

# UPSHUR COUNTY COMMISSION MEETING

## August 15, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, August 15, 2019 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commission President; Kristie Tenney, Commissioner; Terry Cutright, Commissioner; Carol Smith, County Clerk; Carrie Wallace, County Administrator; and Prisilla Peggs, 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.

Sam Nolte reviewed scheduled appointments and agenda items.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the regular meeting minutes of August 1, 2019 as submitted.

Kevin Campbell on behalf of Mountain Lakes Preservation Alliance appeared before the Commission to discuss the Buckhannon Riverfest 2019 - A Celebration of Our Water, an event to be held at Riverwalk Park on Saturday, August 31, 2019 at 9:30 a.m.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the FY20 Community Corrections Day Report Center Grant (Project No. 20-CC-27) Contract Agreement, Resolution, Certifications and Standard Conditions and Assurances. The grant award is in the sum of one hundred sixty-one thousand five hundred dollars (\$161,500) to be used for the continued operation of a community corrections program in Upshur and Lewis County. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Proclamation Recognizing the Importance of the Upcoming 2020 Census and Proclaiming the Establishment of a County Complete Count Committee. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the Performance Review Forms to be mandatory only for supervisors and employees that report to the Upshur County Commission. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Inspection Agreement between Brewer & Company of WV, Inc. and Upshur County Commission for duress alarms. The contract has an initial term of a period of one (1) year from the date of signing at an annual sum of two thousand thirty-six dollars (\$2,036). (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the Advertisement for a full-time Maintenance Department position. Applications must be received by 4:30 p.m. on September 3, 2019. A Journeyman's electrical License and HVAC License are preferred and the starting salary will be based upon experience. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the resignation of Charles Day, Deputy Sheriff, effective August 16, 2019.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission denied the request from Cheyenne Troxell, Program Director of Community Corrections for Rodney Rolenson to teach the Parenting Classes in Upshur County at the pay wage rate of \$75 per class, however approved for Mr. Rolenson to be paid for the Classes taught thus far.

Sam Nolte reviewed the following "For Your Information" items: (copies included)

1. Correspondence from Governor Jim Justice announcing the Community Corrections Program grant award in the amount of one hundred sixty-one thousand five hundred dollars (\$161,500) to continue the operation of a Community Corrections Program in Upshur and Lewis Counties.
2. Correspondence from Nesco, Inc. providing notice of blasting activities in accordance with all State and Federal Laws and as approved by the Department of Environmental Protection, commencing August 26, 2019 and continuing through August 27, 2019 from sunrise to sunset.
3. Correspondence from Lydia M. Work, Licensed Remediation Specialist (LRS), announcing submission of Remedial Action Work Plans (RAWP) - Addendum Number 2, associated with soil cap improvements at the Upshur County Youth Camp Tar Pit Property located in Selbyville, Upshur County, WV. The RAWP Addendum has been provided in response to small tar globules wicking to the surface from soil cap soils, as well as improving soil cap conditions in barren areas. The soil cap improvements are scheduled to be completed prior to August 31, 2019.
4. Correspondence from the City of Buckhannon's Mayor's Office announcing traffic flow adjustments planned for Saturday, August 24, 2019 on the streets surrounding

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- the campus. The temporary adjustment is due to new student move-in day at West Virginia Wesleyan College.
5. Correspondence from Samuel R. Nolte, Commission President, to Tammy J. Lemons, Division of Justice & Community Services, inquiring if there are funds remaining within the Court Security Fund that could be reallocated for a new shielded travel cable for the surveillance camera in the Courthouse Annex elevator. The estimate for this cable is in the amount of six thousand five hundred seventy dollars (\$6,570).
  6. WV Ethics Commission training opportunity - Wednesday, September 11<sup>th</sup> beginning at 1:00 p.m. at the Randolph County Commission Chambers, Suite 102 at 4 Randolph Avenue.
  7. Correspondence from Jeff Palmer, Chair of the Association of WV Solid Waste Authorities, announcing the 2019 WV Education Conference on Litter Control and Solid Waste Management taking place October 20-22<sup>nd</sup>, at Canaan Valley Resort State Park.
  8. Upshur County Solid Waste Authority Financial Report - FY 2019
  9. Upshur County E-911 Communication Reports - July 2019
    - Monthly Call Summary Report
    - Monthly Department Summary Report
    - Monthly and YTD Wrecker Report
  10. Upshur County Building Permits for the month of July 2019
  11. Lewis-Upshur Animal Control Facility Adoption Financial Transactions - July 2019
  12. Lewis-Upshur Animal Control Facility Cat Report for the month of July 2019
  13. Lewis-Upshur Animal Control Facility Animal Report for the month of July 2019
  14. Lewis-Upshur Animal Control/Humane Officer Monthly Animal Report for the Month of July 2019
  15. Public Notices:
    - a. Newsletters and/or Event Notifications:
      - James W. Curry Public Library Calendar of Events for August 2019
    - b. Agendas and/or Notice of Meetings:
      - Elkins Road PSD August 6, 2019
      - Upshur County Safe Structures and Sites Enforcement Board August 8, 2019
      - Buckhannon-Upshur Airport Authority August 8, 2019
      - Upshur County Family Resource Network August 12, 2019
      - Region VII Planning and Development Council August 12, 2019
      - City Council of Buckhannon August 15, 2019
      - Upshur County Farmland Protection Board August 15, 2019
      - Buckhannon-Upshur Recreational Park Advisory Board-Special August 19, 2019
    - c. Meeting Minutes:
      - Elkins Road PSD July 2, 2019
      - Upshur County Solid Waste Authority July 8, 2019
    - d. Meetings:
      - 07/29/19-6:00 p.m.-Upshur County Fire Fighters Association
      - 08/01/19-7:00 p.m.-Banks District VFD
      - 08/01/19-7:00 p.m.-Selbyville VFD
      - 08/05/19-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
      - 08/06/19-4:00 p.m.-Hodgesville PSD
      - 08/06/19-5:30 p.m.-Elkins Road PSD
      - 08/08/19-10:00 a.m.-Adrian PSD
      - 08/08/19-3:00 p.m.-Upshur County Conventions & Visitors Bureau
      - 08/08/19-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
      - 08/08/19-4:00 p.m.-Buckhannon Upshur Airport Authority
      - 08/08/19-7:30 p.m.-Buckhannon VFD
      - 08/12/19-12:00 p.m.- Upshur County Family Resource Network
      - 08/12/19-4:30 p.m.-Upshur County Solid Waste Authority
      - 08/12/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board-Cancelled
      - 08/13/19-7:30 p.m.-Adrian VFD
      - 08/14/19-12:00 p.m.-Upshur County Senior Center Board

