The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, November 14, 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; Prisilla Peggs, Secretary and Lois Marsh, 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 November 7, 2019 as submitted.

Due to a scheduling conflict, Addie Helmick with Women’s Aid in Crisis did not appear before the Commission regarding the signage placement within Courthouse facilities.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the resignation of Corporal Rocky C. Hebb, Deputy Sheriff, effective December 7, 2019.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the appointment of Corporal Rodney Rolenson to the Buckhannon-Upshur Middle School as Prevention Resource Officer effective November 18, 2019. Corporal Rolenson will continue to supervise the Upshur County Home Confinement Program. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the appointment of Corporal Dewaine Linger to the Buckhannon-Upshur High School as Prevention Resource Officer effective December 16, 2019. (copy included)

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

1. WV Department of Revenue State Tax Department Assessor Substantial Completion Notification: Certification that Dustin W. Zickefoose, Assessor of Upshur County, has complied with the “assessor’s additional duties” and will receive additional compensation as provided in WV Code §7-7-6b.

2. Correspondence from Jeffrey E. Fleck, Executive Director of the State of West Virginia Consolidated Public Retirement Board, providing a preliminary estimate of the employer contribution rate in order to assist with the budgeting process. The estimated employer contribution percentage will remain at 10.0% effective July 1, 2020. Once the official contribution rate is determined, a letter will be sent to the Upshur County Commission.

3. Correspondence from Anne Leyva, Weyerhaeuser Giving Fund Manager, announcing the award of $5,000 to the Upshur County Youth Camp.

4. Public Notices:
   a. Newsletters and/or Event Notifications:
      • City of Solutions Presentation – Developing an Effective Community Response to the Substance Use Crisis – December 12th from 10:00 a.m. to 3:00 p.m. – WVWC Performing Arts Center
   b. Agendas and/or Notice of Meetings:
      • Upshur County Convention & Visitor’s Bureau November 14, 2019
      • Buckhannon-Upshur Airport Authority November 14, 2019
      • Upshur County Safe Structures & Sites Enforcement Board November 14, 2019
   c. Meeting Minutes:
      • Elkins Road PSD October 1, 2019
   d. Meetings:
      • 11/04/19-4:30 p.m.-Upshur County Solid Waste Authority – Special Meeting
      • 11/05/19-4:00 p.m.-Hodgesville PSD
      • 11/05/19-5:30 p.m.-Elkins Road PSD
      • 11/07/19-3:00 p.m.-Adrian PSD
      • 11/07/19-6:00 p.m.-Buckhannon-Upshur Board of Health
      • 11/07/19-7:00 p.m.-Banks District VFD
      • 11/07/19-7:00 p.m.-Selbyville VFD
      • 11/11/19-12:00 p.m.-Upshur County Family Resource Network - Cancelled
      • 11/11/19-4:30 p.m.-Upshur County Solid Waste Authority - Cancelled
      • 11/11/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
      • 11/12/19-7:30 p.m.-Adrian VFD
      • 11/13/19-3:00 p.m.-Tennerton PSD
      • 11/13/19-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau

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- 11/13/19-7:00 p.m.-Ellamore VFD
- 11/13/19-7:00 p.m.-Warren District VFD
- 11/14/19-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 11/14/19-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 11/14/19-4:00 p.m.-Buckhannon Upshur Airport Authority
- 11/14/19-7:30 p.m.-Buckhannon VFD
- 11/17/19-6:00 p.m.-Washington District VFD
- 11/18/19-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce - Innovation Center
- 11/18/19-6:00 p.m.-Lewis-Upshur Community Corrections Board
- 11/19/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 11/19/19-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 11/19/19-6:30 p.m.-Upshur County Fire Board, Inc.
- 11/20/19-12:00 p.m.-Upshur County Senior Center Board
- 11/20/19-12:00 p.m.-Lewis Upshur LEPC - Lewis location
- 11/20/19-4:00 p.m.-Upshur County Public Library Board
- 11/20/19-7:00 p.m.-Upshur County Fire Fighters Association
- 11/21/19-2:00 p.m.-Upshur County Farmland Protection Board
- 11/21/19-6:30 p.m.-Upshur County Youth Camp Board
- 11/27/19-7:00 a.m.-Upshur County Development Authority – Full Board
- 11/27/19-10:00 a.m.-James W. Curry Advisory Board
- 12/13/19-11:00 a.m.-Region VI Local Elected Officials

5. Appointments Needed or Upcoming: (none)
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):

- Merrill L. Campbell, Jr. - Final Settlement Waiver
- H. Matthew Hymes, II - Final Settlement Waiver
- Kathleen May Johnston - Final Settlement
- Ruby Carol Quick - Final Settlement
- Bonita Jo Spencer aka Bonita Jo Byard LeJeune Strange Swecker - Final Settlement
- Lillian Maxine Westfall - Final Settlement Waiver

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

- Chidester, Carol - #30000263S - $278.38 - Exoneration Order
- Chidester, Carol - #303283 - $256.54 - Exoneration Order
- Donald M. Bowser - #27119 - $469.67 - Correction Order
- Sherry L. Wright - #60000205S - $18.90 - Exoneration Order

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

- Buckhannon District-blend Map 9H Parcel 15.10 and Map 9H Parcel 15.18 to make Map 9H Parcel 15.10 - Owners, Lowther, Stanley C. & Tammy J.

Tabled items:

1. Hearing upon the Petition/Complaint of the Upshur County Safe Sites and Structures Enforcement Agency -- Chapman Case Number 101118-01 (Warren Tax District - Tax Map 6B Parcel Number 11). No action was taken.

Lowell Peterson, President of the Upshur County Farmland Protection Board introduced Dr. Joseph Reed, Treasurer; Arley Robinson, Secretary; and Amy Moloney, Administrative Assistant to the Commission. Amy Moloney presented an overview of the Farmland Protection Program and explained the importance of protecting our farmlands. Upshur County is one of 13-18 counties who have a Farmland Protection Board.

Lori Ulderich Harvey, Dr. Joseph Reed, and Tim Higgins representing the Upshur County Tobacco Prevention Coalition, appeared before the Commission and provided data and information pertaining to the dangers of smoking and vaping. After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Proclamation designating November 21, 2019 as the Great American Smokeout. (copy included)

Lori Ulderich Harvey, Upshur County Family Resource Network Director, appeared before the Commission and provided data and information related to foster care and adoptions. After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the...
President to sign the Proclamation designating November 2019 as National Adoption Month. (copy included)

Sandra Lancaster and her husband, Tim, appeared before the Commission to request that the County Commission consider adopting a Public Nuisance Ordinance. Terry Cutright stated that Senate Bill 456 had been introduced to the legislature in 2017 but did not pass. In January, he will discuss with the CCAWV the possibility of reintroducing the Bill. No action was taken.

The Commission reviewed administrative items.

The Commission recessed for lunch at 12:30 p.m.

The Commission reconvened at the Administrative Annex at 2:00 p.m. to conduct an interview with an applicant for Prosecuting Attorney.

With no further business, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission meeting adjourned at 3:40 p.m.