

UPSHUR COUNTY COMMISSION MEETING

December 7, 2018

The County Commission of Upshur County, West Virginia, held a special meeting at the Upshur County Administrative Annex on Friday, December 7, 2018 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commission President; Troy Brady, Commissioner; Terry Cutright, Commissioner; Carol Smith, Upshur County Clerk; Carrie Wallace, County 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.

After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved the regular meeting minutes of November 8, 2018, and November 15, 2018, the special meeting minutes of November 28, 2018 and the 2018 General Election Canvassing Minutes as submitted.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Resolution of Participation for the West Virginia Certified Development Community (CDC) Program for the Upshur County Development Authority (copy included).

Tabatha Perry provided a review of a request from a county resident to obtain information concerning requirements for acquiring a permit for the operation of a Salvage Yard. Ms. Perry reviewed the salvage yard permit rules and procedures per WV Code §17-23-4 and advised that the resident who requested the information does not meet the guidelines to establish and operate a Salvage Yard. Ms. Perry stated that the County does not currently have procedures in place to issue a permit for the Salvage Yard and advised that she will do further research if the Commission wishes to move forward. After discussion, Commissioner Nolte requested Ms. Perry to gather more information.

Carrie Wallace advised that the Upshur County job descriptions are being updated. After review and discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved the revised Upshur County Assistant Administrator job description (copy included).

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the employment of Shannon Paul Helmick, as full-time case manager for the 26th Judicial Circuit Community Corrections Day Report Center, effective December 1, 2018. The Commission previously approved the hiring of a full-time case manager at the starting wage rate of \$12 per hour, during a regularly scheduled Commission Meeting held on October 25, 2018.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the resignation of Virgil D. Miller as part-time Court Bailiff (copy included). His last day worked was October 24, 2018.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the advertisement for one (1) part-time Court Bailiff position as requested by Sheriff David H. Coffman (copy included). Applications must be received by 4:00 p.m. on December 20, 2018.

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

1. Correspondence from Clayton J. Fitzsimmons providing an update on the West Virginia opioid litigation.
2. West Virginia Courthouse Facilities Improvement Authority Funding Award Notice announcing the approval of a financial assistance request in the amount of \$67,783 to be used to rebuild the old chimneys on the historic jail adjacent to the main courthouse.
3. Correspondence from April Cummings, Acting Director of the Mitigation Division for FEMA Region III, announcing the approval of the Region VII County Multi-Jurisdictional Hazard Mitigation Plan and providing recommendations to further strengthen the plan

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during the next update. The hazard mitigation plan is a federal and state requirement to maintain eligibility for hazard mitigation funding and, by that requirement, must be updated a minimum of every five (5) years.

4. Federal Aviation Administration Outlay Request Number 1 in the amount of thirty-two thousand seven hundred thirty dollars (\$32,730) for the Airport Improvement Program Project No. 3-54-0039-032-2018 at the Upshur County Regional Airport in Buckhannon, WV
5. Project Update for the Upshur County Youth Camp Archery Range Project – Prepared by Environmental Standards, dated December 3, 2018
6. Correspondence from Emily Laird, Cultural Resources Specialist for Environmental Resources Management, seeking comments on historic properties that may be impacted by the proposed 120-foot, Raw Land-New Build Monopole Cartier Valve Site. The referenced site is West of Democrat Ridge Road, Tallmansville, Upshur County. This is a correction to the document listed on the November 8, 2018 Commission Agenda. After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved and authorized the President to sign the response that the “proposed project will not affect historic properties” and supporting the proposed project with the notation “pending proper permitting/approval by the FAA”.
7. Response to Invitation to Comment on Historic Properties Affected by Proposed 120-Foot, Raw Land-New Monopole Spruce Fork Valve Site. The referenced site is North of the intersection of Right Branch of Brushy Fork and Fink Run Road, Buckhannon, Upshur County. -After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved and authorized the President to sign the response that the “proposed project will not affect historic properties” and supporting the proposed project with the notation “pending proper permitting/approval by the FAA”.
8. Statewide Transportation Improvement Program (STIP) FFY 2016-2021 Program Amendment #22 dated November 7, 2018.
9. News Release – November 23, 2018: “New One Stop Business Portal Aims to Streamline Business Formation in West Virginia”
10. WorkForce West Virginia Labor Force Statistics by County – November 20, 2018
11. Upshur County Sheriff’s Financial Statement for period ending September 2018
12. Upshur County Fire Board, Inc. Financial Statements and Independent Auditor’s Report for Fiscal year Ended June 30, 2018
13. Upshur County Building Permits for November 2018
14. Upshur County Mileage Reports – October 2018
 - Upshur 911
 - Maintenance
 - Emergency Management
 - Sheriff
 - Addressing and Mapping
 - Community Corrections
 - Dog Pound
15. Upshur County Animal Control/Humane Officer Monthly Dog Report for the month of October 2018
16. Lewis-Upshur Animal Control Facility Cat Report for the month of October 2018

