The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, January 7, 2016, at 9:00 a.m. JC Raffety called the meeting to order. Present were JC Raffety, Commissioner; Troy A. Brady, Commissioner; Terry Cutright, Commissioner; Carrie Wallace, County Administrator; Tabatha R. Perry, Assistant County Administrator; Jeanne Zickefoose, temporary Commission Assistant 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 December 17, 2015 as submitted.

Terry Cutright nominated Troy A. Brady to serve as the Commission President for the 2016 calendar year. JC Raffety seconded the motion to nominate Mr. Brady. Mr. Brady declined the nomination and remarked that JC has done an outstanding job as President and nominated Mr. Raffety to continue in the position for his final year on the Commission. Mr. Raffety declined the nomination and stated that he felt that he would better serve the County as mentor to the new President. Mr. Raffety then nominated Terry Cutright for the position of Commission President. Mr. Brady expressed disappointment with Mr. Raffety’s decision however did not oppose the nomination of Terry Cutright. After discussion, on motion by JC Raffety, seconded by Terry Cutright, the Commission approved Terry B. Cutright to serve as Commission President for the 2016 calendar year.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the time of the Upshur County Commission meetings to be held weekly on Thursday at 9:00 a.m. (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the Local Rules for Commission meetings (copy included).

Carrie Wallace reviewed the registration/sign-in sheet for those wishing to address the Upshur County Commission during scheduled meetings per WV Code §6-9A-3 (copy included). After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the sign-in sheet.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved to fulfill (carry over) obligations entered into during the 2015 calendar year.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the hours of operation for the Courthouse and Annex as Monday through Friday, 8:00 a.m. to 4:30 p.m. (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the 2016 calendar year Holidays and Administrative Closures Schedule as submitted (copy included). The following exceptions will apply:

- Friday-May 20, 2016-8:00 a.m. to 12:00 p.m.
- Friday-December 16, 2016-8:00 a.m. to 12:00 p.m.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the Upshur County Commission President, the Upshur County Sheriff and the Upshur County Clerk to sign the “Affidavit of County, Municipal, or Other Public Official Establishing Facsimile Signature”. The document is an authorization for the use of facsimile signature (stamp) “to be used in lieu of his or her manual signature, as authorized by Chapter 6, Article 14, of the Code of West Virginia of 1931 as amended…” The document shall be certified and filed with the West Virginia Secretary of State (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the Commissioner appointments to the various boards as follows:

- Lewis-Upshur Community Corrections Board--Brady
- Upshur County Farmland Protection Board--Brady
- Lewis-Upshur Emergency Planning Committee--Raffety
- Mountain CAP of West Virginia, Inc. --Raffety
- Region VI Work Force Investment Board--Cutright
- Region VII Planning and Development Council--Cutright
- Upshur County 4H Foundation--Cutright
- Upshur County Development Authority--Cutright
- Upshur County Enhanced Emergency Telephone Board--Brady
- Upshur County Extension Service Committee--Cutright
- Upshur County Fire Board Inc. --Raffety
- Upshur County Senior Center Board--Raffety
- Upshur County Family Resource Network--Brady
Upshur County Youth Council, Inc. (SYC) -- Brady
Wes-Mon-Ty Resource Conservation and Development--Raffety
Corridor H Authority—Raffety

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the reappointment of Amy Queen as member of the Buckhannon-Upshur Board of Health. Ms. Queen’s term will expire on June 30, 2020 (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved a request from Callie Cronin-Sams, Buckhannon-Upshur Parks and Recreation Advisory Board Chairperson, to use the Buckhannon-Upshur Recreation Park and pool on June 4, 2016 from 5:00 p.m. to 10:00 p.m. and on June 5, 2016 from 7:00 a.m. to 12:00 p.m. for the 2nd Annual Hometown Blast Pool Party and Triathlon/5k (copy included). The Commission also approved a donation of 10 (ten) one day pool passes to be used as prizes during the pool party.

Carrie Wallace provided a review of the Upshur County Emergency Operations Plan, Annex A as submitted and recommended by James Farrell, Office of Emergency Management Director (copy included). After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the plan.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the “Recommendation to Overrule Objection to Qualification of Personal Representative” concerning the Estate of Nathaniel Wayne Beckner, deceased (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the Board of Review and Equalization (BORE) Publication Notice (copy included). The Commission will sit as the Board of Review and Equalization beginning at 1:00 p.m. on February 1, 2016 and shall continue until the work is complete but will adjourn no later than the close of business on February 18, 2016.

Upshur County Sheriff’s Deputy, Tyler Gordon, received a “Certificate of Recognition” award from County Commissioners and Sheriff David Coffman. Deputy Gordon recently completed training at the WV State Police Academy as Valedictorian of his class and achieved some of the highest grades ever recorded at the academy.

