

UPSHUR COUNTY COMMISSION MEETING

October 8, 2020

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, October 8, 2020 at 9:00 a.m. Terry Cutright called the meeting to order. Present were: Terry B. Cutright, Commissioner; Samuel R. Nolte, Commissioner; Kristie G. Tenney, Commissioner; Carrie L. Wallace, County Administrator and Lois A. Marsh, Secretary. Carol J. Smith, County Clerk, joined the meeting via teleconference. The meeting began with a moment of silent meditation and prayer followed by the Pledge of Allegiance. All motions passed unanimously unless otherwise stated.

Terry Cutright reviewed scheduled appointments and agenda items.

Terry Cutright stated that Alan Tucker on behalf of the Buckhannon Band of Brothers – 2021 Calendar Campaign Kickoff presentation was postponed until a later meeting due to the Courthouse closure.

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved October 31, 2020 – 6:00 to 8:00 p.m. for Trick or Treat and will encourage the public to follow CDC guidelines on social media. CDC guidelines for Trick or Treat, personal choice to participate and the need to provide residents adequate time to prepare for Trick or Treat were all considered.

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the Recommendation for Extension of Time for First Annual Settlement for the Estate of Jerry N. Black, as requested by the Fiduciary Commissioner, Daya Masada Wright.

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved and authorized the President to sign correspondence to Larry W. Brown regarding requirements of the Upshur County Building Permit Ordinance and Upshur County Floodplain Ordinance for his property discussed during the August 13, 2020 Commission Meeting. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Resolution of Participation for the West Virginia Certified Development Community (CDC) Program for the Upshur County Development Authority. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved and authorized the President to sign correspondence to Ryan Halsey, Project Manager, regarding 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 \$124,039.76. This is for Request for Funds #15. (copy included)

Correspondence from Hannah Povroznik, Founder and Campaign Chairperson of “Boxing it Up to Give Thanks”, requesting a monetary donation to help support the campaign. Boxing it Up provides a complete traditional Thanksgiving meal to those in need throughout North Central West Virginia. After discussion, the Commission agreed via general consensus to encourage the public to donate to this organization either directly or through their Go Fund me page. The information will be shared on social media. (copy included)

After discussion, on motion from Sam Nolte, seconded by Kristie Tenney, the Commission approved and authorized the President to sign a Proposal for Financing provided by Country Roads Leasing, LLC and Resolution Authorizing the Execution and Delivery of a Master Equipment Lease-Purchase Agreement, and Related Instruments, and Determining Other Matters in Connection Therewith. The tax-exempt lease-purchase financing for the acquisition of a 2020 Ford Expedition at 3.35% interest will cost \$10,388.53 annually over a period of four years resulting in a total acquisition cost of \$41,554.12. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the Financial Statement – Fiscal year ended June 30, 2020. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved and adopted the Coronavirus Disease (COVID-19) Sick Leave Policy and Coronavirus Disease (COVID-19) Travel Policy. These policies were approved at the Supervisor’s Meeting and Policy Board Meeting on October 1, 2020. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved a Remote Work Policy, Remote Work Request Form and Remote Work Employee Property Agreement. This policy and related documents were approved at the Supervisor’s Meeting and Policy Board Meeting on October 1, 2020 (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved additional Election Officials and Alternates for the November 3, 2020 General Election. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved election workers as needed throughout the election cycle for the November 3, 2020 General Election. (copy included)

Terry Cutright stated that the Courthouse will be closed until October 21, 2020, which is the first day of early voting.

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At 9:15 a.m., Dustin Zickefoose, Assessor, appeared before the Commission to present an Order in reference to the Board of Assessment Appeals Hearing – Greylock Midstream Projects, LLC – Tax Year 2020. After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved and signed the Order per the request from Mr. Zickefoose.

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the request from Cheyenne Troxell, 26th Judicial Circuit Community Corrections Day Report Center Program Director, to hire Cory Elliott as a full-time Case Manager for the Lewis County Office. Mr. Elliott's employment will become effective October 1, 2020 and his pay wage rate will be \$12.50 per hour. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved Lewis-Upshur Animal Control Facility Volunteer Denise Posey.

