

UPSHUR COUNTY COMMISSION MEETING

January 30, 2020

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, January 30, 2020 at 9:00 a.m. Terry Cutright called the meeting to order. Present were Terry Cutright, Commissioner; Kristie Tenney, Commissioner; Sam Nolte, Commissioner; Carol Smith, County Clerk; Tabatha Perry, Assistant County Administrator; and Lois 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 Kristie Tenney, the Commission approved the January 9, 2020 amended minutes and regular meeting minutes of January 23, 2020, as submitted.

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved and authorized the Commission President to sign the Resolution declaring Upshur County, West Virginia as a "Second Amendment Sanctuary." (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission agreed to table the Chapman Case Number 101118-01 (Warren Tax District – Tax Map 6B Parcel Number 11) until litigation is completed. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved and authorized the Commission President to sign the 2020 Boundary Validation Program form provided by the U.S. Census Bureau. The Census Bureau uses this boundary information to tabulate data for the 2020 census. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved and authorized the Commission President to sign the Joinder Agreement between the Upshur County Commission and FBMC Benefits Management, Inc. (Mountaineer Benefits). FBMC administers an Internal Revenue Code Section 125 Cafeteria Plan, including dependent care and medical expense reimbursement plans and various post-tax products supplemental to the Cafeteria Plan program. (copy included)

Diana Riffle and Norman Riffle appeared before the Commission to explain why their property, which was listed in the Upshur County Safe Structures and Sites Enforcement Board Petition for Order filed December 20, 2019 – Riffle Case Number 61319-02 (Banks Tax District – Tax Map 3P – Parcel Number 20.1) had not been cleaned up as requested. Tabatha Perry presented to the Commissioners previous photos of the property along with photos taken by Greg Harris yesterday. Ms. Riffle stated that her daughter and son-in-law, Angela and Rodney McCoy, live on the property and are in the process of purchasing it from them. Ms. Riffle stated that Eric Gladwell, REAP, has worked with them and has taken more than 4 tons to the dump at a cost of \$7,849 but there is still much work to be done. After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission voted to grant a 60-day extension as long as the McCoy's continue to work with Greg Harris and Eric Gladwell. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission accepted the resignation of Dustin Hollen, Animal Control Officer, effective February 7, 2020. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved Bryan Hinkle to serve as a representative for the Prosecuting Attorney's office on the Court Security Advisory Board, effective immediately. (copy included)

Joey Baxa and Linn Baxa, representing the Buckhannon Fire Department explained to the Commission why the Buckhannon Fire Department needs acknowledged as a licensed emergency medical service Rapid Response Agency (Non-Transporting) for licensing requirements. After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission voted to recognize the Buckhannon Fire Department as a licensed emergency medical services Rapid Response Agency (Non-Transporting). (copy included)

Jan Cochran, Lewis-Upshur Animal Control Facility Director, appeared before the Commission to request a revision of the Facility business hours, adding the first Sunday of the month from 8 a.m. to 1 p.m. on a trial basis. These additional hours will not require extra manpower. After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved new business hours adding the first Sunday of the month from 8 a.m. to 1 p.m. beginning Sunday, February 2, 2020 on a trial basis for 8 months. Tabatha Perry will have the sign corrected to reflect the new hours. (copy included)

Terry Cutright reviewed the following "For Your Information" items: (copies included)

1. Petition of the City of Buckhannon for Leave to Intervene, Pursuant to 150 CSR 1, Rule 12.6, in the Upshur County Commission's Petition for consent and approval to enlarge the service territory of Tennerton Public Service District