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved and authorized the President to sign correspondence to the Office of the Upshur County Assessor and the Property Tax Division—State Tax Department which grants approval “to correct valuations for real property, personal property, and /or mineral accounts” (copy included). Any adjustments made after February 1, 2016, must be forwarded to the Commission sitting as the Board of Review & Equalization.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the signing of correspondence to Paul Chapman, Upshur County resident concerning required action on Upshur County Safe Sites and Structures Ordinance Enforcement Board’s Case Number 091114-01 and to inform him of pending inspections of the property to ensure progress with compliance (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved and authorized the President to sign the Service Contract with Valley Business Systems in the amount of $481.50 annually effective December 1, 2015 through November 30, 2016 for maintenance of copier located at the James W. Curry Library (copy included)

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the renewal of a service agreement with Mountain State Waste Collection and Disposal Service in the amount of $157.91 per month for services provided at the James W. Curry Library and Park for one year service beginning on November 1, 2015.

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved Diana Kimble and Jesse Gore as volunteers for the Lewis-Upshur Animal Control Facility.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the resignation of Danny R. Gould as Animal Control Officer effective December 29, 2015.
After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the employment of Dustin L. Hollen, as full time Animal Control Officer at the rate of $11.00 per hour effective January 17, 2016 increasing to $12.00 per hour upon completion of required training.

Troy A. Brady requested to meet in executive session to discuss the request for the termination of Stephanie M. Burr as part time Administrative Assistant for the Addressing and Mapping office.

Terry Cutright reviewed the following “For Your Information” items (copies included):

1. Correspondence from Carrie L. Wallace, County Administrator, to Michael Farnsworth of MACH Excavation Services, modifying Section 2 of the Agreement by and between the Upshur County Commission and MACH Excavation Service for demolition of a dilapidated home off of the Oscar Sayer Road. The deadline has been extended to January 20, 2016.
2. Correspondence from Linda Wolfe, Upshur County Relay for Life Chair, regarding an event scheduled to take place Thursday, January 21, 2016 at 6:00 p.m. at Audrey’s Banquet Room on North Kanawha Street to kick off Relay year. The 2016 Relay for Life will be held Saturday, July 16th at Jawbone Park.
3. Correspondence from Michael Zarrilli, Senior Counsel and Vice President Government Relations of SuddenLink, announcing that the sale of Cequel Corporation, the parent of Cequel III Communications II, LLC d/b/a SuddenLink Communications to Altice N.V. has been completed. There will be no change in the existing holder of the cable franchise and no change in the day to day operations.
4. Correspondence from Michael Kelemen, Director of Government Relations of SuddenLink, providing a summary of adjustments to service prices.
5. Correspondence from Robert L. Pennington, P.E. Deputy State Highway Engineer-Programming and Planning, West Virginia Department of Transportation Division of Highways, informing the Commission that a draft copy of the 2016-2021 Statewide Transportation Improvement Program (STIP) has been made available for public comment. A copy of the document may be viewed and/or downloaded on the web at www.go.wv.gov/dotcomment. All written comments are to be received no later than January 30, 2016.
6. Correspondence from Jeff Amburgey, Chairman, Property Valuation Training and Procedures Commission, State of West Virginia Department of Revenue State Tax Department, regarding the Assessor’s proposed 2016-2017 Valuation Fund Budget. Written evidence showing that a lesser amount than the amount requested by the Assessor would be adequate must be submitted to the Property Tax Division on or before January 15, 2016.
7. James W. Curry Public Library Calendar of Events-January 2016
9. Agendas and/or Notice of Meetings:
   - Elkins Road Public Service District—January 5, 2016
   - Upshur County Solid Waste Authority—January 11, 2016
   - Lewis-Upshur Community Corrections Board—January 11, 2016
10. Meeting Minutes:
    - Buckhannon-Upshur Recreation Park Advisory Board –May 21, 2015
    - Upshur County Family Resource Network-Director’s Report–December, 2015
    - Upshur County Family Resource Network– December 14, 2015
11. Meetings:
    - 01/07/16-7:00 p.m.–Banks District VFD
    - 01/07/16-7:00 p.m.–Selbyville VFD
    - 01/05/16-6:00 p.m.–Hodgesville PSD
    - 01/05/16-5:30 p.m.–Elkins Road PSD
    - 01/13/16-12:00 p.m.–Upshur County Senior Center Board
    - 01/13/16-1:30 p.m.–Upshur County Conventions & Visitors Bureau–UCDA Office
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- 01/13/16-6:00 p.m.-Upshur County Citizens Corp-CERT
- 01/13/16-7:00 p.m.-Warren District VFD
- 01/14/16-1:00 p.m.- Adrian PSD
- 01/14/16-3:00 p.m.-Temerton PSD
- 01/14/16-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Board
- 01/14/16-7:30 p.m.-Buckhannon VFD
- 01/14/16-4:00 p.m.-B-U Airport Authority—meeting held at Airport-Cancelled
- 01/14/16-4:00 p.m.-B-U Airport Authority—meeting held at Airport-Special Meeting
- 01/11/16-12:00 p.m.-Upshur County Family Resource Network
- 01/11/16-4:30 p.m.-Upshur County Solid Waste Authority
- 01/11/16-6:00 p.m.-B-U Recreational Park Advisory Board
- 01/11/16-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County
- 01/12/16-6:00 p.m.-Buckhannon River Watershed Association
- 01/19/16-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
- 01/12/16-7:30 p.m.-Adrian VFD
- 01/20/16-7:00 p.m.-Ellamore VFD
- 01/20/16-12:00 p.m.-Lewis Upshur LEPC—Lewis location
- 01/17/16-6:30 p.m.-Upshur County Youth Camp Board
- 01/19/16-6:30 p.m.-Upshur County Fire Board
- 01/20/16-7:00 a.m.-Upshur County Development Authority
- 01/17/16-6:00 p.m.-Washington District VFD
- 01/18/16-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 01/19/16-5:00 p.m.-Upshur County EETAB
- 01/19/16-4:00 p.m.-Upshur County Public Library Board
- 01/28/16-3:30 p.m.-Upshur County Farmland Protection Board-Cancelled
- 01/08/16-12:00 p.m.-Upshur County Farmland Protection Board-Committee Meeting
- 01/08/16-2:00 p.m.-Upshur County Farmland Protection Board-Special Meeting
- 03/23/16-10:00 a.m.-James W. Curry Advisory Board
- TBA-6:00 p.m.- Upshur County Fire Fighters Association
- 02/10/16-6:00 p.m.-Buckhannon Upshur Board of Health

