

# UPSHUR COUNTY COMMISSION MEETING

## April 4, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, April 4, 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.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the regular meeting minutes of March 28, 2019 as submitted.

Sam Nolte reviewed scheduled appointments and agenda items.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Agreement between the Department of Arts, Culture and History for and on behalf of Archives and History for and on behalf of the Records Management and Preservation Board and the Upshur County Commission for fiscal year July 1, 2019 through June 30, 2020 (copy included). The award amount is \$10,737 with a ten percent cash match to be provided by the County.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Software Programming Contract with Avenu Insights and Analytics, LLC in the amount of \$3,000 (copy included). Services to be provided under this agreement include providing a new function for Payroll.400 for WV Consolidated Public Retirement Board reporting.

Carrie Wallace reviewed correspondence from Nathan Spencer, owner and operator of Fishers of Men Generator Repair, requesting permission to host an Easter egg hunt at Pringle Tree Park the weekend of April 12, 2019 (copy included). Ms. Wallace advised a Certificate of Insurance has been provided for the event. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the request.

Brian Farkas, WV Conservation Agency Executive Director appeared before the Commission to discuss changes in the agreement used to provide financial support for the Pecks Run Watershed. Mr. Farkas advised that the current agreement, signed in 2000 needed updates and clarifications. Previous, long term financial agreements are no longer valid, and going forward, the contract (financial agreement between the West Virginia Conservation Agency and the Upshur County Commission for maintenance of the Pecks Run Watershed) will be renewed yearly and include provisions for either party to end the agreement. The Commission provides financial assistance to the Pecks Run Watershed in the amount of \$3,900 per year. The revised agreement will provide greater accountability for the Commission to be able to see where funds are being used. After discussion, Commissioner Cutright requested the account balance for the Pecks Run Watershed and Commissioner Nolte requested the agreement to be placed on a future agenda for approval.

Tabatha Perry provided a review of the Buckhannon-Upshur Recreational Park 2019 Hours of Operation and Fee Schedule (copy included). Ms. Perry noted several changes which include additional hours, and an addition of "Family Night". After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the schedule.

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Lori Ulderich Harvey, Upshur County Family Resource Network Director and team leader for Upshur County Partners in Prevention appeared before the Commission and provided information and statistics concerning child abuse. Addie Helmick provided a handout with statistical and educational material. Ms. Ulderich-Harvey read the Child Abuse Prevention and Awareness Month (designating April 2019 and “Children’s Memorial Flag Day” (designating April 25, 2019) proclamations (copies included) and explained the meaning behind the flag that will be displayed on the courthouse square. After discussion, on motion by Kristie Tenney seconded by Terry Cutright, the Commission approved and authorized the signing of the proclamations as requested.

The Commission recessed at 9:55 a.m. to attend a flag raising ceremony in the Courtyard.

The Commission reconvened at 10:19 a.m.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the Rental Contract for use at the Buckhannon-Upshur Recreational Park for the 2019 season (copy included).

After discussion, on motion by Kristie Tenney seconded by Terry Cutright, the Commission approved the seasonal employment of Larry Farnsworth at the Buckhannon-Upshur Recreational Park from April 28, 2019 through May 18, 2019 to assist with the preparation of the pool as requested by Greg Harris, Facilities Director, (copy included). Mr. Farnsworth will be paid \$10 per hour and work no more than 15 hours per week.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the seasonal employment of Hannah Lively as the BU Recreational Park Facilities Director for the 2019 season (copy included). Ms. Lively will begin work on or around May 6, 2019 in order to assist the Facilities Director at the hourly wage rate of \$10.20 until she begins full-time employment on June 2, 2019, at which time she will receive a weekly salary of \$510.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the advertisement for Lifeguards, Admission Workers, Concession Stand Workers and an Assistant Manager for the 2019 season at the Buckhannon-Upshur Recreational Park Facility (copy included). The temporary positions will commence mid-May and continue through mid-August. Applications must be received on or before the close of business on Friday, April 26, 2019.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved Shelia M. Adams as Upshur County Commission Office Volunteer.

After discussion, on motion by Kristie Tenney seconded by Terry Cutright, the Commission approved the resignation of Kelley J. Cunningham from the Court Security Advisory Board, effective immediately.

At 10:20 a.m., on motion by Terry Cutright, seconded by Kristie Tenney, the Commission entered Executive Session per WV Code §6-9A-4 to discuss two (2) requests for granting leave under the Family and Medical Leave Act. Present were Sam Nolte, Terry Cutright, Kristie Tenney, Carol Smith, Carrie Wallace and Tabatha Perry. The Commission returned to open session at 10:40 a.m. No decisions were made in executive session.

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After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved to grant leave (agenda item #11) under the Family and Medical Leave Act. All information is confidential per HIPPA requirements.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved to grant leave (agenda item #12) under the Family and Medical Leave Act. All information is confidential per HIPPA requirements.

