

UPSHUR COUNTY COMMISSION MEETING

January 24, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, January 24, 2019 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commission President; Terry Cutright, Commissioner; Kristie Tenney, Commissioner; Carol Smith, Upshur County Clerk; Carrie Wallace, Administrator; Tabatha Perry, Assistant Administrator and Jacqueline Dinklocker, 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.

The regular meeting minutes of January 17, 2019 were not available and will be scheduled for action on next week's agenda.

Sam Nolte reviewed scheduled appointments and agenda items.

Sam Nolte advised that agenda item number 1 will be reviewed for action after Jodie Akers' 9:15 a.m. appointment.

The Commission reviewed correspondence from Robert L. Morris, Jr., Chairman of the Robert C. Byrd Corridor H Highway Authority, requesting for the Commission to consider making a financial contribution to the Corridor H Authority during fiscal year 2019 (copy included). After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved a donation in the amount of \$5,000 as done in the previous year.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Federal Financial Report Standard Form 425 per the U.S. EPA Brownfields Assessment and Cleanup Cooperative Agreement (copy included).

The Commission reviewed correspondence from Richard Harlow, President of the Upshur County Firefighter's Association, expressing an interest to serve on the Upshur County Fire Board upon Joe Malcolm's term expiration on June 30, 2019. Upon approval, Mr. Harlow's term will commence on July 1, 2019 and expire on June 30, 2022. Tabatha Perry recommended that the Commission table action on the request pending review with Toni Newman, Upshur County Fire Fee Clerk. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved Ms. Perry's recommendation.

Samantha Atchinson, Vice President of the Animal Outreach Project, appeared before the Commission and provided a review of her request for use of spay/neuter funds to supplement project initiatives. Ms. Atchinson reviewed information and data concerning the success of the spay/neuter project and usage of funds previously approved by the Commission. Carrie Wallace reported that the process "went smoothly". Sam Nolte advised that before the Commission can approve the request, Lewis County Commission will need to be consulted due to the partnership of the Lewis-Upshur Animal Control. Mr. Nolte advised that he will consult with Lewis County officials. The request will be placed on a future agenda for action.

Jodie Akers, Director of Student Services for the Upshur County Board of Education appeared before the Commission to discuss the Justice Assistance Grant (JAG) award in the amount of \$15,000 to support the position of a Prevention Resource Officer at Buckhannon-Upshur Middle School. Ms. Akers expressed appreciation to the Commission for their previous support of the PRO program which is in its 9th year. Dr. Sara Stankus, Upshur County Schools Superintendent, also expressed appreciation to the Commission for their support and to the citizens of Upshur County for the recent passage of the levy. After discussion, on action by Terry Cutright, seconded by Kristie Tenney, the Commission

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approved and authorized the President, to sign the Justice Assistance Grant (JAG) Contract Agreement in the amount of \$15,000, and all related documents as submitted (copy included).

Sam Nolte reviewed the following “For Your Information” items:

1. Correspondence from Jeff Amburgey, Director of the Property Tax Division, State of WV Department of Revenue State Tax Department, providing a budget amount estimate in the sum of \$34,137 to assist in the task of preparing a FY 2019-2020 budget for the Statewide Computer Network, Account 408.
2. Correspondence from Wolf Run Mining LLC enclosing the legal advertisement for Wolf Run Mining LLC, Permit No. U-2002-01, in compliance with the surface mining laws of WV.
3. HealthiestYou summary of savings year to date and annualized utilization – December 2018
4. Lewis-Upshur Animal Control Facility Adoption Financial Transactions – December 2018
5. Public Notices:
 - a. Newsletters and/or Event Notifications
 - Public Health Bulletin released by Chief Matthew Gregory on January 15, 2019
 - b. Agendas and/or Notice of Meetings:
 - Upshur County Public Library-January 24, 2019
 - c. Meeting Minutes:
 - Adrian PSD-December 13, 2018
 - d. Meetings
 - 01/15/19-6:30 p.m.-Upshur County Fire Board, Inc.
 - 01/16/19-7:00 a.m.-Upshur County Development Authority–Full Board
 - 01/16/19-12:00 p.m.-Lewis Upshur LEPC--Lewis location
 - 01/16/19-4:00 p.m.-Upshur County Public Library Board
 - 01/16/19-6:00 p.m.-Upshur County Citizens Corp–CERT
 - 01/17/19-2:00 p.m.-Upshur County Farmland Protection Board
 - 01/17/19-6:30 p.m. -Upshur County Youth Camp Board–WVU Extension Office
 - 01/20/19-6:00 p.m.-Washington District VFD
 - 01/21/19-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 01/28/19-12:00 p.m.-Region VII Planning & Development Council
 - 01/29/19-12:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 01/29/19-6:00 p.m.-Upshur County Fire Fighters Association
 - 02/05/19-4:00 p.m.-Hodgesville PSD
 - 02/05/19-5:30 p.m.-Elkins Road PSD
 - 02/05/19-7:30 p.m.-Adrian VFD
 - 02/07/19-7:00 p.m.-Banks District VFD
 - 02/07/19-7:00 p.m.-Selbyville VFD
 - 02/11/19-12:00 p.m.-Upshur County Family Resource Network
 - 02/11/19-4:30 p.m.-Upshur County Solid Waste Authority

