Main Street, Suite 101, Buckhannon, WV 26201 or [trperry@upshurcounty.org](mailto:trperry@upshurcounty.org). Upcoming term expirations are listed in this section of the agenda; however, letters of interest can be submitted at any time. Letters of interest for boards that do not currently have a vacancy will be held until a vacancy occurs. Please note that submitting a letter of interest does not guarantee appointment.\*\*\**

### Tabled items:

1. Approval and signature of a Software License and Implementation Agreement between Central Square Technologies LLC and the Upshur County 911 Communications Center for the license of an integrated Computer System on a subscription basis consisting of a 911 system and any additional applications described in the Agreement and the Addenda. The total amount of this contract is one hundred fifty-three thousand two hundred twenty-three dollars and twenty-four cents (\$153,223.24). (Tabled 7/15/2021 – plan to review on 8/26/2021)
2. Approval and signature of a CentralSquare 911 Support Agreement between Central Square Technologies LLC and the Upshur County 911 Communications Center for annual maintenance services and support. The annual Maintenance and Support Fee for year 1 will be nineteen thousand two hundred fifty-six dollars and seventy-five centers (\$19,256.75). (Tabled 7/15/2021 – plan to review on 8/26/2021)
3. Ty Landis, Youth Environmental Club – Presentation of proposed amphitheater renovation project at the Upshur County Recreational Park (tabled 7/29/2021) Will consider after property inspections are complete. Date to be determined.
4. Correspondence from Thomas J. O’Neill expressing an interest in the vacant seat on the Corridor H Authority. Upon approval, this term will be effective immediately and extend through June 30, 2025. (Tabled 7/29/2021) Will consider once new Upshur County Development Authority Executive Director begins employment.

At 9:45 a.m., Carrie Wallace opened the two sealed bids submitted for the COPS Grant #2020-SVWX-0033 Notification System Upgrade Project. Also present were Brad Waldo (Frontier) and Quinton Oldaker, Technology Director for the Upshur County Board of Education. One bid was from Frontier in the amount of \$448,979.37. The second bid was from Alpha Technologies of Hurricane, WV. This bid contained four possible options. Option 1 - \$218,153.05 base plus \$142,313.18 one-time charge; Option 2 - \$253,157.89 base plus \$142,313.18; Option 3 - \$391,310.87 base plus \$142,313.18; Option 4 - \$609,394.81 plus \$142,313.18. . After review, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission tabled this item until the Board of Education can conduct their interviews per Jeff Harvey’s request. Carrie Wallace explained that both bids were well over the grant award of \$194,973.

At 10:00 a.m., per Sheriff Virgil Miller’s request, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission entered Executive Session to review amending the Sheriff’s Deputy Sign-On Incentive Program that was approved on February 11, 2021 and for the transfer of William T. Chidester from a part-time Deputy Sheriff to a full-time Deputy Sheriff effective August 16, 2021. Also present was Mike Coffman, Chief Deputy. At 10:34 a.m., the Commission exited Executive Session on motion by Terry Cutright, seconded by Kristie Tenney. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the Sheriff’s Deputy Sign On Incentive pending Bryan Hinkle, Prosecuting Attorney, review and approved the transfer of William T. Chidester.

The Commission approved all Invoices for Payment. (list included)

The Commission approved all Vacation Orders. (list included)

The Commission approved the following Settlements. (as listed)

# UPSHUR COUNTY COMMISSION MEETING

August 12, 2021

- Danny Ray Anderson, II – Final Settlement
- Harold E. Cobb – Final Settlement Waiver
- Mark Paul Griffin – Final Settlement
- John David Hovis – Final Settlement Waiver
- Eric Nolan Cedric Manley – Final Settlement Waiver
- Doris Ruth Orsburn – Final Settlement Waiver
- Lucy Darlene Small – Final Settlement
- Beulah M. Wines – Final Settlement Waiver

The Commission approved the following Certification of Completion of Ancillary Administration of WV Real Estate Without Appointment:

- Robert A. Lake – Certification of Completion
- Hildegard D. Xander – Certification of Completion

