

# UPSHUR COUNTY COMMISSION MEETING

## October 18, 2018

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, October 18, 2018 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commission President; Terry Cutright, Commissioner; Carol Smith, Upshur County Clerk; Carrie Wallace, County Administrator; Tabatha Perry, Assistant Administrator and Jacqueline Dinklocker, Secretary. Troy Brady, Commissioner; was not present. 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 Terry Cutright, seconded by Sam Nolte, the Commission approved the regular meeting minutes of October 11, 2018 as submitted.

At 9:05 a.m., Sam Nolte opened a public hearing for the second reading of suggested revisions to the Upshur County Ordinance Imposing an Occupancy Tax on Hotels Located in Upshur County, WV, Which Are Not Located within the Corporation Limits of the City of Buckhannon, previously adopted on August 9, 2001 and amended on November 29, 2007. Tabatha Perry provided the reading. No objections were voiced. Copies of the amendments to the Ordinance are on file in the Upshur County Administrative offices and online at [www.upshurcounty.org](http://www.upshurcounty.org). On motion by Terry Cutright seconded by Sam Nolte, the Commission approved the second reading of the revisions.

Sam Nolte reviewed scheduled appointments and agenda items.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the Early Voting Poll Workers for the November 2018 General Election as submitted by Carol Smith, Upshur County Clerk (copy included).

Tabatha Perry provided a review of the Weyerhaeuser Giving Fund Grant in the amount of \$315,258.91 on behalf of the Upshur County Youth Camp and clarified that the request is for the approval of the application. Craig Presar, Upshur County Extension Agent and Youth Camp representative, advised that if awarded, grant funds will be used for the replacement of old equipment, repairs, operations and camp upkeep. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the submission of the application (copy included).

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the appointment of Kenneth "Brian" Shreves as Upshur County Coroner (copy included). Carrie Wallace provided clarification that per WV Code §6B-2-5, Mr. Shreves will be required to utilize annual leave to respond as the County Coroner during regular business hours for the UCHSEM (Upshur County Dept. of Homeland Security and Emergency Management) office.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the "Request for Proposals" for a new radio console system and equipment room radio upgrade for the E911 Communications Center. Each distributor shall arrange a mandatory pre-bid tour of the facility prior to bid submission. Sealed bids must be received no later than 4:00 p.m. on November 7, 2018 at the Administrative Annex located at 91 W. Main Street, Suite 101. Proposals received by the deadline will be publicly opened, reviewed and read aloud by the Commission at 9:15 a.m. on Thursday, November 8, 2018 (copy included).

Carrie Wallace reviewed correspondence from Jim Farry, Phyllis Sembello, William A. Duranti, and Susan Duranti, announcing their resignations from the Upshur County Citizens Corp Council, effective October 10, 2018. Ms. Wallace noted that the resignations were for Citizens Corp Council only; the members will still participate in the CERT Program. Shannon Whited and Kenneth "Brian" Shreves will appear during next week's Commission meeting to discuss necessary steps to move forward with dissolving the CCC. (Report only--No action by the Commission was necessary)

# UPSHUR COUNTY COMMISSION MEETING

## October 18, 2018

Larry Lance, Upshur County Schools Counselor, and representatives from area schools appeared before the Commission and provided a presentation of Red Ribbon Week events and themes. This year's theme is "Life is Your Journey, Travel Drug Free." Daily themes promote awareness of the drug problem. Caitlin Oliveto and Carlee Champ provided a reading of the Red Ribbon Week Proclamation – October 22- 26. The national anti-drug program "promotes community family and individual responsibility for living healthy, drug-free lifestyles". On motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the signing of the Red Ribbon Week Proclamation which designates October 22-26, 2018 as Red Ribbon Week in Upshur County (copy included).

