UPSHUR COUNTY COMMISSION MEETING
April 21, 2016

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, April 21, 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; 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 JC Raffety, seconded by Troy A. Brady, the Commission approved the regular meeting minutes of April 14, 2016 as submitted.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign correspondence (letter of transmittal and Progress Report) to Tony O’Leary, WV Development Office representative, and authorized payment of the request for “Drawdown # 12” for the Adrian PSD Phase VI Water Extension Small Cities Block Grant Project #10SCBG0035 in the amount of $206,395.45 (copy included).

After discussion, on motion by JC Raffety, seconded by Terry Cutright, the Commission approved the signing of the “Pledge Authorization” to release collateral currently pledged to secure deposits for the Upshur County Commission at the Federal Reserve Bank of New York (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the signing of a one-year contract with James Vending dated April 15, 2016 (copy included) for vending equipment/sales located at the Buckhannon Upshur Recreational Park.

After discussion, on motion by JC Raffety, seconded by Terry Cutright, the Commission approved Thomas J. O’Neill as member of the Upshur County Fire Board. The position will remain vacant until July 1, 2016 at which time Mr. O’Neill’s three year term will become effective, ending on June 30, 2019 (copy included).

Terry Cutright reviewed a request from Jonathan Teets, Superintendent of the Audra State Park, requesting a monetary donation to be used for adding electrical service to existing campsites. No action was taken and the request died due to lack of a motion.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved a donation of 10 individual day passes to the Buckhannon Upshur Recreational Park pool as requested by Abigail Jeffries, Rock Cave PTO President (copy included). The pool passes will be used as prizes for the spring bingo fundraiser which will be held on May 7, 2016 from 12 to 4 p.m. at the Rock Cave Elementary School.

Terry Cutright reviewed a request from Greg Harris, Upshur County Safe Structures and Sites Ordinance Enforcement Board representative, for the Commission to take action to require property clean-up of Case Number 091015-1 (copy included). After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the request.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the following as temporary Early Voting Clerks for the May 10, Primary Election: John Barnes, Loretta Dawson, Anita Delahunt, Karen Floyd, Catherine Frye, Betty Heavner, Judith Miles, Margaret Neely, Lisa Owens, Beulah Raffle, William Shannon, Catherine Vance, James Vance, Thanna Wentz, Margaret Wilcher, Delores Wilson and Janet Kay Wilson (copy included). Effective date of employment is April 27, 2016 through May 7, 2016 at the rate of $8.75 per hour.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the continued employment of Seth Blake as temporary seasonal Pool Director at the Buckhannon Upshur Recreational Park for the 2016 pool season. Effective date of employment is on or around May 16, 2016 at a weekly salary of $525.00 (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved Christine Azevedo and Cynthia McLean 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 Substance Abuse and Testing Policy of the Upshur County E911 Communication Center (copy included).

Terry Cutright reviewed the following “For Your Information” items (copies included):
1. Correspondence from Senator Craig P. Blair, Chairman, Senate Committee on Government Organization regarding Senate Bill 648, which becomes effective on June 6,
2016. This Bill allows local authorities to permit traffic signals to flash during low traffic times.
2. Correspondence from Neeraj (Raj) Sharma, On-Scene Coordinator of the United States Environmental Protection Agency, regarding the status of the Upshur County 4-H Tar pit Site in Selbyville, WV. The EPA plans no further action at the site.
3. Correspondence from Paul A. Mattox, Jr., WV Department of Transportation, Division of Highways representative, regarding the traffic study conducted at the intersection of Kesling Mill Road and US 33. Terry Cutright requested Carrie Wallace to send a copy of this correspondence to Union Elementary School students who appeared at the Upshur County Commission meeting on June 18, 2015 and presented a petition for traffic signal installation at the location.
4. Correspondence from James S. Hollen, III, P.E. City Engineer for the City of Buckhannon, informing the Commission of the City of Buckhannon’s Local Flood Protection Project
5. Correspondence from Burl J. Smith Director of Upshur County Solid Waste Authority, filing the Upshur County Comprehensive Litter and Solid Waste Control Plan, Rev. Sept. 2015. Approved 3/16/2016
7. 2016 Young Filmmakers Camp Flyer
9. Application for Pennsylvania-Out of State Dealers 2016—Kennel License
10. Meet the Candidates-Town Hall Meeting Invitation-April 25, 2016 at 7:00 p.m.
11. Agendas and/or Notice of Meetings:
   - Elkins Road Public Service District-May 3, 2016
12. Meeting Minutes:
   - Upshur County Safe Structures and Sites Enforcement Board—May 10, 2016
13. 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-cancelled
   - 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
   - 04/14/16-4:30 p.m.-Upshur County Solid Waste Authority
   - 04/14/16-6:00 p.m.-B-U Recreational Park Advisory Board-cancelled
   - 04/11/16-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur 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—Upshur 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
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- 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