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- 08/14/19-3:00 p.m.-Tennerton PSD
- 08/14/19-6:00 p.m.-Buckhannon River Watershed Association - WVWC
- 08/14/19-7:00 p.m.-Warren District VFD
- 08/14/19-7:00 p.m.-Ellamore VFD
- 08/15/19-7:00 a.m.-Upshur County Development Authority – Full Board
- 08/15/19-2:00 p.m.-Upshur County Farmland Protection Board
- 08/15/19-6:30 p.m.-Upshur County Youth Camp Board
- 08/18/19-6:00 p.m.-Washington District VFD
- 08/19/19-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 08/19/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 08/20/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 08/20/19-6:30 p.m.-Upshur County Fire Board, Inc.
- 08/21/19-7:00 a.m.-Upshur County Development Authority – Annual Meeting
- 08/21/19-12:00 p.m.-Lewis Upshur LEPC --- Upshur location
- 08/21/19-4:00 p.m.-Upshur County Public Library Board
- 08/21/19-6:00 p.m.-Upshur County Citizens Corp – CERT
- 08/26/19-10:00 a.m.-Mountain CAP of WV, Inc., a CDC
- 08/27/19-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 08/28/19-10:00 a.m.-James W. Curry Advisory Board
- 09/05/19-6:00 p.m.-Buckhannon-Upshur Board of Health
- 09/13/19-11:00 a.m.-Region VI Local Elected Officials

### 16. Appointments Needed or Upcoming:

- a. Buckhannon-Upshur Airport Authority (7/1/19-6/30/22 City Rep.)

The Commission approved all Invoices for Payment. (list included)

The Commission approved all Vacation Orders. (copies included)

The Commission approved the following “Settlements” (as listed):

- Mary Ellen Bosley - Final Settlement Waiver
- Lowell E. Elbon - Final Settlement Waiver
- Lillian Halverson - Final Settlement Waiver
- Robert L. Kincaid - Final Settlement Waiver
- Bessie Koon - Final Settlement Waiver
- John Mathias Koppinger - First Annual Settlement
- Lynn N. Post - Final Settlement Waiver
- Richard J. Riley - Final Settlement Waiver
- Tyrus Don Stalnaker - Final Settlement Waiver
- Charles W. Suttle - Final Settlement Waiver

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

- Stacie Wentz - August 27-28, 2019
- Kimbra Wachob - August 28-30, 2019
- Doyle R. Cutright, II - August 29-30, 2019

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

- Banks District-blend Map 6S Parcel 44 with Map 6S Parcel 46 with Map 6S Parcel 32.1 with Map 6S Parcel 44.3 with Map 6S Parcel 33 with Map 6S Parcel 44.2 and Map 6S Parcel 43.1 to make Map 6S Parcel 44.3-Owners, Michael W. Quinn
- Corporation District-blend Map 7 Parcel 200 with Map 7 Parcel 201 to make Map 7 Parcel 200-Owners, Benjamin F., Jr. & Jane F. Crutchfield

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

- Samuel R. & Margaret K. Nolte - #21494- \$129.24 -Exoneration Order
- Dana & Linda M. Davidson & Wahneta M. Lattea - #15005 - \$230.63-Exoneration Order
- Dana & Linda M. Davidson & Wahneta M. Lattea - #15005 - \$215.40-Exoneration Order
- Thomas L. Ware - #01303800 - \$9.70 - Exoneration Order
- David M. or Delores Y. Henline - #301546 - \$22.23 - Exoneration Order
- Edward J. Lane - #16179 - \$245.47 - Correction Order

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- Edward J. Lane - #16178 - \$88.69 - Correction Order
- Harold or Tonya J. Elza (Herald) - #0500000284S - \$99.82 - Exoneration Order
- Angelica O. Brecke (Perez) - #500000050S - \$53.84- Exoneration Order
- Boyd L. Cutright - #14975 - \$1,054.00 - Exoneration Order
- Shaffer Amusements Co. LLC. L/A Christine's Hot Spot - #303000 - \$119.22 - Exoneration Order
- Helma L. Pringle - #17024 - \$227.66 - Exoneration Order
- Harold Howes -#300311 - \$46.66 - Refund Order
- Robert M., Jr. & Connie J. Lewis - Daniel & Sarah Woodlock - George B. & Wanda D. Snyder - Derek Lee Michael Garrett – Tkt #20784 – Apportionment/Split
- Winneberger, Robert D. or Lucinda M. – Winneberger, Robert D. or Lucinda M. – Winneberger, Lucinda M. – Tkt #308612 – Apportionment/Split

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 Kristie Tenney the Commission meeting adjourned at 4:45 p.m.