

# UPSHUR COUNTY COMMISSION MEETING

September 16, 2021

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, September 16, 2021 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Terry B. Cutright, Commissioner; Samuel R. Nolte, Commissioner; Kristie G. Tenney, Commissioner; Carol J. Smith, County Clerk; Carrie L. Wallace, County Administrator/DHSEM Director; Tabatha R. Perry, Assistant County Administrator/Assistant DHSEM Director 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 Sam Nolte, seconded by Terry Cutright, the Commission approved the regular meeting minutes of September 9, 2021, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved a Proclamation declaring September, 2021 as National Preparedness Month in Upshur County. Carrie Wallace, County Administrator/DHSEM Director, read the proclamation to the Commission and provided an overview of materials that will be distributed to pre-k students within Upshur County Schools to aid families in preparing for emergencies. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved a "Request for Proposals" for janitorial services for various Commission owned properties. A mandatory pre-bid conference will be held on Monday, October 4, 2021 at 2:00 p.m. Sealed bids must be received no later than 4:00 p.m. on Wednesday, October 13, 2021, at the Administrative Annex located at 91 W. Main Street, Suite 101. Proposals received by the deadline will be publicly opened, reviewed and read aloud by the Commission at 9:30 a.m. on Thursday, October 14, 2021. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the signature of Contract Agreement, Resolution, Certifications, Revised Statement and Federal Conditions and Assurances and Certifications for the STOP Violence Against Women Act (VAWA) grant award in the amount of \$23,332. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the SMIC renewal quote in the amount of \$235.50 for volunteer accident medical insurance for term period of October 20, 2021 to October 20, 2022. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved correspondence from Robert Hinton announcing his resignation from the Upshur County Development Association Board of Directors, effective September 10, 2021. Carrie Wallace explained that this board is a separate entity from the Upshur County Development Authority, which Mr. Hinton had previously resigned from, and was created as a requirement for the New Market Tax Credits received for the construction of the IDEA Center. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission adopted a Resolution Authorizing the Execution of a Unanimous Written Consent in lieu of Annual Meeting of the Shareholders for the Upshur County Development Association. This consent designates all three members of the Board, including the Director of the Upshur County Development Authority, until the next annual meeting. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Joseph Tenney, Tennerton PSD Chairman, announcing the resignation of Board member Elmer Tenney and requesting the appointment of Michael Hyre, effective immediately. Mr. Hyre's term will end on July 31, 2027. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Sheriff Virgil D. Miller to transfer Timothy Bennett from fill-in Court Security Officer to part-time Court Security Officer, effective September 27, 2021.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Sheriff Virgil D. Miller to employ Megan A. Bailey as Tax Deputy, effective October 4, 2021. Sheriff Miller stated that he and Chief Deputy Heather Sparks received 10 applications and interviewed 6 of the applicants. Sheriff Miller also informed the Commission that because a long-term employee had transferred out of his department, he was re-aligning employees' hourly earnings that would not affect his department budget.

Sheriff Virgil Miller reported that Bobby Hawkins will be retiring from Court Security. His retirement letter will appear on a future agenda for official consideration.

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

1. Correspondence from Russell Rollyson, Senior Deputy State Auditor, County Collections Division of the WV State Auditor’s Office, enclosing a list of properties that will be offered for sale on September 28, 2021.
2. Upshur County Building Permits for the month of August 2021
3. Public Notices:
  - a) Newsletters and/or Event Notifications: (none)
  - b) Agendas and/or Notice of Meetings:
    - Upshur County Safe Structures and Sites Enforcement Board September 9 2021
    - Buckhannon-Upshur Airport Authority September 13, 2021
    - Upshur County Family Resource Network September 13, 2021
    - Upshur County Development Authority – Executive Committee September 14, 2021
    - City Council of Buckhannon September 16, 2021
    - Upshur County Farmland Protection Board September 16, 2021
    - Upshur County Fire Board, Inc. September 21, 2021
  - c) Meeting Minutes:
    - Adrian PSD August 5, 2021
    - Elkins Road PSD August 10, 2021
    - Tennerton PSD August 11, 2021
  - d) Meetings:
    - 09/02/21-3:00 p.m.-Adrian PSD
    - 09/02/21-7:00 p.m.-Banks District VFD
    - 09/02/21-7:00 p.m.-Selbyville VFD
    - 09/07/21-4:00 p.m.-Hodgesville PSD
    - 09/07/21-5:00 p.m.-Elkins Road PSD
    - 09/08/21-12:00 p.m.-Upshur County Senior Center Board
    - 09/08/21-3:00 p.m.-Tennerton PSD
    - 09/08/21-3:00 p.m.-Upshur County Conventions & Visitors Bureau
    - 09/08/21-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
    - 09/08/21-7:00 p.m.-Ellamore VFD
    - 09/09/21-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
    - 09/09/21-7:30 p.m.-Buckhannon VFD
    - 09/12/21-6:00 p.m.-Washington District VFD
    - 09/13/21-12:00 p.m.-Upshur County Family Resource Network
    - 09/13/21-4:00 p.m.-Buckhannon Upshur Airport Authority
    - 09/13/21-4:30 p.m.-Upshur County Solid Waste Authority
    - 09/14/21-7:00 a.m.-Upshur County Development Authority – Executive Board
    - 09/14/21-7:00 p.m.-Warren District VFD
    - 09/14/21-7:30 p.m.-Adrian VFD
    - 09/15/21-12:00 p.m.-Lewis Upshur LEPC – Lewis County
    - 09/15/21-4:00 p.m.-Upshur County Public Library Board
    - 09/16/21-6:00 p.m.-Upshur County Farmland Protection Board
    - 09/16/21-6:30 p.m.-Upshur County Youth Camp Board
    - 09/16/21-7:00 p.m.-City Council of Buckhannon
    - 09/17/21-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
    - 09/20/21-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
    - 09/20/21-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
    - 09/27/21-7:00 p.m.-Upshur County Fire Fighters Association
    - 09/28/21-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
    - 09/28/21-6:30 p.m.-Upshur County Fire Board, Inc.
    - 10/18/21-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County
    - 10/25/21-12:00 p.m.-Region VII Planning & Development Council
    - 10/27/21-1:00 p.m.-James W. Curry Advisory Board
    - 11/04/21-6:00 p.m.-Buckhannon-Upshur Board of Health

