

UPSHUR COUNTY COMMISSION MEETING

August 9, 2018

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, August 9, 2018 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commissioner; Troy Brady, Commissioner; Terry Cutright, Commissioner; Carol Smith, Upshur County Clerk; Carrie Wallace, County Administrator; Tabatha Perry, Assistant County 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 Troy Brady seconded by Terry Cutright, the Commission approved the regular and emergency meeting minutes of July 26, 2018 as submitted.

Sam Nolte reviewed scheduled appointments and agenda items.

Samantha Atchinson, Vice President of the Animal Outreach Project, appeared before the Commission to discuss program offerings and request community support. Ms. Atchinson advised that the Animal Outreach Project has received a matching funds grant from the Department of Agriculture in the amount of \$10,000 for spay and neuter services and is requesting assistance from the Commission for obtaining the matching funds needed. Ms. Atchinson provided program information and explained that the grant funds could be used through the Lewis-Upshur Animal Control Facility for UC residents. Ms. Atchinson was advised that since Upshur County and Lewis County both maintain the Animal Control Facility, that she should speak with the Lewis County Commission for their input. After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved to table further discussion pending review by Lewis County.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved and authorized the President to sign the Small Cities Block Grant #16SCBG0008, Elkins Road PSD Phase III Water System Improvements Project drawdown request #9 in the amount of \$16,924.50.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the esri renewal quote in the amount of \$4,450 for the period from October 1, 2018 through September 30, 2019 (copy included). Of this amount, \$1,200 is to be paid by the Assessor's Revaluation Fund.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved and authorized the signing of an Order for the "refinancing of the construction, renovation, improvement, furnishing and equipping of certain property by the Upshur County Building Commission to use as the Upshur County 911 Center and related facilities by the County Commission of Upshur County; authorizing the execution and delivery of a base lease and sublease between the County Commission and the Upshur County Building Commission with respect to the lease revenue bonds to be issued by the Building Commission to refinance the 911 project; approving the Building Commission's designation of the bonds as qualified tax exempt obligations; and authorizing other necessary actions in connection with the foregoing." (copy included)

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved the Upshur County Emergency Operations Plan Annex F: Shelter and Mass Care (copy included).

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the Upshur County Emergency Operations Plan Annex G: Health and Medical (copy included).

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved and authorized the signing of correspondence to Clarence and Dorothy Rowan enclosing a Petition from the Upshur County Safe Structures and Sites Enforcement Board (case #121417-01) requesting an Order for the clean-up of property located in Union Tax District – Tax Map 9E – Parcel Number 22.8. as discussed at the regular meeting of the Upshur County Commission on July 26, 2018. This letter requests a response by September 5, 2018 and sets this matter for discussion on September 6, 2018 (copy included).

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved a request from Craig D. Presar, WVU Extension Agent, for use of the large pavilion on Monday, September 17th for an Upshur County CEOS Celebration Picnic, free of charge. The Upshur County CEOS members provide more than 38,000 hours of community service hours annually.

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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. Terry Cutright made a motion to approve funding in the amount of \$5,000, Commission Brady declined to second the motion and expressed concerns, that the funding is not a “good use of County monies”. After further discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved to table discussion pending review of Coal Severance funds after January disbursements. (Note: Cutright and Nolte-for, Brady-oppose)

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved (1) the number of Election Officials and Election Commissioners for the November 6, 2018 General Election and (2) the number of sets of Emergency Absentee Voting Commissioners for the November 6, 2018 General Election.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved “Recommendation for Removal of Jennifer Loudin as Administratrix of the Estate of Margaret “Peggy” Jane Loudin, deceased” as requested by Fiduciary Commissioner, Daya Masada Wright (copy included).

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved the reappointment of Robert Wright to the Hodgesville PSD Board of Directors effective August 5, 2018 through August 5, 2024 (copy included). The Board approved the reappointment of Mr. Wright during a meeting on July 10, 2018.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved Carol Cook and Faina Reasons as Lewis - Upshur Animal Control Facility Volunteers.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved the termination of Gavin Haymond, Seasonal Youth Camp Employee, effective, Friday, August 3, 2018 as requested by Greg Woody, Youth Camp Director.