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

1. After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the request from Cheyenne Troxell, 26th Judicial Circuit Community Corrections Day Report Center Program Director for a check to be cut from the Community Corrections local fund in the amount of \$26,059.00, made payable to Stephen's Auto for the purchase of a 2020 Jeep Grand Cherokee. Carrie Wallace explained that this was a State bid purchase and did not have to be put out for bids.
2. Elkins Road Public Service District Independent Audit for Fiscal Year July 1, 2019 through June 30, 2020. Copies are available for public inspection in the office of the Upshur County Commission upon request.
3. Lewis-Upshur Animal Control Facility Reports for the month of August, 2020
 - Adoption Financial Transactions
 - Cat Report
 - Animal Report
 - Animal Control/Humane Officer Animal Report
4. Upshur County E911 Communication Reports – September, 2020
 - Monthly Department Summary Report
 - Monthly Wrecker Report
 - YTD Wrecker Report
5. Upshur County Building Permits – September, 2020
6. Public Notices:
 - Newsletters and/or Event Notifications: (none)
 - Agendas and/or Notice of Meetings:
 - Elkins Road PSD October 5, 2020
 - Upshur County Safe Structures and Sites Enforcement Board October 8, 2020
 - Upshur County Farmland Protection Board October 8, 2020
 - James W. Curry Library/Park Advisory Board October 21, 2020
 - Meeting Minutes: (none)
 - Meetings:
 - 10/01/20-3:00 p.m.-Adrian PSD
 - 10/01/20-7:00 p.m.-City Council of Buckhannon
 - 10/01/20-7:00 p.m.-Banks District VFD
 - 10/01/20-7:00 p.m.-Selbyville VFD
 - 10/05/20-5:30 p.m.-Elkins Road PSD
 - 10/06/20-4:00 p.m.-Hodgesville PSD
 - 10/08/20-2:00 p.m.-Upshur County Farmland Protection Board
 - 10/08/20-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
 - 10/08/20-7:30 p.m.-Buckhannon VFD
 - 10/12/20-12:00 p.m.-Upshur County Family Resource Network
 - 10/12/20-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 10/12/20-4:30 p.m.-Upshur County Solid Waste Authority
 - 10/12/20-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 10/13/20-7:30 p.m.-Adrian VFD
 - 10/14/20-12:00 p.m.-Upshur County Senior Center Board
 - 10/14/20-3:00 p.m.-Upshur County Conventions & Visitors Bureau

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- 10/14/20-3:00 p.m.-Tennerton PSD
- 10/14/20-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
- 10/14/20-7:00 p.m.-Warren District VFD
- 10/14/20-7:00 p.m.-Ellamore VFD
- 10/15/20-6:30 p.m.-Upshur County Youth Camp Board
- 10/16/20-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 10/18/20-6:00 p.m.-Washington District VFD
- 10/19/20-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 10/20/20-6:30 p.m.-Upshur County Fire Board, Inc.
- 10/21/20-12:00 p.m.-Lewis Upshur LEPC
- 10/21/20-4:00 p.m.-Upshur County Public Library Board
- 10/21/20-7:00 a.m.-Upshur County Development Authority – Full Board
- 10/26/20-10:00 a.m.-Mountain CAP of WV, Inc., a CDC
- 10/26/20-7:00 p.m.-Upshur County Fire Fighters Association
- 10/27/20-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 10/28/20-10:00 a.m.-James W. Curry Advisory Board
- 11/05/20-6:00 p.m.-Buckhannon-Upshur Board of Health
- 12/07/20-6:00 p.m.-Lewis-Upshur Community Corrections Board – Lewis Co.

7. Appointments Needed or Upcoming:

- Upshur County Fire Board, Inc. (Linn Baxa-6/30/2020) -Fire Association 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. 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: (none)

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)

- Hale Lane – Final Settlement Waiver
- Jessie V. Marsh – Third Annual Settlement
- Margaret Grace Slaughter – Final Settlement Waiver

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

- H. Ralph Davidson (Homer Ralph) – Certification of Completion
- Carl Foster – Certification of Completion
- Carrie M. Foster – Certification of Completion
- Dorothy Tenney Jones – Certification of Completion
- Howard James Knabenshue – Certification of Completion
- Sylvia Lanham Register – Certification of Completion
- Gail L. Zickefoose – Certification of Completion

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

- Riffle, Aaron L. or Courtney N. - #200000374S - \$668.24 – Exoneration Order

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

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

After motion by Sam Nolte, seconded by Kristie Tenney, the meeting recessed at 9:25 a.m.

At 10:30 a.m. the Commission reconvened for the Second reading of Ordinance Granting a Renewal Franchise to Cequel III Communications II, LLC, a Delaware Limited Liability Company doing business as Suddenlink Communications, to Operate and Maintain a Cable System in the County of Upshur, West Virginia; and Setting Forth Conditions Accompanying the Grant of Franchise; Superseding All Previous Franchise Ordinances for the County Commission of Upshur County. After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the Second reading. A public hearing will take place on the 29th day of October, 2020. (copy included)

The Commission reviewed administrative business items and received project updates.

With no further business, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission meeting adjourned at 12:00 p.m.