14. Appointments Needed or Upcoming:
- Upshur County Fire Board (Vacant Position-6-30-16)-1st District Community Representative

Randolph County Commission President, Michael Taylor, appeared before the Commission and provided a review of the events concerning a medical emergency of an Ellamore (Randolph County) resident. Mr. Taylor provided a reading of the “Press Release” (copy included) which explains the circumstances and the results of a cooperative effort between Upshur and Randolph counties to resolve response time issues in the Ellamore area. Mr. Taylor advised that “state statutes” determine criteria for dispatching EMS services. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the signing of the “Press Release” for publication. JC Raffety advised that Mr. Grandusky, Ellamore resident, expressed appreciation to Upshur and Randolph Counties for their efforts and that he intends to continue with his efforts to resolve the issues at the state level.

The Commission recessed at 9:41 a.m.

The Commission reconvened at 10:00 a.m.

Clifford Newman, Upshur County resident, appeared before the Commission and requested to construct a designated fishing area at the Upshur County Youth Camp to be dedicated to veterans. Mr. Newman advised that it is his goal to pour a concrete slab (at no cost to the County) so that veterans can enjoy the fishing experience in spite of age and disability issues. Commissioners advised that some of the steps forward include: 1) Talk to the Youth Camp Board of Directors 2) Obtain permits and or advice—Flood Plain Management, Building Permit, DNR, DEP, Army Corp of Engineers 3) Submit plans for compliance. Commissioner Brady expressed concerns about the fishing area potentially interfering with youth activities. Upshur County Youth Board members Debbie Barnes, Thanna Wentz and Greg Woody discussed some of the concerns they have with the project, such as winter ice and melting, erosion and times when the area would be “off limits” and invited Mr. Newman to attend the next Youth Camp Board meeting on May 5 for further discussion. After discussion, Terry Cutright expressed that the Commission “gives its blessings (for the project) if it can be worked out”. On motion by JC Raffety, seconded by Troy Brady, the Commission approved for Mr. Newman to “move forward” with his project.

The Commission approved all invoices for payment (copies included)

The Commission approved all Vacation Orders

The Commission approved the following “Settlements” (copies included):
- Virgil David Sutton—Final Waiver

The Commission approved the following “Exonerations and/or Refunds” (copies included):
- Cynthia and Gary Feltner—#3813—$468.76
- Patricia A. or Thomas P. Cowger—#3814—$69.34
- Legend’s of Pritt Mountain Inn—#3815—$44.48
- Kenneth or Sheila Perry—#3816—$139.30

The Commission recessed at 10:20 a.m.

The Commission attended the ribbon cutting event at the Upshur County Regional Airport, Hanger #B4 welcoming AirTech, LLC.

The Commission attended the Children’s Memorial Flag Luncheon at the Chapel Hill United Methodist Church.

The Commission attended the meeting of the Upshur County Department Supervisors (copy included).

The Commission attended the meeting of the Upshur County Policy Board (copy included).

The Commission reconvened at 2:30 p.m.

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