The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, March 31, 2016, at 9:00 a.m. Terry Cutright called the meeting to order. Present were Terry Cutright, Commissioner; JC Raffety, Commissioner; Troy A. Brady, Commissioner; Carrie Wallace, County Administrator; Jeanne Zickfoose, 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 JC Raffety, the Commission approved and authorized the President to sign the West Virginia Justice Assistance Grant Program Application in the amount of $28,000 for the purpose of funding the Prevention Resource Officer at the Buckhannon Upshur Middle School (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved and authorized the President to sign the Prevention Resource Officer (PRO) FY 2017 agreement for the PRO at the Buckhannon Upshur High School (copy included).

After discussion, on motion by JC Raffety, seconded by Terry Cutright, the Commission approved and authorized the President to sign correspondence to Terri Moxley, EBSO Insurance Agency, as official notification that the Upshur County Commission has appointed Thornburg Insurance Agency as their exclusive Agent of Record to access any and all data related to Upshur County’s Health Plan (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the Recommendation to Overrule Response to Estate Claim of St. Joseph’s Hospital for the Estate of Nathaniel Wayne Beckner, as requested by Daya Masada Wright, Fiduciary Commissioner (copy included).

Carrie Wallace advised that Richard Marsh, Attorney, has made a request to postpone action on Agenda Item #5, “Approval of Recommendation for the Removal of Michael Dean as Administrator of the Estate of Patricia Beth Dean, deceased” by Daya M. Wright, Fiduciary Commissioner” until April 14, 2016 as he will not be able to appear on behalf of his client, Michael Dean until that time. After discussion, on motion by JC Raffety, seconded by Troy A. Brady the Commission approved to table agenda item #5.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the Recommendation for Extension of Time to Settle the Estate of Robert James Stansbury, deceased, as requested by Daya Masada Wright, Fiduciary Commissioner (copy included).

Terry Cutright reviewed a request from Sara Stankus, Principal of Union Elementary, for a donation to be used for the Union Elementary School Parent Teacher Organization (PTO) school carnival and auction fundraiser on April 9, 2016 (copy included). After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved a donation of 10 (ten) 1-day individual pool passes.

Laura Meadows, Upshur County Convention and Visitor’s Bureau Director, appeared before the Commission and provided a review/update on the Bureau’s efforts in promoting the City of Buckhannon as a retirement community. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved a donation of 10 (ten) 1-day individual pool passes.

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

1. Correspondence from James Hollen, City Engineer and Thomas Landis, Water Treatment Plant supervisor, regarding the scheduled improvements at the City of Buckhannon’s Water Treatment Plant (WTP). The Notice to Proceed for the project was issued on March 14, 2016 and the project should be completed by September 10, 2016.

2. Correspondence from David Coffman, Upshur County Sheriff, reiterating his support of additional courthouse security, which would include armed security guards and a metal detector and x-ray machine at courthouse and annex entrances.

3. Announcement of the Literacy Volunteers of Upshur County Book Sale to be held on April 14, through April 16, 2016. The traditional sale will be at the Holy Rosary Catholic Church and the inventory reduction sale will be held at the Moose Lodge.

4. Correspondence from Dominion Transmission, Inc. including an update on the Atlantic Coast Pipeline Project for March, 2016.
5. Agendas and/or Notice of Meetings:
   • Upshur County Solid Waste Authority—April 11, 2016
6. Meeting Minutes:
   • James W. Curry Library and Park Advisory Board—October 28, 2015
7. Meetings:
   • 04/05/16-5:30 p.m.-Elkins Road PSD
   • 04/05/16-6:00 p.m.-Hodgesville PSD
   • 04/06/16-7:00 a.m.-Upshur County Development Authority-Executive Board
   • 04/07/16-7:00 p.m.-Banks District VFD
   • 04/07/16-7:00 p.m.-Selbyville VFD
   • 04/11/16-12:00 p.m.-Upshur County Family Resource Network
   • 04/11/16-4:30 p.m.-Upshur County Solid Waste Authority
   • 04/11/16-6:00 p.m.-B-U Recreational Park Advisory Board
   • 04/11/16-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
   • 04/12/16-6:00 p.m.-Buckhannon River Watershed Association
   • 04/12/16-7:30 p.m.-Adrian VFD
   • 04/13/16-6:00 p.m.-Buckhannon Upshur Board of Health
   • 04/13/16-12:00 p.m.-Upshur County Senior Center Board
   • 04/13/16-1:30 p.m.-Upshur County Conventions & Visitors Bureau–UCDA Office
   • 04/13/16-6:00 p.m.-Upshur County Citizens Corp-CERT
   • 04/13/16-7:00 p.m.-Warren District VFD
   • 04/14/16-1:00 p.m.- Adrian PSD
   • 04/14/16-3:00 p.m.-Tennerton PSD
   • 04/14/16-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   • 04/14/16-7:30 p.m.-Buckhannon VFD
   • 04/14/16-4:00 p.m.-B-U Airport Authority—meeting held at Airport
   • 04/17/16-6:30 p.m.-Upshur County Youth Camp Board
   • 04/17/16-6:00 p.m.-Washington District VFD
   • 04/18/16-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
   • 04/19/16-4:00 p.m.-Upshur County Public Library Board
   • 04/19/16-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
   • 04/19/16-6:30 p.m.-Upshur County Fire Board
   • 04/19/16-5:00 p.m.-Upshur County EETAB
   • 04/20/16-7:00 p.m.-Ellamore VFD
   • 04/20/16-12:00 p.m.-Lewis Upshur LEPC—Lewis location
   • 04/20/16-7:00 a.m.-Upshur County Development Authority
   • 04/25/16-10:00 a.m.-Mountain CAP of West Virginia, CDC
   • 04/27/16-10:00 a.m.-James W. Curry Advisory Board
   • 04/28/16-3:30 p.m.-Upshur County Farmland Protection Board
   • TBA 6:00 p.m.-Upshur County Fire Fighters Association
   • TBA 6:00 p.m.-Upshur County Fire Fighters Association
8. Appointments Needed or Upcoming:
   • Upshur County 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
The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders
The Commission approved the following Settlements (copies included):
   • Maria Djonovich-Final
   • Delia Kathern Sandy Russell-Final
The Commission approved the following “Exonerations and/or Refunds” (copies included):
   • Jerry J. or Isaac W. Murrell—#3797—$196.14
   • Amber D. Rolenson—#3798—$322.64
   • Deidra K. or Idella Loudin—#3799—$36.00
Bill Hamilton, Upshur County Delegate to the WV Legislature, appeared before the Commission and provided a review of the heroic, lifesaving efforts of county residents, Chelsea Cox and Cheyene Anderegg. On January 26, 2016, Ms. Cox and Ms. Anderegg spotted Richard Baisden of Middle Fork who had fallen through the ice while trying to rescue his dog. The pair took action and rescued Mr. Baisden and his dog. Delegate Hamilton presented a Legislative Citation from the State of West Virginia, House of Delegates as recognition of Ms. Cox and Ms. Anderegg for their heroism.