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- 02/11/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 02/13/19-12:00 p.m.-Upshur County Senior Center Board
- 02/13/19-3:00 p.m.-Tennerton PSD
- 02/13/19-6:00 p.m.-Buckhannon River Watershed Association-WVWC
- 02/13/19-7:00 p.m.-Ellamore VFD
- 02/13/19-7:30 p.m.-Warren District VFD
- 02/14/19-10:00 a.m.-Adrian PSD
- 02/14/19-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 02/14/19-4:00 p.m.-Buckhannon Upshur Airport Authority
- 02/14/19-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 02/14/19-7:30 p.m.-Buckhannon VFD
- 02/19/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
Tygart Valley Conserv. District Office in Philippi
- 02/25/19-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
- 03/04/19-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
- 03/15/19-11:00 a.m.-Region VI Local Elected Officials-Lewis County
- 03/27/19-10:00 a.m.-James W. Curry Advisory Board
- TBD-6:00 p.m.-Buckhannon-Upshur Board of Health

6. Appointments Needed or Upcoming:

- Upshur County Enhanced Emergency Telephone Advisory Board (unexpired term - June 30, 2020) -- Community Member
- Buckhannon-Upshur Parks and Recreation Advisory Board (unexpired term – June 30, 2019) – City Appointee

Tabled Items (Certain Items May Require Discussion, Action and/or Approval by the Commission)

1. Bid award -- Soil Remediation Services for the Upshur County Youth Camp Brownfields Cleanup Project: Tabatha Perry advised that after discussion with Lydia Work, Licensed Remediation Specialist for Environmental Standards, she recommends for the Commission to accept the lowest qualified bid in the amount of \$84,295 provided by Envirocheck of Virginia, Inc. On motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved to award the contract to Envirocheck of Virginia, Inc. for soil remediation services.

Josh Calderon, OpenGov Account Executive appeared before the Commission and provided a comprehensive overview with slideshow presentation of the OpenGov platform and county checkbook demonstration. Debbie Hull, bookkeeper, expressed concerns about the time required for data entry. Mr. Calderon continued his presentation after the 10:15 a.m. appointment of April Pierson-Keating.

April Pierson-Keating appeared on behalf of Mountain Lakes Preservation Alliance and provided a statement regarding the letter of support previously approved on January 17, 2019 for the continued construction and completion of the Atlantic Coast Pipeline. Ms. Pierson-Keating reiterated previously expressed concerns regarding the possible dangers of the temporary employment

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opportunities, the possible/likely danger of leaks/explosions/landslides and the potential for lowering property values as well as other concerns. Upshur County residents, Tim Higgins and Kevin Campbell joined Ms. Pierson-Keating and expressed their concerns and promoted clean renewable energy alternatives and agriculture opportunities for the growth of hemp to increase revenues and employment opportunities for the state. The group expressed that they want to ensure that the public understands that there are choices.

Mr. Calderon continued with his presentation and Q & A session, and expressed that the focus for JB McCuskey, WV State Auditor, is transparency.

The Commission approved all invoices for payment (copies included).

The Commission approved all Vacation Orders.

The Commission approved the following “Settlements” (copies included):

- Phyllis Marie Bennett—Final Settlement Waiver
- Kathryn V. Cutright—Final Settlement
- Lilia Willavene McLaughlin Fitzgerald—Final Settlement Waiver
- Larry Lee Grubb—Final Settlement Waiver
- Dortha M. Hanifan—Final Settlement Waiver
- Evelyn Taylor Harkins—Final Settlement Waiver
- Jerry Lockwood Kimble—Final Settlement Waiver

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

- Tabatha R. Perry—February 26, 2019

The Commission recessed at 12:20 p.m.

The Commission reconvened at 2:00 p.m. at the Upshur County Administrative Annex and met with Joe Stanton, Thornburg Insurance Agency representative and Bruce Flunker, EBSO President via teleconference for a review of EBSO Health Insurance Plan. On motion by Terry Cutright, seconded by Kristie Tenney, the Commission entered into Executive Session per WV Code §6-9A-4(6). Present were Sam Nolte, Terry Cutright, Kristie Tenney, Carol Smith, Carrie Wallace, Tabatha Perry, Bruce Flunker and Joe Stanton. The Commission returned to open session at 5:40 p.m. No decisions were made in executive session

The Commission reviewed agenda items for future meetings, received project updates and discussed administrative business items.

With no further business, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission meeting adjourned at 5:45 p.m.