

UPSHUR COUNTY COMMISSION MEETING

July 16, 2020

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, July 16, 2020 at 9:00 a.m. Terry B. Cutright called the meeting to order. Present were: Terry B. Cutright, Commissioner; Kristie G. Tenney, Commissioner; Samuel R. Nolte, 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.

Terry Cutright reviewed scheduled appointments and agenda items.

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the March 26, 2020 amended minutes, the June 4, 2020 amended minutes, the 2020 Primary Election Canvassing Minutes and the regular meeting minutes of July 9, 2020, as submitted.

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Renewal Agreement between the Upshur County Commission and Quality Home & Office Cleaning for janitorial services. Per the renewal clause, Owner and Contractor agree all terms set forth in the Agreement dated July 19, 2018, are in full force and effect for another one-year period effective August 1, 2020 and continuing through June 30, 2021. Owner shall pay the Contractor, upon completion of all work, no more than the sum of \$39,480. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the proposal from Civil & Environmental Consultants, Inc. to conduct a Hydrologic and Hydraulic study for Brushy Fork and an unnamed tributary of Brushy Fork on approximately 28 acres of property, owned by the Commission (Wellness Complex) and Upshur County Development Authority (behind Brushy Fork Event Center) off of Ridgeway Road in Buckhannon, WV. The total estimated project cost is \$13,000. Dirk Burnside stated that he appreciated all the Commission has done on this matter because in the past property owners have been permitted to fill in low places, thus causing flooding in other areas. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the appointment of Katie Loudin to the Upshur County Library Board. The unexpired term is effective immediately and ends on June 30, 2021. The following individuals submitted letters of interest for this vacant position: Jon Benjamin, D. Joy Layfield, Katie Loudin. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the request from the Upshur County Sheriff, David H. Coffman, for the employment of Amber Powers as fill-in Court Security Officer. Ms. Powers' employment will begin August 2, 2020 at the pay wage rate of \$11.00 per hour. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the request from Carrie L. Wallace, County Administrator, for the employment of Terry R. Boyd as a Maintenance Technician at the pay wage rate of (\$17.00) per hour, effective July 26, 2020. (copy included)

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

1. Correspondence to the WV Statewide Interoperable Radio Network requesting permission to place a VHF high band repeater on the Cleveland Mountain Tower and further requesting for the load study fee to be waived. Dirk Burnside reported to the Commission that he had attended a meeting of the WV Statewide Interoperable Radio Network and reviewed this project with fellow Board members. He felt that after assessments are completed, the Commission should receive an approval letter to proceed from the WVSIRN.
2. Correspondence from 26th Judicial Circuit Judge Jacob E. Reger appointing Steven B. Nanners to replace Dennis Willett on the Upshur county Civil Service Board. This term expires on December 31, 2020. Terry Cutright and Sam Nolte thanked Dennis Willett for his service over the years.
3. Upshur County Safe Structures and Sites Enforcement Board Petition for Order -- Case Number 101019-02 (Warren Tax District – Tax Map 7C – Parcel Number 42.10). Carrie Wallace said this is a new property and the owner has 20 days to file a written request with the County Clerk.
4. Upshur County Fire Board, Inc. Cumulative financial Reports FY20 – July 1, 2019 through June 30, 2020.
5. Pecks Run Channel update prepared by the Tygarts Valley Conservation District and the WV Conservation Agency.
6. Adrian Public Service District Independent Auditor's Report and Related Financial Statements for the years ended June 20, 2019 and June 30, 2018.

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7. Public Notices:

