

UPSHUR COUNTY COMMISSION MEETING

September 24, 2020

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, September 24, 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; 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 regular meeting minutes of September 17, 2020, as submitted.

After discussion, the first reading of the Cable Franchise Ordinance and public hearing was tabled on motion by Kristie Tenney, seconded by Sam Nolte as Suddenlink has not presented a draft cable franchise ordinance for consideration. Carrie Wallace, County Administrator, explained that the Commission is aware of cable service and customer service concerns; however, a cable provider cannot operate within the County outside of the municipal limits without a cable franchise agreement with the franchise authority, franchise agreements are non-exclusive and the Commission Office has not been contacted by any other cable provider who is interested in providing service to Upshur County.

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the West Virginia SIEEP Grant Program Application for the 26th Judicial Circuit Community Corrections Program in the amount of \$277,744. If awarded, the funds will be used to provide psychiatric evaluations and medical assessments for substance use treatment, and co-occurring mental health. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the request from the James W. Curry Advisory Board to submit a request to Fulton Financial Advisors for an additional ten percent distribution of the James W. Curry Trust, for operations through fiscal year 2025. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the request from Terry Gould, Hodgesville PSD Manager, for the reappointment of Roger Ward to the Hodgesville PSD Board of Directors. Mr. Ward's term will expire on August 5, 2026. The Board voted to recommend Mr. Ward's reappointment during a regular monthly meeting held on August 4, 2020. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the Resignation of an Employee without going into Executive Session.

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved an advertisement for a full-time Case Manager for the 26th Judicial Circuit Community Corrections Program with a starting salary of \$12.50 per hour. Applications must be received by 4:00 p.m. on October 5, 2020. (copy included)

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

1. Statewide Transportation Improvement Program (STIP) FFY 2020-2025 Program Amendment #3 dated September 15, 2020.
2. Upshur County Mileage Reports – August, 2020
 - Upshur 911
 - Maintenance
 - Emergency Management
 - Sheriff
 - Addressing and Mapping
 - Community Corrections
 - Dog Pound
3. Public Notices:
 - Newsletters and/or Event Notifications: (none)
 - Agendas and/or Notice of Meetings:
 - Elkins Road PSD October 5, 2020
 - Meeting Minutes:
 - Upshur County Development Authority – Board of Directors January 22, 2020
 - Upshur County Development Authority - Executive February 26, 2020
 - Upshur County Development Authority – Board of Directors March 25, 2020
 - Upshur County Development Authority - Executive April 29, 2020
 - Upshur County Development Authority – Board of Directors May 27, 2020
 - Upshur County Development Authority – Executive June 24, 2020

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- Buckhannon-Upshur Parks & Recreation Advisory Board July 13, 2020
- Upshur County Youth Camp July 26, 2020
- Upshur County Fire Board August 18, 2020
- Upshur County Public Library Board of Trustees August 19, 2020
- Meetings:
 - 09/03/20-3:00 p.m.-Adrian PSD
 - 09/03/20-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 09/03/20-7:00 p.m.-Banks District VFD
 - 09/03/20-7:00 p.m.-City Council of Buckhannon
 - 09/03/20-7:00 p.m.-Selbyville VFD
 - 09/07/20-6:00 p.m.-Lewis-Upshur Community Corrections Board – Lewis Co.
 - 09/08/20-7:30 p.m.-Adrian VFD
 - 09/09/20-12:00 p.m.-Upshur County Senior Center Board
 - 09/09/20-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 09/09/20-3:00 p.m.-Tennerton PSD
 - 09/09/2020-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
 - 09/09/20-7:00 p.m.-Warren District VFD
 - 09/09/20-7:00 p.m.-Ellamore VFD
 - 09/10/20-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
 - 09/10/20-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 09/10/20-7:30 p.m.-Buckhannon VFD
 - 09/11/20-11:00 a.m.-Region VI Local Elected Officials
 - 09/14/20-12:00 p.m.-Upshur County Family Resource Network
 - 09/14/20-4:30 p.m.-Upshur County Solid Waste Authority
 - 09/14/20-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 09/15/20-6:30 p.m.-Upshur County Fire Board, Inc.
 - 09/16/20-7:00 a.m.-Upshur County Development Authority – Executive Board
 - 09/16/20-12:00 p.m.-Lewis Upshur LEPC
 - 09/16/20-4:00 p.m.-Upshur County Public Library Board
 - 09/17/20-2:00 p.m.-Upshur County Farmland Protection Board
 - 09/17/20-6:30 p.m.-Upshur County Youth Camp Board
 - 09/18/20-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - 09/20/20-6:00 p.m.-Washington District VFD
 - 09/21/20-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 09/22/20-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 09/23/20-10:00 a.m.-James W. Curry Advisory Board
 - 09/28/20-7:00 p.m.-Upshur County Fire Fighters Association
 - 10/05/20-5:30 p.m.-Elkins Road PSD
 - 10/06/20-4:00 p.m.-Hodgesville PSD

4. 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)

- Louise June Gould – Final Settlement Waiver
- Homer E. Holloway – Final Settlement Waiver
- Sheila M. Marsh – Final Settlement Waiver
- Sue Ann Miller – Final Settlement Waiver
- Carolyn Sue Wamsley – Final Settlement Waiver

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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: (none)

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

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

Robin Oldaker, appeared on behalf of Upshur County Relay for Life, and presented the Proclamation for WV Breast Cancer Awareness Month (October 2020). After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Proclamation. (copy included)

At 9:30 a.m., the Commission considered the Recommendation to Remove Fiduciary Commissioner in the Estate of Sarah Downs, deceased. After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the Recommendation. (copy included)

Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permit and Floodplain Coordinator, appeared before the Commission to present a Road Name Request Application from Clint Wyatt. After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Road Name Request Application was denied as the request did not meet the requirements of the Addressing & Mapping Ordinance.

After motion by Sam Nolte, seconded by Kristie Tenney, the meeting recessed at 12:20 p.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 3:45 p.m.