

# UPSHUR COUNTY COMMISSION MEETING

## February 15, 2018

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, February 15, 2018 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commissioner; Troy A. Brady, Commissioner; Terry Cutright, Commissioner, Carol Smith, Upshur County Clerk; Carrie Wallace, Upshur 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 A. Brady seconded by Terry Cutright, the Commission approved the regular meeting minutes of February 8, 2018 as submitted.

Judith Williams, James W. Curry Library Head Librarian, appeared before the Commission and provided a review/status report on events and activities over the past year. Ms. Williams reviewed data and information about the use of the library, expenditures and programs and camp ground usage. Ms. Williams reported on the upcoming Community Talent Program in July 2018 and announced that they need volunteers and judges. Commissioners commended Ms. Williams and expressed appreciation for her “doing a great job”.

The Commission reviewed a request from Edwina Howard-Jack, on behalf of the Upshur Indivisible Board of Directors, to use the Courthouse Plaza on Friday, February 16, 2018 from 4 p.m. to 6 p.m. for a Public Employees’ Rally (copy included). A Certificate of Insurance naming the Upshur County Commission as an additional insured has been provided. After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the request.

Carrie Wallace reviewed email correspondence from David E. Godwin, Prosecuting Attorney, regarding the litigation related to the timberland assessment of Penn Virginia. Carrie Wallace advised that Mr. Godwin has spoken to the Office of the Attorney General concerning representation. On motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved to table the agenda item for further review with Mr. Godwin.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved and authorized the President to sign the Supplemental Sub-Grant Award in the amount of six thousand two hundred eleven dollars and twenty-four cents (\$6,211.24) from the State of WV Division of Homeland Security and Emergency Management for sub-grant period January 1, 2014 to December 31, 2014 (copy included).

Debra Hupp, President of the West Virginia Strawberry Festival Association, Inc., appeared before the Commission and was presented with a check in the amount of \$2,500 to the association for the 2018 Strawberry Festival which will be held from May 12 through 20. Commissioners expressed appreciation for the hard work the volunteers put into making the festival a huge success every year.

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

1. Correspondence from Scott G. Mandirola, Director of the Division of Waste and Water Management for the WV Department of Environmental Protection announcing the issuance of a State General Water Pollution Control Permit to regulate the discharge of stormwater runoff associated with oil and gas related construction activities and enclosing a Responsiveness Summary.
2. CCAWV 2018 County Government Essay Contest Packet–Applications due April 20, 2018
3. Upshur County Building Permits for the month of January 2018
4. Newsletters and/or Event Notifications:
  - James W. Curry Public Library Calendar of Events for March 2018

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- Upshur County Family Resource Network Newsletter – February 2018
  - “Opoly Fest” at the James W. Curry Public Library on Saturday, April 21<sup>st</sup> at 1:00 p.m.
5. Agendas and/or Notice of Meetings:
- Upshur County Senior Center Board-February 14, 2018
  - City Council of Buckhannon-February 15, 2018
  - Upshur County Farmland Protection Board-February 15, 2018
  - Buckhannon-Upshur Chamber of Commerce-February 19, 2018
6. Meeting Minutes:
- Upshur County Youth Camp Board-November 16, 2017
  - Upshur County Solid Waste Authority-December 11, 2017
  - Upshur County Solid Waste Authority-January 8, 2018
  - Buckhannon-Upshur Parks and Recreation Advisory Board-January 8, 2018
  - Adrian PSD-January 11, 2018
  - Upshur County Safe Structures and Sites Enforcement Board-January 11, 2018
  - Adrian PSD – Phase VII Progress Meeting-January 18, 2018
7. Meetings:
- 02/01/18-7:00 p.m.-Banks District VFD
  - 02/01/18-7:00 p.m.-Selbyville VFD
  - 02/06/18-5:30 p.m.-Elkins Road PSD
  - 02/06/18-4:00 p.m.-Hodgesville PSD
  - 02/08/18-1:00 p.m.-Adrian PSD
  - 02/08/18-3:00 p.m.-Upshur County Conventions & Visitors Bureau
  - 02/08/18-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Board
  - 02/08/18-4:00 p.m.-Buckhannon Upshur Airport Authority
  - 02/08/18-7:30 p.m.-Buckhannon VFD
  - 02/12/18-12:00 p.m.-Upshur County Family Resource Network
  - 02/12/18-4:30 p.m. -Upshur County Solid Waste Authority
  - 02/12/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
  - 02/13/18-4:00 p.m.-Upshur County Public Library Board
  - 02/13/18-7:30 p.m.-Adrian VFD
  - 02/14/18-12:00 p.m.-Upshur County Senior Center Board
  - 02/14/18-3:00 p.m.-Tennerton PSD
  - 02/14/18-6:00 p.m.-Upshur County Citizens Corp – CERT
  - 02/14/18-7:00 p.m.-Ellamore VFD 02/14/18-7:30 p.m.-Warren District VFD
  - 02/14/18-7:00 p.m.-Buckhannon River Watershed Association - Board of Directors
  - 02/15/18-2:00 p.m.-Upshur County Farmland Protection Board
  - 02/18/18-6:00 p.m.-Washington District VFD
  - 02/19/18-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
  - 02/20/18-6:30 p.m.-Upshur County Fire Board, Inc.
  - 02/20/18-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
  - 02/21/18-7:00 a.m.-Upshur County Development Authority – Executive Board
  - 02/21/18-12:00 p.m.-Lewis Upshur LEPC --- Lewis location
  - 02/15/18-6:30 p.m.-Upshur County Youth Camp Board

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- 02/26/18-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
  - 03/01/18-6:00 p.m.-Buckhannon-Upshur Board of Health
  - 03/05/18-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County
  - 03/28/18-10:00 a.m.-James W. Curry Advisory Board
  - TBD-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
8. Appointments Needed or Upcoming: (none)
9. Board of Review & Equalization Meeting Schedule
- 02/01/2018-1:00 p.m.–3:00 p.m. No appointments ---Review Property Books
  - 02/06/2018-9:00 a.m.–11:00 a.m. Coal, Oil & Gas and Industrial Appointments
  - 02/09/2018-1:00 p.m.–3:00 p.m.
  - 02/14/2018-1:00 p.m.–3:00 p.m.
  - 02/16/2018-9:00 a.m.–11:00 a.m. Adjournment

Upshur County Prosecuting Attorney, David Godwin, appeared before the Commission and provided additional information concerning (Agenda Item #2) regarding the litigation related to the timberland assessment of Penn Virginia. Mr. Godwin requested the Commission to disregard previous correspondence concerning the hiring of a private law firm and advised using the Office of the Attorney General for representation in the matter. After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved to “untable” the agenda item and approve Mr. Godwin’s recommendation.

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

The Commission approved all Vacation Orders.

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

- George F. Walker—Final Settlement Waiver

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

- Richard A. II or Amanda Yoakum—#4249—Corrective Ticket
- Terry Woofter—#41250—Corrective Ticket
- Kaleb T. or Shelby L. Jones—#4251—\$2.11
- Jeffrey & Lynelle Zickefoose—#4252—\$2.11
- Virginia Loughry—#4253—\$226.43

The Commission recessed at 12:05 p.m.

The Commission reconvened at 1:05 p.m.

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

With no further business, on motion by Troy A. Brady seconded by Terry Cutright, the Commission meeting adjourned at 2:30 p.m.