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2. Appointment of the Ballot Commissioners by Carol J. Smith, Chairman of the Board of Ballot Commissioners
3. Upshur County Sheriff's Financial Statement for Period Ending December 2019
4. Lewis-Upshur Animal Control Facility Annual Report on Animal Euthanasia – January 1, 2019 through December 31, 2019
5. Public Notices:
 - a. Newsletters and/or Event Notifications:
 - James W. Curry Public Library Calendar of Events – February 2020
 - Community Seminar – “Violence as elated to gun issues in Upshur County, WV” – February 11th in the Presbyterian Church Basement
 - b. Agendas and/or Notice of Meetings: None
 - c. Meeting Minutes:
 - Upshur County Fire Board, Inc. December 17, 2019
 - d. Meetings:
 - 02/04/20-4:00 p.m.-Hodgesville PSD
 - 02/04/20-5:30 p.m.-Elkins Road PSD
 - 02/06/20-3:00 p.m.-Adrian PSD
 - 02/06/20-7:00 p.m.-Banks District VFD
 - 02/06/20-7:00 p.m.-Selbyville VFD
 - 02/10/20-12:00 p.m.-Upshur County Family Resource Network
 - 02/10/20-4:30 p.m.-Upshur County Solid Waste Authority
 - 02/10/20-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 02/11/20-7:30 p.m.-Adrian VFD
 - 02/12/20-3:00 p.m.-Tennerton PSD
 - 02/12/20-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
 - 02/12/20-7:00 p.m.-Ellamore VFD
 - 02/12/20-7:00 p.m.-Warren District VFD
 - 02/13/20-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 02/13/20-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
 - 02/13/20-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 02/13/20-7:30 p.m.-Buckhannon VFD
 - 02/16/20-6:00 p.m.-Washington District VFD
 - 02/17/20-12:00 p.m.- Buckhannon-Upshur Chamber of Commerce
 - 02/18/20-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - 02/18/20-6:30 p.m.-Upshur County Fire Board, Inc.
 - 02/19/20-7:00 a.m.-Upshur County Development Authority – Executive Board
 - 02/19/20-12:00 p.m.-Upshur County Senior Center Board
 - 02/19/20-12:00 p.m.-Lewis Upshur LEPC – Upshur location
 - 02/19/20-4:00 p.m.-Upshur County Public Library Board
 - 02/20/20-2:00 p.m.-Upshur County Farmland Protection Board
 - 02/20/20-6:30 p.m.-Upshur County Youth Camp Board
 - 02/24/20-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
 - 02/24/20-7:00 p.m.-Upshur County Fire Fighters Association
 - 02/25/20-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 03/05/20-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 03/09/20-6:00 p.m.-Lewis-Upshur Community Corrections Board – Lewis Co.
 - 03/13/20-11:00 a.m.-Region VI Local Elected Officials
 - 03/25/20-10:00 a.m.-James W. Curry Advisory Board
6. Appointments Needed or Upcoming:
 - Buckhannon-Upshur Parks and Recreation Advisory Board (BOE appointee – 6/30/2020)
7. Board of Review & Equalization Meeting Schedule:
 - 01/30/2020 1:00 p.m. – 3:00 p.m. – No appointments – Review Property Books
 - 02/05/2020 1:00 p.m. – 3:00 p.m.
 - 02/11/2020 9:00 a.m. – 11:00 a.m. Coal, Oil & Gas and Industrial Appointments
 - 02/18/2020 9:00 a.m. – 11:00 a.m. Adjournment

(These meetings will take place at the Upshur County Administrative Annex)

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

The Commission approved all Vacation Orders. (copies included)

The Commission approved the following Settlements. (as listed)

- Madison Paige Jack – First Annual Settlement
- Linnie Geneva Jamison – Final Settlement

The Commission approved the following Exonerations and/or Refunds: (copies included)

- Jason Bachman - #300031 - \$12.62 – Exoneration Order
- Jason Bachman - #300031 - \$12.62 – Exoneration Order
- Jason Bachman - #300042 - \$2.10 – Exoneration Order

The Commission approved the following Correction/Exoneration/Refund Orders: (copies included)

- Christopher S. or Margaret Harper – Apportionment/Divorce

The Commission approved the following Consolidation of Land Tracts: (copies included)

- Union District - blend Map 7H Parcel 68, Map 7H Parcel 69, Map 7H Parcel 73 to make Map 7H Parcel 73 - Owners, Roth, Marcella & Roth, Neil K.

The Commission approved the following Requests to Attend Meeting: (copies included)

- Carrie L. Wallace – 2/26/2020
- Tabatha R. Perry – 2/26/2020

Carol Smith reviewed a request for a budget revision. After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the budget revisions as discussed with a “Request for Revision to Approved Budget” to be sent to the Office of the State Auditor for approval. (copy included)

Tabled Items: (none)

The Commission reviewed administrative items.

The Commission attended meetings at 1:00 p.m. for the Board of Review and Equalization – Review Property Books at the Administrative Annex.

With no further business, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission meeting adjourned at 4:00 p.m.