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17. Lewis-Upshur Animal Control Facility Adoption Financial Transactions – October 2018
18. Healthiestyou summary of savings year to date and annualized utilization–September 2018
19. The 26th Judicial Circuit Community Corrections Day Report Center will be utilizing the services of Barry Lynn Row as a contract counselor, effective November 29, 2018. The Commission previously approved the hiring of a contract counselor, effective immediately, with the rate of pay being \$50 per hour, during a regularly scheduled Commission Meeting held on October 25, 2018.
20. Newsletters and/or Event Notifications:
 - James W. Curry Public Library Calendar of Events – December 2018
 - Pressley Ridge Treatment Foster Care Open House from 10 a.m. until noon on Saturday, December 8, 2018 at Stockert Youth Center in Buckhannon, WV
 - Miracle on 34th Street holiday play presented by the Buckhannon Community Theatre – December 13th through 16th
 - Buckhannon-Upshur Chamber of Commerce Holiday Lunch on Monday, December 17th from 12 p.m. to 1 p.m. at the Event Center at Brushy Fork
 - United States Census 2020 Office and In-Field Positions availability announcement
21. Agendas and/or Notice of Meetings:
 - Elkins Road PSD-December 4, 2018
 - Buckhannon River Watershed Association-December 6, 2018
 - City Council of Buckhannon-December 6, 2018
 - Upshur County Solid Waste Authority-December 10, 2018
22. Meeting Minutes:
 - Elkins Road PSD-October 2, 2018
 - Adrian PSD-October 11, 2018
 - Upshur County Fire Board-October 18, 2018
 - Upshur County Youth Camp Board-October 18, 2018
23. Meetings:
 - 12/04/18-5:30 p.m.-Elkins Road PSD
 - 12/04/18-4:00 p.m.-Hodgesville PSD
 - 12/06/18-6:00 p.m.-Buckhannon River Watershed Association - Board of Directors
 - 12/06/18-7:00 p.m.-Banks District VFD
 - 12/06/18-7:00 p.m.-Selbyville VFD
 - 12/10/18-12:00 p.m.-Upshur County Family Resource Network
 - 12/10/18-4:30 p.m.-Upshur County Solid Waste Authority
 - 12/10/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 12/10/18-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
 - 12/11/18-7:30 p.m.-Adrian VFD
 - 12/12/18-12:00 p.m.-Upshur County Senior Center Board
 - 12/12/18-3:00 p.m.-Tennerton PSD
 - 12/12/18-7:00 p.m.-Ellamore VFD
 - 12/12/18-7:30 p.m.-Warren District VFD
 - 12/13/18-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 12/13/18-10:00 a.m.-Adrian PSD
 - 12/13/18-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board

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- 12/13/18-7:30 p.m.-Buckhannon VFD
- 12/13/18-4:00 p.m. -Buckhannon Upshur Airport Authority
- 12/16/18-6:00 p.m.-Washington District VFD
- 12/17/18-12:00-p.m.-Buckhannon-Upshur Chamber of Commerce–Holiday Lunch
- 12/18/18-6:30 p.m.-Upshur County Fire Board, Inc.
- 12/18/18-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 12/19/18-7:00 a.m.-Upshur County Development Authority – Executive Board
- 12/19/18-12:00 p.m.-Lewis Upshur LEPC --- Upshur location
- 12/19/18-6:00 p.m.-Upshur County Citizens Corp – CERT
- 12/20/18-2:00 p.m.-Upshur County Farmland Protection Board
- 12/24/18-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
- 12/31/18 -6:00 p.m.-Upshur County Fire Fighters Association
- 01/03/19-6:00 p.m.-Buckhannon-Upshur Board of Health
- 01/17/19-6:30 p.m. -Upshur County Youth Camp Board–WVU Extension Office
- 01/28/19-12:00 p.m.-Region VII Planning & Development Council
- 03/27/19-10:00 a.m.-James W. Curry Advisory Board
- TBD-4:00 p.m.-Upshur County Public Library Board
- TBD-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council

24. Appointments Needed or Upcoming: (none)

Tabled Items

1. Approval of Upshur County Addressing and Mapping, Building Permit and Floodplain Coordinator Job Description--approved on motion by Terry Cutright, seconded by Troy A. Brady
2. Approval of Addressing and Mapping Assistant Job Description--approved on motion by Terry Cutright, seconded by Troy A. Brady
3. Recommendation for removal of Tammy L. Smith as Administratrix, by Fiduciary Commissioner Daya Masada Wright—approved on motion by Troy Brady, seconded by Terry Cutright

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

The Commission approved all Vacation Orders.

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

- Garry D. Adams—Final Settlement
- Melissa D. Anderson—Final Settlement Waiver
- Nathaniel Wayne Beckner—Final Settlement
- Orval Slaven Channel—Final Settlement Waiver
- Billy Joe Heater—Final Settlement
- Valentine C. Hinkle, Jr. —Final Settlement Waiver
- Madeline C. Kulina—Final Settlement Waiver
- James L. Lofton—Final Settlement Waiver
- Marlin Roy Loudin—Final Settlement Waiver
- Nettie Ann Mallett—Final Settlement Waiver
- Teresa Grace Phillips—Final Settlement Waiver
- Leland D. Romine—Final Settlement Waiver

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- Patsy Marie Satterfield—Final Settlement Waiver
- Patricia A. Simons—Final Settlement Waiver

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

- Michael D. or Melissa Nottingham-Tkt. #302107-Correction Order
- Robert Z. and Lounett F. Shipman-Tkt. #12878-Exoneration Order
- Miranda K. Osburn-Tkt. #600000258-Exoneration Order
- Anastasia N. or Alicia Bean-Tkt. #306169-Exoneration Order

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 11:15 a.m.