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

1. Correspondence from Brian K. Cooper, PE, WV Department of Transportation Division of Highways District 7 Engineer, inviting the Commission to an informative meeting with District 7 personnel and central office management. The meeting will take place April 10<sup>th</sup> from 9 a.m. to 11 a.m. at the District 7 headquarters in Weston, WV.
2. Upshur County Building Permits for the month of March 2019
3. Public Notices:
  - a. Newsletters and/or Event Notifications:
    - St. Joseph’s Hospital Spring Health Fair – April 6<sup>th</sup> from 6:30 a.m. to 10 a.m. at the Buckhannon Upshur Middle School
    - Glow Stick Party--June 6<sup>th</sup> from 8 p.m. to 10 p.m. at the James W. Curry Park Large Pavilion
    - 4<sup>th</sup> Annual Young Filmmakers Camp Flyer – June 10<sup>th</sup> through 14<sup>th</sup>
  - b. Agendas and/or Notice of Meetings:
    - City Council of Buckhannon-April 4, 2019
    - Elkins Road PSD- April 4, 2019
    - Upshur County Solid Waste-April 8, 2019
  - c. Meeting Minutes:
    - James W. Curry Library/Park Advisory Board-October 24, 2019
    - Adrian PSD-February 14, 2019
  - d. Meetings:
    - 04/02/19-4:00 p.m.-Hodgesville PSD
    - 04/04/19-5:30 p.m.--Elkins Road PSD
    - 04/04/19-7:00 p.m.-Banks District VFD
    - 04/04/19-7:00 p.m.-Selbyville VFD
    - 04/08/19-12:00 p.m.-Upshur County Family Resource Network
    - 04/08/19-4:30 p.m.-Upshur County Solid Waste Authority
    - 04/08/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
    - 04/09/19-7:30 p.m.-Adrian VFD
    - 04/10/19-12:00 p.m.-Upshur County Senior Center Board
    - 04/10/19-6:00 p.m.-Buckhannon River Watershed Association - WVWC
    - 04/10/19-7:00 p.m.-Warren District VFD
    - 04/10/19-7:00 p.m.-Ellamore VFD
    - 04/10/19-3:00 p.m.-Tennerton PSD
    - 04/11/19-10:00 a.m.-Adrian PSD
    - 04/11/19-3:00 p.m.-Upshur County Conventions & Visitors Bureau
    - 04/11/19-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board

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- 04/11/19-7:30 p.m.-Buckhannon VFD
- 04/11/19-4:00 p.m.-Buckhannon Upshur Airport Authority
- 04/15/19-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 04/16/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council-TVCD
- 04/16/19-6:30 p.m.-Upshur County Fire Board, Inc.
- 04/17/19-7:00 a.m.-Upshur County Development Authority – Executive Board
- 04/17/19-12:00 p.m.-Lewis Upshur LEPC --- Lewis location
- 04/17/19-4:00 p.m.-Upshur County Public Library Board
- 04/17/19--6:00 p.m.-Upshur County Citizens Corp – CERT
- 04/18/19-6:30 p.m.-Upshur County Youth Camp Board–WVU Extension Office
- 04/18/19-2:00 p.m.-Upshur County Farmland Protection Board
- 04/21/19-6:00 p.m.-Washington District VFD
- 04/22/19-12:00 p.m.-Region VII Planning and Development Council
- 04/22/19-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
- 04/24/19-10:00 a.m.-James W. Curry Advisory Board
- 04/25/19-12:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 04/29/19-6:00 p.m.-Upshur County Fire Fighters Association
- 05/02/19-6:00 p.m.-Buckhannon-Upshur Board of Health
- 05/06/19-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County
- 06/14/19-11:00 a.m.-Region VI Local Elected Officials – Taylor County

#### 4. Appointments Needed or Upcoming:

- Tennerton Public Service District (unexpired term–July 31, 2019)

#### Tabled Items

1. Consideration of FY20 health insurance changes-Carrie Wallace provided a review of the options under consideration (copies included). Ms. Wallace reviewed current premiums and expenditures and noted considerable increases in costs over the past 5 five years. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved a change to “Increase the HRA Deductible of \$250/\$500 to \$500/\$1000”. (Note: Cutright and Nolte for, Tenney against) Commissioners Nolte and Cutright agreed that it is better to make changes along the way than to face larger increases at some point.
2. Approval and signature of an Agreement between the County Commission of Upshur County, the Board of Education of the County of Upshur, the Board of Education of the County of Lewis, and Micrologic, Inc. for the COPS School Violence Prevention Program project. This agreement outlines the agreement by which the Contractor will provide services, hardware, software, and installation. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the agreement. Carrie Wallace noted that work will only be done when school is not in session and expects the work will be complete by August 2020.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved a budget revision as recommended by Carol Smith, Upshur County Clerk. A “Request for Revision to Approved Budget” will be sent to the Office of the State Auditor for approval (copy included).

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

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The Commission approved all Vacation Orders.

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

- Mark Anthony Galeazzi—Final Settlement Waiver
- William Dakota Wolfe —Final Settlement Waiver

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

- Kendra Page—Tkt. #3745—Exoneration \$737.61
- Kendra Page—Tkt. #3746—Exoneration \$2.63
- Kendra Page—Tkt. #3747—Exoneration \$2.19
- Kenneth A. (1/2) and Nancy B. (1/2) Curry—Tkt. #1145—Exoneration \$45.02
- Kenneth A. (1/2) and Nancy B. (1/2) Curry—Tkt. #1167—Exoneration \$45.02
- Carter Roag Coal Company (WI-API 01870)—Tkt. #309964—Exoneration \$138.74
- Bernard D. and Robin G. Chidester—Tkt. # 687—Refund \$36.77
- Bernard D. and Robin G. Chidester—Tkt. # 690—Refund \$38.88

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

- Stacie Wentz—April 12, 2019

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

With no further business, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission meeting adjourned at 12:15 p.m.

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