12. Appointments Needed or Upcoming:
- Upshur Fire Board (Vacant Position-6-30-16)-1st District Community Representative
- Upshur County Farmland Preservation Board (Vacant Position-06-30-15)-At Large-Non Farming
- Region VII Planning & Development Council-(12-31-15-Connie Tenney)—County
- Region VII Planning & Development Council-(12-31-15-Sam Nolte)—County
- Region VII Planning & Development Council-(12-31-15-WVWC Representative)-County
- Region VII Planning & Development Council-(12-31-15-A.G. Trusler)-County
- Corridor H Authority (Vacant Position-06-30-16)—Commission

On motion by Troy A. Brady, seconded by JC Raffety, the Commission entered executive session at 9:50 a.m. per WV Code §6-9A-4 to discuss the request for the termination of Stephanie M. Burr as part time Administrative Assistant for the Addressing and Mapping office. Present were Terry Cutright, JC Raffety, Troy A. Brady, Carrie Wallace and Tabatha Perry. The Commission returned to open session at 9:58 a.m. No decisions were made in executive session.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the termination of Stephanie M. Burr as part time Administrative Assistant for the Addressing and Mapping office to be effective immediately.

The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders.
The Commission approved the following Settlements (copies included):
- Thelma Marlene Casto-Final
- Mary M. Henderson-Final
- Thomas E. Hoy-Final
- Patricia Virginia Kelley-Final
- Homer E. McQuain-Final
- James J. Ogden-Final
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- David Reed Oldaker-Final
- Rosalee Virginia Oldaker-Final
- Regina Mae Snider-Final
- Wayne R. Stackpole-Final

The Commission approved all Vacation Orders.
The Commission approved the following “Exonerations and/or Refunds” (copies included):
- Moss Family LLC—#3761—$48.08
- Moss Family LLC—#3762—$49.38
- Moss Family LLC—#3763—$49.30
- Moss Family LLC—#3764—$7,134.44
- Moss Family LLC—#3765—$9,044.70
- Moss Family LLC—#3766—$9,031.64

The Commission approved the following “Request to Attend Meeting” (copies included):
- Carol J. Dean—January 13, 2016 (online)
- Carrie Wallace—February 7-9, 2016
- Terri Jo Bennett—April 20, 2016

The Commission approved the following “Consolidation of Land Tracts” (copies included):
- Meade District—Map 5R Parcel 13 blended with Map 5R Parcel 13.1 to make Map 5R Parcel 13—owners Dorthie G. and Leonard H. McIe

With no further business, on motion by JC Raffety, seconded by Troy A. Brady, the Commission adjourned at 12:01 p.m.