

UPSHUR COUNTY COMMISSION MEETING

October 25, 2018

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, October 25, 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 18, 2018 with a correction to the time of adjournment as 2:50 p.m.

Sam Nolte reviewed scheduled appointments and agenda items.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the Order to appoint the Sheriff of Upshur County as the Administrator of the Estate Irene Lucille Wolfe, deceased (copy included),

After review of correspondence from Governor Jim Justice, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Contract Agreement, Certifications and Resolution and related documents associated with the Victims of Crime Act (VOCA) Grant Award in the amount of \$34,555 (copy included).

Tabatha Perry provided a review of suggested revisions to the Upshur County Safe Structures and Sites Ordinance, excluding the municipality of Buckhannon, previously adopted on April 13, 2000 (copy included). After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved to set dates for public hearings as follows: first reading, November 8, 2018; second reading, November 15, 2018 and final reading and (tentative) approval/adoption of revised ordinance, December 6, 2018.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the U.S. EPA MBE/WBE Utilization Under Federal Grants and Cooperative Agreements Form 5700-52A (copy included).

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

Carrie Wallace provided a review of the WV Records Management and Preservation Board Resolution and Grant Applications for Fiscal Year 2019-2020 in the amount of \$15,737 with a 10% cash match by the Upshur County Commission for all grant funds expended. Ms. Wallace advised that the Office of the Assessor and the Office of the Circuit Clerk have both applied for the grant funds, however, noted that Brian Gaudet, Circuit Clerk has offered to take 2nd priority, deferring to the Assessor's Office as 1st priority. The grant will allow for preservation and maintenance of county records for public and county use. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the grant application and related documents (copies included).

Carrie Wallace reviewed correspondence from Cheyenne Troxell, 26th Judicial Circuit Community Corrections Day Report Center Program Director, requesting to hire a full-time case manager and advertise for this position (copy included). Ms. Wallace advised the position is for an additional employee and noted that upon the (planned) retirement of the current Case Manager, a replacement will not be hired. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission

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approved the request. The position will be 40 hours per week at the starting wage rate of \$12.00 per hour. Applications must be received by the close of business on November 5, 2018.

Ms. Wallace reviewed additional correspondence from Cheyenne Troxell, 26th Judicial Circuit Community Corrections Day Report Center Program Director, requesting to hire a contract counselor, effective immediately. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request at the rate of \$50 per hour and the counselor will be working as needed to facilitate classes. Terry Cutright requested that the current counselors be given preference for referrals as they charge a lesser rate. Carrie Wallace recommended that the Commission contact Ms. Troxell to discuss the specifics once all “For Your Information “ items have been reviewed.

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

1. Atlantic Coast Pipeline Construction Update – October 2018
2. U.S. EPA Brownfields Quarterly Progress Report for period July 1, 2018 through September 30, 2018
3. Upshur County Sheriff’s Financial Statement for period ending September 2018
4. Upshur County Fire Board, Inc. 2018 Disbursements
5. Newsletters and/or Event Notifications:
 - Public Workshop to Update the Regional Public Transit-Human Services Transportation Plan on Tuesday, November 13th from 10 a.m. to 11:30 a.m. at the Upshur County Senior Center
 - City Council of Buckhannon – Building/Zoning Code Tutorial Session on November 19th at 6 p.m. in City Hall Council Chambers
6. Agendas and/or Notice of Meetings:
 - Upshur County Youth Camp Board-September 20, 2018
 - Region VII Planning & Development Council-October 22, 2018
 - Upshur County Public Library-October 23, 2018
 - Upshur-Buckhannon Board of Health-November 1, 2018
7. Meeting Minutes:
 - Upshur County Fire Board-September 18, 2018
 - Upshur County Youth Camp Board-September 20, 2018
8. Meetings:
 - 10/16/18-4:00 p.m.-Upshur County Public Library Board – CANCELLED
 - 10/23/18-4:00 p.m.-Upshur County Public Library Board – Special Meeting
 - 10/23/18-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - 10/24/18-10:00 a.m.-James W. Curry Advisory Board
 - 11/01/18-6:00-p.m.-Buckhannon River Watershed Association - Board of Directors
 - 11/01/18-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 11/01/18-7:00 p.m.-Banks District VFD
 - 11/01/18-7:00 p.m.-Selbyville VFD
 - 11/05/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory–Special Meeting
 - 11/06/18-4:00 p.m.-Hodgesville PSD
 - 11/08/18-10:00 a.m.-Adrian PSD
 - 11/08/18-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 11/08/18-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board