The Commission approved the following Corrections, Exonerations and/or Refunds:

- Clem, Ronnie L or Ann M - #300000532S - \$423.96 – Exoneration Order
- Riffle, Aarron L or Courtney N - #200000690S - \$310.22 – Exoneration Order
- Riffle, Aarron L or Courtney N - #200000469S - \$289.46 – Exoneration Order
- Zickefoose Tracy Lynn or Zickefoose Chris Clinton - #00000309152 - \$33.62 – Exoneration Order
- Peggs, Burl W or Geneva P - #00000301897 - \$27.42 – Exoneration Order
- James A & Amanda L Posey - #17189 - \$175.12 – Exoneration Order
- Cutright Orville or Georgia - #00000304650 - \$109.45 – Exoneration Order
- Moore Stephen D & Amy M - #12795 - -\$853.40 – Exoneration Order
- Brian & Christine M Hull - #7982 - \$723.95 – Exoneration Order
- Eric William & Carolin Margit Johanna Klein - #21014 - \$1,467.36 – Exoneration Order
- Eric William & Carolin Margit Johanna Klein - #21013 - -\$1,129.59 – Exoneration Order
- Guberman Jessica M (Whitenack) Guberman Robert J - #304739 - \$148.94 – Exoneration Order
- Bentley Jared B Bentley Willis B Jr - #304550 - \$11,070.00 – Exoneration Order
- Lantz Rebecca or Wiehagen James - #306190 - \$12.61 – Exoneration Order
- Betty Lee Caynor - #19570 - \$122.76 – Exoneration Order
- Greylock Production LLC - #00000307094 - \$1.94 – Exoneration Order
- Hamrick Albert V or Michaela L - #00000308516 - \$178.92 – Exoneration Order
- Larry R or Debra D Green - #303480 - \$40.21 – Refund Order
- Larry R or Debra D Green - #303395 - \$35.71 – Exoneration Order
- Wilfong Garrett E - #200000207S - \$85.30 – Exoneration Order
- Shirley J Queen - #13008 - \$231.12 – Exoneration Order
- Crislip John-David or Crislip Melinda - #200000017S - \$56.74 – Exoneration Order
- Foster Todd D or Jessica A - #200000285S - \$657.50 – Exoneration Order
- Small Lena M or Harry M - #306569 - \$240.88 – Refund Order
- City of Buckhannon - #308364 - \$15.56 – Refund Order
- Lykins Oil Company - #307150 - \$871.99 – Exoneration Order
- Dale Lee Thorne & Charles Edward Foster - #5113 - \$45.18 – Exoneration Order
- Hattie Phillips Heirs Brent Scott - #17143 - \$25.92 – Exoneration Order
- Hattie Phillips Heirs Brent Scott - #4117 - \$4.38 – Exoneration Order
- Brenda Sue Hyre - #25070 - -\$150.78 – Exoneration Order
- Angela Tenney - #17983 - \$2.20 – Correction Order
- Lockwood Jamella - #200000293S - \$35.98 – Exoneration Order

The Commission approved the following Requests to Attend Meeting: (none)

The Commission approved the following Consolidation of Land Tracts: (none)

The Commission received project updates and reviewed Administrative business items.

At 1:00 p.m., the Commission discussed Procedures to Dispatch Wrecker Services. Also attending were Doyle Cutright, Director of Upshur County Emergency Communication Center, Kimbra Wachob, Assistant Director of Upshur County Emergency Communication Center, and representatives from the Wrecker Services. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved changing the order of the list of Wrecker Services to alphabetical and change refusals to two refusals per month, then suspension for 3 months, second offense would result in a 6-month suspension, and third offense would result in a one-year suspension. This would be effective September 1,

# UPSHUR COUNTY COMMISSION MEETING

August 12, 2021

2021. Carrie Wallace will place approval of the amended policy on the August 26<sup>th</sup> Commission meeting agenda, with an annual review in September, 2022. (copy included)

With no further business, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission meeting adjourned at 2:47 p.m.