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## 4. Appointments Needed or Upcoming:

- Upshur County Fire Board (7/1/21-6/30/24) – Fire Association Representative
- Upshur County Farmland Protection Board (7/1/21-6/30/25)-Farm Bureau Representative
- 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
- Safe Sites & Structures Enforcement Agency (6/30/22) – Community Representative

*\*\*\*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.\*\*\**

1. Ty Landis, Youth Environmental Club – Presentation of proposed amphitheater renovation project at the Upshur County Recreational Park (*tabled 7/29/2021*) No action was taken.
2. Bid award - COPS Grant #2020-SVWX-0033 Notification System Upgrade Project (*tabled 8/12/2021*) No action was taken.

The Commission will meet as the Board of Assessment of Appeals on October 1, 2021 beginning at 9:00 a.m.

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)

- Ella Mae Bunner – Final Settlement
- Bernard Duke – Final Settlement Waiver
- Joleen E. Haddox – Final Settlement Waiver
- Shawn (Shaun) Keven Jeffries – Final Settlement Waiver
- Loueda M. Lamb – Final Settlement Waiver
- Edward Earl Warner, Jr. – Final Settlement Waiver

The Commission approved the following Certification of Completion of Ancillary Administration of WV Real Estate Without Appointment: (none)

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

- Girard Francis or Shirley - #301353 - \$23.38 – Exoneration Order
- 180 Center Inc - #11147 - \$2,089.80 – Exoneration Order
- Harris Corp – Exelis ADSB - #307129 - \$3,553.00 – Exoneration Order
- Lambert Robert D or Mariah D - #500000300S - \$32.46 – Exoneration Order

The Commission approved the following Requests to Attend Meeting:

- Adam Brumley – September 14, 2021

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

At 9:30 a.m., Dr. Sara Stankus, Superintendent of Upshur County Schools; Dr. Debra Harrison, Assistant Superintendent of Upshur County Schools and Jeffrey Perkins, Treasurer of Upshur County Schools, presented a proposed plan for moving the Buckhannon-Upshur Middle School to the current high school location and erecting a new Buckhannon-Upshur High School on property adjoining the property. This property was purchased a few years ago with this in mind. The current middle school is 96 years old and the current high school is 45 years old. The middle school is not energy efficient and because of asbestos, modifications to the building would be very expensive. Both schools would share the sports facilities. The projected cost is \$7 million to \$9 million to upgrade current high school for middle school use. The projected cost for the new high school is \$62 million, making a total projection of \$70 million. The West Virginia School Board Authority has pledged a grant of \$21 million if Upshur County voters approve the School Bond Levy at the special election scheduled for January 15, 2022. The Bond Levy requires a 50% simple majority to pass. If approved, individual's property taxes will be impacted. The Board of Education will place a calculator on their website so individuals can see what their new taxes will be. If approved, the new construction will begin immediately with a completion of entire project within three years.

Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permits and Floodplain Coordinator, presented a request from Mark Hanline to name a road Lucky Thirteen Drive. This request is concerning a private road off of the Alexander Road. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the name of Lucky Thirteen Drive. (copy included)

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Terry Jo Bennett, Upshur County Addressing and Mapping, Building Permits and Floodplain Coordinator, presented a second road name request from Jan Adams and Tom Wimer to name a road Scarlett Maple Path. This request is concerning a private road off of the Vicksburg Road. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the name of Scarlett Maple Path. (copy included)

The Commission received project updates and reviewed Administrative business items.

With no further business, on motion by Terry Cutright, seconded by Sam Nolte, the Commission meeting adjourned at 2:00 p.m.