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

1. Proclamation by Jim Justice, Governor of the State of WV, declaring that the unexpired term of office for Justice of the WV Supreme Court of Appeals be filled by the voters of WV at an election to be held concurrently with the general election on November 6, 2018.
2. Correspondence from John B. McCuskey, WV State Auditor, announcing this year’s In-Service Training Seminar to be held on August 19th and 20th at the Days Hotel and Conference Center in Flatwoods, WV. According to WV Code §7-7-2, each official and, at his or her option, one or more of his or her employees shall participate in the program established by the State Auditor.
3. Correspondence from Michael Sutphin, WVDEP Project Manager, enclosing the signed and executed Voluntary Remediation Agreement for the subject site in Selbyville, WV.
4. Correspondence from John Mathias, M.D., Former Medical Director of the Upshur Buckhannon Health Department, recommending that members of the County Commission direct questions or concerns regarding the LIGHT Project to public health experts or infectious disease specialists.
5. Updated Contract Administration Notes for Millsite Run South ’16 TS – Curry Park – Submitted by Nate Kennedy, Forester
6. Upshur County Building Permits – July 2018
7. Upshur County Animal Control/Humane Officer Monthly Dog Report for the month of June 2018
8. Upshur County Mileage Reports – June 2018
 - Upshur 911
 - Maintenance
 - Emergency Management
 - Sheriff
 - Addressing and Mapping
 - Community Corrections
 - Dog Pound
9. Newsletters and/or Event Notifications:
 - Living in Good Health Together Project Flyer – August 9th from 10 a.m. to noon
 - Grants Workshop presented by Congressman Alex Mooney at the Bridge Valley Community & Technical College on August 14th from 10 a.m. to 2 p.m.

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- Buckhannon Volunteer Center Information Meeting – August 15th at 2:30 p.m.
10. Agendas and/or Notice of Meetings:
- City Council of Buckhannon- August 2, 2018
 - Elkins Road PSD-August 7, 2018
 - Buckhannon-Upshur Airport Authority-August 9, 2018
 - Upshur County Building Commission-August 9, 2018
 - Upshur County Solid Waste Authority-August 13, 2018
11. Meeting Minutes: (none)
12. Meetings:
- 07/25/18-10:00 a.m.-James W. Curry Advisory Board
 - 07/30/18 -6:00 p.m.-Upshur County Fire Fighters Association
 - 08/02/18-7:00 p.m.-Banks District VFD
 - 08/02/18-7:00 p.m.-Selbyville VFD
 - 08/07/18-5:30 p.m.-Elkins Road PSD
 - 08/07/18-4:00 p.m.-Hodgesville PSD
 - 08/08/18-2:00 p.m. -Upshur County Senior Center Board
 - 08/08/18-6:00 p.m.-Upshur County Citizens Corp – CERT
 - 08/08/18-7:30 p.m.-Warren District VFD
 - 08/08/18-3:00 p.m.-Tennerton PSD
 - 08/08/18-7:00 p.m.-Buckhannon River Watershed Association - Board of Directors
 - 08/08/18-7:00 p.m.-Ellamore VFD
 - 08/09/18-10:00 a.m.-Adrian PSD
 - 08/09/18-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
 - 08/09/18-7:30 p.m.-Buckhannon VFD
 - 08/09/18-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 08/09/18-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 08/13/18-12:00 p.m.-Upshur County Family Resource Network
 - 08/13/18-4:30 p.m.-Upshur County Solid Waste Authority
 - 08/13/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 08/13/18-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
 - 08/14/18-7:30 p.m.-Adrian VFD
 - 08/15/18-7:00 a.m.-Upshur County Development Authority – Executive Board
 - 08/15/18-12:00 p.m.-Lewis Upshur LEPC --- Upshur location
 - 08/16/18-2:00 p.m.-Upshur County Farmland Protection Board
 - 08/16/18-6:30 p.m.-Upshur County Youth Camp Board – Selbyville
 - 08/19/18-6:00 p.m.-Washington District VFD
 - 08/20/18-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 08/21/18-4:00 p.m.-Upshur County Public Library Board
 - 08/21/18-6:30 p.m.-Upshur County Fire Board, Inc.
 - 08/21/18-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 08/27/18-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
 - 10/23/18-12:00 p.m.-Region VII Planning & Development Council
 - TBD-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - TBD-6:00 p.m.-Buckhannon-Upshur Board of Health
13. Appointments Needed or Upcoming:
- Upshur County Public Library Board (unexpired term June 30, 2019) – Commission Appointment

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*)—no action, still waiting for DNR report

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

The Commission approved all Vacation Orders.