Sam Nolte reviewed the following "For Your Information" items:

1. Correspondence from Michael Sutphin, WV DEP Project Manager, approving the Risk Assessment Response to Comments for the Upshur County Youth Camp Archery Range Project.
2. Update regarding a memorandum from State Auditor John B. McCuskey concerning electronic payments. Tabatha Perry reported that electronic payments to local governments have been placed on hold by the State Auditor's Office until further meetings can be scheduled to determine the most efficient way to process deposits.
3. Correspondence from Clayton J. Fitzsimmons of Fitzsimmons Law Firm PLLC enclosing a Complaint filed on behalf of the Upshur County Commission relating to the opioid epidemic.
4. Upshur County Mileage Reports – September 2018
  - Upshur 911
  - Maintenance
  - Emergency Management
  - Sheriff
  - Addressing and Mapping
  - Community Corrections
  - Dog Pound
5. Upshur County Animal Control/Humane Officer Monthly Dog Report for the month of September 2018
6. Lewis-Upshur Animal Control Facility Adoption Financial Transactions – September 2018
7. Newsletters and/or Event Notifications:
  - Lunch and Learn Discussion about Varicose Veins offered by Dr. David Faber on October 25<sup>th</sup> at noon in Salvati Hall at St. Joseph's Hospital
  - Hodgesville Lions Club Pancake & Sausage, Sausage & Gravy & Biscuit Day at Warren District Community Center on October 27<sup>th</sup> from 7 a.m. to 1 p.m.
  - WICKED AFFAIR Halloween Event benefitting the Mountain CAP Child Advocacy Center on October 27<sup>th</sup> from 7 p.m. to 11 p.m. at the Event Center at Brushy Fork.
  - "A Simple response to the Opioid Epidemic" sponsored by the First United Methodist Church on October 28<sup>th</sup> beginning at 2 p.m.
  - WVU Extension Service Strategic Planning Session on October 30<sup>th</sup> from 6 p.m. to 8 p.m. in Engle Hall of Chapel Hill United Methodist Church
8. Agendas and/or Notice of Meetings:

# UPSHUR COUNTY COMMISSION MEETING

## October 18, 2018

- Buckhannon River Watershed Association--October 10, 2018
- Lewis-Upshur Community Corrections Board-October 15, 2018
- Robert C. Byrd Corridor H Highway Authority-October 15, 2018
- Upshur County Fire Board, Inc.-October 16, 2018
- City Council of Buckhannon-October 18, 2018
- Upshur County Commission – Special Meeting-October 19, 2018
- Buckhannon River Watershed Association-November 1, 2018
- Buckhannon-Upshur Parks & Recreation Advisory Board-November 5, 2018
- Elkins Road PSD-November 13, 2018

### 9. Meeting Minutes:

- Buckhannon River Watershed Association-  
January 10, 2018  
February 14, 2018  
March 14, 2018  
April 11, 2018  
May 16, 2018  
August 15, 2018  
September 6, 2018
- Robert C. Byrd Corridor H Authority-July 16, 2018
- Elkins Road PSD-September 4, 2018
- Upshur County Safe Structures and Sites Enforcement Board-September 13, 2018
- Adrian PSD-September 13, 2018
- Adrian PSD – Monthly Progress meeting VII & VIII-September 20, 2018
- Buckhannon-Upshur Airport Authority-September 21, 2018

### 10. Meetings:

- 10/02/18-4:00 p.m.-Hodgesville PSD
- 10/04/18-7:00 p.m.-Banks District VFD
- 10/04/18-7:00 p.m.-Selbyville VFD
- 10/08/18-12:00 p.m.-Upshur County Family Resource Network
- 10/08/18-4:30 p.m.-Upshur County Solid Waste Authority - CANCELLED
- 10/09/18-7:30 p.m.-Adrian VFD
- 10/10/18--12:00 p.m.-Upshur County Senior Center Board
- 10/10/18-3:00 p.m.-Tennerton PSD
- 10/10/18-6:00 p.m.-Buckhannon River Watershed Association - Board of Directors
- 10/10/18-6:00 p.m.-Upshur County Citizens Corp – CERT
- 10/10/18-7:00 p.m.-Ellamore VFD
- 10/10/18--7:30 p.m.-Warren District VFD
- 10/11/18-10:00 a.m.-Adrian PSD
- 10/11/18-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 10/11/18-4:00 p.m.-Buckhannon Upshur Airport Authority
- 10/11/18-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 10/11/18-7:30 p.m.-Buckhannon VFD