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- 11/08/18-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 11/08/18-7:30 p.m.-Buckhannon VFD
 - 11/12/18-12:00 p.m.-Upshur County Family Resource Network--CANCELLED
 - 11/12/18-4:30 p.m.-Upshur County Solid Waste Authority
 - 11/12/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board-CANCELLED
 - 11/13/18-5:30 p.m.-Elkins Road PSD
 - 11/13/18-7:30 p.m.-Adrian VFD
 - 11/14/18-12:00 p.m.-Upshur County Senior Center Board
 - 11/14/18-3:00 p.m.-Tennerton PSD
 - 11/14/18-6:00 p.m.-Upshur County Citizens Corp – CERT
 - 11/14/18-7:00 p.m.-Ellamore VFD
 - 11/14/18-7:00 a.m.-Upshur County Development Authority – Full Board
 - 11/14/18-7:30 p.m.-Warren District VFD
 - 11/15/18-2:00 p.m.-Upshur County Farmland Protection Board
 - 11/15/18-6:30 p.m.-Upshur County Youth Camp Board – WVU Extension Office
 - 11/18/18-6:00 p.m.-Washington District VFD
 - 11/19/18-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 11/20/18-6:30 p.m.-Upshur County Fire Board, Inc.
 - 11/20/18-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 11/21/18-12:00 p.m.-Lewis Upshur LEPC --- Lewis location
 - 11/26/18 -6:00 p.m.-Upshur County Fire Fighters Association
 - 12/10/18-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
 - 12/24/18-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
 - 01/28/19-12:00 p.m.-Region VII Planning & Development Council
9. 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 5th meeting*) – *Tabatha Perry reported that she had not received an update; however, the dumpster was scheduled to be delivered this week.*

Tim Rock and Alan Tucker appeared before the Commission on behalf of the Buckhannon Band of Brothers to discuss the “Help Us Help Kids 2018” Christmas project. Mr. Rock provided data and information on the background and mission of the “Band of Brothers”. The group has helped with donating financial and physical support for area projects such as the Youth Mission Program, Prison Angel Tree, the Backpack Program and the Christmas Store. Their Christmas project for 2018 is to aid McDowell County low income families. Mr. Tucker reported that the group was scheduled to travel to McDowell County on November 9 to “identify recipients” for the project. The Band of Brothers will be providing Christmas gifts for children and meal items for the Christmas and New Year holidays.

Shannon Whited appeared before the Commission on behalf of the Upshur County Citizen’s Corps Council to discuss the continued operations of the Citizen’s Corps Council (CCC) and Community Emergency Response Team (CERT) as a result of the majority of CCC member resignations being accepted last week. Carrie Wallace referred to Article IX within the CCC bylaws which state,

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“Dissolution: If this Upshur County Citizens Corp Council should be dissolved for any reason, all monies and resources of the Council shall be turned over to the Upshur County Commission for disposal.” Carrie Wallace advised that Tabatha Perry and Shannon Whited had both spoken with Gina Namay, Disaster Services Coordinator for the State of West Virginia who oversees CERT Programs. Ms. Namay explained that many of the CCC’s across the State have dissolved and they are not necessary for continued operations of CERTs. In order to keep CERT once the CCC is dissolved, a new Memorandum of Understanding (MOU) needs to be drafted with a new sponsor and funds/resources will be transferred to the sponsor. Brian Shreves, Homeland Security and Emergency Management Director appeared and advised that he is volunteering the Upshur County Dept. of Homeland Security and Emergency Management (UCDHSEM) to be the sponsor. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved to move forward with the drafting of a new MOU and steps necessary to transfer CERT under the UCDHSEM.

At 9:45 a.m., on motion by Terry Cutright, seconded by Sam Nolte, the Commission entered executive session per WV Code §6-9A-4 to further discuss the decision to hire a contract counselor for the 26th Judicial Circuit Community Corrections Day Report Center Program. Present were Sam Nolte, Terry Cutright, Carol Smith, Carrie Wallace, Tabatha Perry, and Cheyenne Troxell via teleconference. The Commission returned to open session at 10:05 a.m. No decisions were made in executive session. Ms. Wallace clarified that the hiring of the counselor is due to the previous contractors no longer being able to fulfill the schedule due to other obligations.

At 10:10 a.m. Sam Nolte opened a public hearing concerning suggested revisions to the Upshur County 9-1-1 Addressing and Mapping Ordinance previously adopted on September 18, 2003 and amended on February 8, 2007. Carrie Wallace provided the 3rd and final reading of the amended ordinance. No objections were voiced. Ms. Wallace confirmed that all requirements have been completed. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the adoption and signing of the Upshur County 9-1-1 Addressing and Mapping Ordinance as amended. Copies of the amendments to the Ordinance are on file in the Upshur County Administrative offices and online at www.upshurcounty.org.

Animal Control Officer, Dustin Hollen, appeared before the Commission to discuss a request for modifications to the Animal Control vehicle. Carrie Wallace was requested to follow up.

Carol Smith reviewed a request for a budget revision. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the budget revisions as discussed with a “Request for Revision to Approved Budget” to be sent to the Office of the State Auditor for approval. (copy included).

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

The Commission approved all Vacation Orders.

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

- Marsha Ann Allman—Final Settlement
- Lawrence H. Dean—Final Settlement Waiver
- George B. Hawkins—Final Settlement
- Laura Lee McCloskey—Final Settlement
- Edith May Zirkle—Final Settlement Waiver

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

- Tabatha R. Perry—November 28-30, 2018

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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 Sam Nolte, the Commission meeting adjourned at 12:15 p.m.