Burl Smith and Joyce Harris-Thacker, Upshur County Solid Waste Authority representatives appeared before the Commission and provided a review of the WV Statewide Cleanup activities scheduled for April 2016. Mr. Smith advised that City and County residents can take advantage of “Free Days” for waste disposal at the City Transfer Station on Mudlick Road on designated Saturdays in April (copy included). Joyce Harris-Thacker read the “April 2016 Make-It-Shine Month” proclamation which designates the month of April 2016 as Make It Shine Month in Upshur County and encourages all citizens to participate in Adopt-A-Highway, Adopt-A-Spot and activities which promote a clean environment (copy included). After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the signing of the proclamation.

After reading of the minutes, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the regular meeting minutes of March 24, 2016 as submitted.

Dave Beckner and Ed McDaniels, Upshur County residents and church and law enforcement representatives, appeared before the Commission and requested that the national motto “In God We Trust” be allowed to be displayed on county law enforcement vehicles. Mr. Beckner reviewed historic and legal arguments in favor of allowing the display and Reverend McDaniels conveyed the support of the community’s religious leaders. Mr. Beckner advised that no financial support would be needed and that he has spoken with several attorneys in the community who would be willing to defend any challenges that may be made on a “pro bono” basis. Sheriff Coffman expressed the support of the Sheriff’s Department and stated that his officers welcome the additional “protection” of the usage of the motto. After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the display of the motto “In God We Trust” on county owned law enforcement vehicles.

The Commission recessed at 10:25 a.m.

The Commission reconvened at 11:15 a.m.

Steve Linger, E911 Communications Center Director, appeared before the Commission to discuss a request for employee schedule change and requested to meet in executive session per WV Code §6-9A-4. On motion by Troy A. Brady seconded by JC Raffety, the Commission entered executive session at 11:15 a.m. Present were Terry Cutright, JC Raffety, Troy A. Brady, Steve Linger and Carrie Wallace. The Commission returned to open session at 11:25 a.m. No decisions were made in executive session.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission denied the request from Steve Linger, concerning an employee schedule change.

Dr. Joseph Reed, Upshur County Health Official; Josh Sowards, State Coordinator for the Healthy Bodies Healthy Spirits effort; Rev. Julie Sterling, Presbyterian Church and Alicia Rapking, Parish House/Crosslines representative, appeared before the Commission to discuss healthy foods sources and the effects of food choices on health issues. Dr. Reed read the “Healthy Bodies Healthy Spirits Month” (April 2016) Proclamation. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the signing of the Proclamation.

The Commission recessed at 11:55 a.m.

The Commission reconvened at 1:00 p.m.
Ron Watson, Harrison County Commissioner, appeared before the Commission to request the support of Upshur County in their efforts to secure participation from “major” airlines when the Essential Air Service Contract for the North Central Regional Airport is put out to bid in 2016. Mr. Watson provided data and information to support his views that the participation of a major airline will contribute to the economy of not only Harrison County but surrounding counties as well. Mr. Watson advised that a financial contribution was not requested at this time but he is seeking a Pledge of Support which may involve a future contribution (from “carry-over”). No dollar amount was mentioned. Commissioners Cutright, Raffety and Brady expressed concerns about budget shortfalls and not being able to honor a financial pledge and advised Mr. Watson that his request would be taken under consideration.

With no further business, on motion by JC Raffety, seconded by Troy A. Brady, the Commission meeting adjourned at 3:25 p.m.