# UPSHUR COUNTY COMMISSION MEETING

## October 18, 2018

- 10/15/18-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 10/15/18-6:00 p.m.-Lewis-Upshur Community Corrections Board- Upshur County
- 10/16/18-4:00 p.m.-Upshur County Public Library Board – CANCELLED
- 10/16/18-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 10/16/18-6:30 p.m.-Upshur County Fire Board, Inc.
- 10/17/18-7:00 a.m.-Upshur County Development Authority – Executive Board
- 10/17/18-12:00 p.m.-Lewis Upshur LEPC --- Upshur location
- 10/18/18-2:00 p.m.-Upshur County Farmland Protection Board
- 10/18/18-6:30 p.m. -Upshur County Youth Camp Board – WVU Extension Office
- 10/21/18-6:00 p.m.-Washington District VFD
- 10/22/18-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
- 10/22/18-12:00 p.m.-Region VII Planning & Development Council
- 10/22/18 -6:00 p.m.-Upshur County Fire Fighters Association
- 10/23/18-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 10/23/18-4:00 p.m.-Upshur County Public Library Board – Special Meeting
- 10/24/18-10:00 a.m.-James W. Curry Advisory Board
- 11/01/18-6:00 p.m.-Buckhannon-Upshur Board of Health
- 11/01/18-6:00 p.m.-Buckhannon River Watershed Association - Board of Directors
- 11/05/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory
- 11/12/18-12:00 p.m.-Upshur County Family Resource Network -- CANCELLED
- 11/12/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board - CANCELLED
- 11/13/18-5:30 p.m.-Elkins Road PSD
- 12/10/18-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County

### 11. Appointments Needed or Upcoming:

- Upshur County Enhanced Emergency Telephone Advisory Board – (June 30, 2021 Fire Service Provider Representative)

### Tabled Items

1. Discuss property owned by Thomas Moates located in Warren Tax District – Tax Map 6C – Parcel Number 41 (*last extension was approved during April 5<sup>th</sup> meeting*)-Tabatha Perry advised that due to equipment issues, a dumpster has not been placed on site yet but is expected next week.

Addie Helmick, Women’s Aid in Crisis representative, appeared before the Commission and read the “Domestic Violence Awareness Month Proclamation” which designates the month of October 2018 as Domestic Violence Awareness Month. The proclamation recognizes victims and encourages support to end domestic violence. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the signing of the Proclamation and approved Ms. Helmick’s request to place a display in the lobby of the Courthouse Annex.

Toni Newman, Fire Fee Clerk, appeared before the Commission and provided a presentation of the 2017-2018 and 2018-2019 Fire Board Financial Reports per WV Code §7-17-17. Ms. Newman reported that fire fee collection is currently at 93%.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved Hoover Lane for a driveway off Tallmansville Road as requested by Terri Jo Bennett, UC Addressing and Mapping Coordinator (copy included).

# UPSHUR COUNTY COMMISSION MEETING

## October 18, 2018

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

The Commission approved all Vacation Orders.

The Commission approved the following "Settlements" (copies included):

- Denzil R. Leigh—Final Settlement
- Jimmie R. Woody—Final Settlement Waiver

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

- Tabatha R. Perry—November 8, 2018

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

- Jimmie Jr. or Lisa Samples-Tkt.-- #307085-Exoneration Order
- ACAR Leasing, LTD fka GM Financial--Tkt. #302652-Exoneration Order
- Raymond Kesling-Tkt.-- #20373-Exoneration Order

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

The Commission recessed at 11:30 a.m. and attended meetings of the Upshur County Supervisors and Policy Board.

The Commission reconvened at 2:50 p.m.

With no further business, on motion by Terry Cutright, seconded by Sam Nolte, the Commission meeting adjourned at 2:50 p.m.