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

- Madeline Hammond Eckes—Final Settlement
- Sondra Sue Ritter Gay—Final Settlement Waiver
- Denver A. Hawkins—Final Settlement

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- Linda Faye Hinzman—Final Settlement Waiver
- Howard J. Johns—Final Settlement Waiver
- Harold Reeves, Sr.—Final Settlement Waiver
- Levonda Jane Samples—Second Annual Settlement
- Robert L. Smallridge—First Annual Settlement
- Howard L. Whitlock—Final Settlement Waiver

The Commission approved the following “Exonerations and/or Refunds”: (copies included)

- William M. or Pamela J. Thomas—#4342—\$75.91
- Shannon Paul & Adelaide Mare Helmick—#4343—\$503.38
- Orrin Bruce & Sally J. Bennett—#4344—\$153.06
- Sally J. Bennett—#4345—Corrective Ticket
- Richard S. Petrice—#4346—\$459.69
- Kathleen Cleavenger—#4347—\$231.12
- Judy A. Myers—#4348—\$23.12
- Justin M. Lantz—#4349—\$149.42
- Justin M. Lantz —#4350—\$26.04
- Tristen T. Gray—#4351—\$787.65
- Tristen T. Gray —#4352—\$769.63
- Robert Cutright—#4353—\$63.80
- Jack W. & Debora Davidson—#4354—\$28.36
- Dennis James & Tracey Willett—#4355—\$212.16
- Benjamin H. or Karrie M. Keller—#4356—Corrective Ticket
- Rebecca Markum—#4357—\$397.68
- City of Buckhannon—#4358—\$1,101.06
- Dale F. Woody et al—#4360—Corrective Ticket
- Edward & Pauline Smith—#4361—Corrective Ticket
- Casey Marie Smith—#4362—Corrective Ticket
- Fay E. Slaughter—#4363—Corrective Ticket
- Fay E. Slaughter—#4364—Corrective Ticket
- Fay E. Slaughter—#4365—Corrective Ticket
- Pauline Smith or Sherri Smith—#4366—\$47.02
- Justin K. Hollen—#4367—\$60.09

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

- Carrie Wallace—August 20, 2018
- Tabatha R. Perry—August 20, 2018
- Brian Shreves—September 6-7, 2018
- Doyle R. Cutright, II—September 6-7, 2018
- Doyle R. Cutright, II—September 8-13, 2018
- Dustin Hollen—September, 2018

The Commission approved the following “Consolidation of Land Tracts”: (copies included)

- Buckhannon District- Map 4J Parcel 29.2 blended with Map 4J Parcel 36.1, Map 4J Parcel 37, Map 4J Parcel 37.1 and Map 4J Parcel 45 to make Map 4J Parcel 45 -(owner)-Scott A. Adams
- Washington District—Map 8K Parcel 64.6 blended with Map 8K Parcel 65.2 to make Map 8K Parcel 64.6 owners, Jeffrey H & Emily R. Hullderman
- Union District-- Map 9E Parcel 33.3 blended with Map 9E Parcel 33 and Map 9E Parcel 33.6 to make Map 9E Parcel 33.3 -owners Richard L. and Renee M. Small
- Warren District- Map 2 Parcel 26.1 blended with Map 1 Parcel 14 and Map 1 Parcel 11 to make Map 1 Parcel 14-(owner)-Ed Arey & Sons, Inc.

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At 10:30 a.m., Carrie Wallace opened and reviewed bids for Upshur County Sheriff's vehicles (1 sedan & 1 sport utility vehicle). One vendor submitted bids for both vehicles. Jenkins Ford submitted a bid in the amount of \$25,162 for the Sedan and \$28,160 for the sport utility vehicle which met the required specifications (copies included). After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved to accept the bids as submitted for the purchase of the two vehicles. Carrie Wallace advised that the bids came in approximately \$2,000 under the amount that was originally budgeted for the purchase.

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 Troy A. Brady, the Commission meeting adjourned at 12:30 p.m.