- a) Newsletters and/or Event Notifications:
 - St. Joseph's Hospital and the Rotary Club of Buckhannon-Upshur to Hold Blood Screenings in July and August by Appointment.
- b) Agendas and/or Notice of Meetings:
 - Buckhannon-Upshur Parks and Recreation Advisory Board July 13, 2020
 - Upshur County Public Library July 15, 2020
 - City Council of Buckhannon July 16, 2020
 - Upshur County Farmland Protection Board July 16, 2020
 - Upshur County Fire Board, Inc. July 21, 2020
- c) Meeting Minutes:
 - Elkins Road PSD June 2, 2020
 - Adrian PSD June 4, 2020
 - Elkins Road PSD June 10, 2020
 - Tennerton PSD June 10, 2020
 - Upshur County Senior Center June 10, 2020
 - Buckhannon-Upshur Parks & Recreation Advisory Board June 15, 2020
- d) Meetings:
 - 07/02/20-3:00 p.m.-Adrian PSD
 - 07/02/20-7:00 p.m.-Banks District VFD
 - 07/02/20-7:00 p.m.-City Council of Buckhannon
 - 07/02/20-7:00 p.m.-Selbyville VFD
 - 07/06/20-6:00 p.m.-Lewis-Upshur Community Corrections Board
 - 07/07/20-4:00 p.m.-Hodgesville PSD
 - 07/08/20-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 07/08/20-3:00 p.m.-Tennerton PSD
 - 07/08/20-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
 - 07/08/20-7:00 p.m.-Ellamore VFD
 - 07/08/20-7:00 p.m.-Warren District VFD
 - 07/09/20-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
 - 07/09/20-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 07/09/20-7:30 p.m.-Buckhannon VFD
 - 07/10/20-11:00 a.m.-Region VI Local Elected Officials - Marion County
 - 07/13/20-12:00 p.m.-Upshur County Family Resource Network
 - 07/13/20-4:30 p.m.-Upshur County Solid Waste Authority
 - 07/13/20-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 07/14/20-7:30 p.m.-Adrian VFD
 - 07/15/20-7:00 a.m.-Upshur County Development Authority – Full Board
 - 07/15/20-12:00 p.m.-Upshur County Senior Center Board
 - 07/15/20-12:00 p.m.-Lewis Upshur LEPC
 - 07/15/20-4:00 p.m.-Upshur County Public Library Board
 - 07/16/20-2:00 p.m.-Upshur County Farmland Protection Board
 - 07/16/20-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 07/16/20-6:30 p.m.-Upshur County Youth Camp Board
 - 07/19/20-6:00 p.m.-Washington District VFD
 - 07/20/20-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 07/21/20-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - 07/21/20-6:30 p.m.-Upshur County Fire Board, Inc.
 - 07/22/20-10:00 a.m.-James W. Curry Advisory Board
 - 07/27/20-7:00 p.m.-Upshur County Fire Fighters Association
 - 07/28/20-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 08/04/20-5:30 p.m.-Elkins Road PSD
 - 09/07/20-6:00 p.m.-Lewis-Upshur Community Corrections Board – Lewis Co.

****NOTICE:** All in person county board meetings may resume effective May 18th; however, teleconference meetings are encouraged and social distancing must be followed.**

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8. Appointments Needed or Upcoming:

- Upshur County Fire Board, Inc. (Linn Baxa-6/30/2020) -Fire Association Representative
- Hodgesville PSD (Roger Ward-8/05/2020)
- Elkins Road PSD (Larry Heater-9/30/2020)
- Upshur County Solid Waste Authority (Joyce Harris-Thacker-6/30/2020)-Commission
- Upshur County Solid Waste Authority (Mary L. Gower-6/30/2020)-Conservation District
- Buckhannon-Upshur Parks & Recreation Advisory Board (Brett Robinson-6/30/2020)-BOE
- Upshur County Public Library (vacant position – 6/30/2021)-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. 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.****

Rodney Rolenson, Corporal and Home Confinement Supervisor, appeared before the Commission to discuss the GPS monitoring contract agreement with Attenti US, Inc. The Scram units will still be utilized in most areas, but remote areas will run on Wi-Fi and should enhance coverage in more rural areas of the county. After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the contract agreement with Attenti US, Inc.

Mike Cozad, Atlantic Coast Pipeline, gave the Commission an update on the proposed project. Mr. Cozad stated that Warren Buffet, Berkshire Hathaway, had purchased most of the pipelines under Dominion's purview, but did not purchase the Atlantic Coast Pipeline. This pipeline is still under the control of Duke Energy and Dominion. Dominion has cancelled the pipeline project because of on-going court proceedings. Dominion will be responsible for property reclamation and FERC will ultimately decide what happens to the pipe under the ground. Mr. Cozad said that the oil and gas industry is currently in a decline but hopefully the business will come back. Dustin Zickefoose, Assessor, inquired as to who owns the Atlantic Coast Pipeline and Mr. Cozad assured him that the Atlantic Coast Pipeline is still an entity for communication and tax purposes.

Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permit and Floodplain Coordinator, presented a Request for Road Name filed by Rick Chewning to change the road name to Jacobs Ladder Lane. After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved moving forward with the process of changing the road's name. (copy included)

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)

- Deborah G. Leigh – Final Settlement Waiver
- Eloise E. Mahan – Final Settlement Waiver
- Helen Alberta Davidson Samples – Final Settlement Waiver

The Commission approved the following Certification of Completion of Ancillary Administration of WV Real Estate Without Appointment. (as listed)

- Dorothy J. Grose – Certification of Completion

The Commission approved the following Exonerations and/or Refunds. (as listed)

- Woodson Brenda K or Franklin A - #100000097S - \$84.02 – Exoneration Order
- Sarah E Rudoph - #500000203S - \$279.48 – Exoneration Order
- Rice Terry Lynn & Rice Preston England - #400000071S - \$161.54 – Exoneration Order
- Snider Antonia - #400000081S - \$26.52 – Exoneration Oder
- Westfall James & Susan - #100000103S - \$19.96 – Exoneration Order

The Commission approved the following Correction/Exoneration/Refund Orders: (none)

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

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

The Commission adjourned at 11:30 a.m.

The Commission reconvened at 1:00 p.m. for the Supervisor's Meeting and 2:00 p.m. for the Policy Board Meeting.

With no further business, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission meeting adjourned at 3:30 p.m.