The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, May 5, 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 28, 2016 as submitted.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the State of West Virginia, Agreement between the Division of Culture and History for and on behalf of Archives and History for and on behalf of the Records Management and Preservation Board and the Upshur County Commission. The Agreement is an acceptance of the terms and requirements associated with the County Records Management and Preservation Grant, which was approved on January 12, 2016 in the amount of $10,000 for the benefit of the Office of the Circuit Clerk and will be used to digitize chancery and law case files effective July 1, 2016 through June 30, 2017 (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved and authorized the signing of correspondence to George Lantz, Upshur County resident, concerning Safe Structures and Sites Ordinance Enforcement Board’s case number 091015-01 (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the acknowledgement and acceptance of Audit inspection and related services by the Office of the State Auditor in the amount of $28,240 for fiscal year ended June 30, 2015 (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the signing of correspondence to Senator Shelley Moore Capito and to Senator Joe Manchin requesting further review of the proposal by the Department of Labor that substantially revises the overtime regulations to County Government (copies included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the signing of correspondence to Terri Moxley, Expert Benefit Solutions representative, requesting the removal of the “Teledoc” Service from the Upshur County’s Health Insurance Plan, effective May 1, 2016. Carrie Wallace advised that after reviewing usage of this service, it was determined that it has never been utilized. Ms. Wallace stated that by removing this service from the plan, it will result in a saving of $4,700 per year for the County.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved a request from Maria Bray, President, Upshur Arts Alliance, to display the artwork of local students in the Courthouse foyer (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved a request from Carrie Wallace, James W. Curry Library and Park Advisory Board member, for a donation of ten (10) 1 day pool passes for the Buckhannon Upshur Swimming Pool to be used as incentives for local children to attend the 2016 summer reading program at the James W. Curry Library (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved a request from Debbie Thacker Wilfong, Upshur County Clerk, for the Sheriff of Upshur county to serve as Administrator with the Will Annexed for the Estate of Climmer Oren Suder, Sr., deceased in accordance with Chapter 44, Article 1, Section 11 of the WV State Code (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the resignation of Aimee Knight, Community Corrections Case Manager effective May 13, 2016.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the employment of Zachary J. Haddix as seasonal part-time grounds keeper at the Upshur County Youth Camp at the rate of $9.00 per hour, effective immediately (copy included).

Terry Cutright reviewed the following “For Your Information” items (copies included):
1. Correspondence from Tabatha R. Perry, Assistant County Administrator, to Dr. Sara Stankus, Principal of Union Elementary School, forwarding a letter received from Paul
A. Mattox, Jr., P.E., Secretary of Transportation/Commissioner of Highways with the Division of Highways, informing the students that the traffic volume at the intersection of Kesling Mill Road and Route 33 does not meet warranting criteria for the installation of a traffic signal.

2. Upshur County Mileage Reports—March 2016
   • Community Corrections—May 9, 2016


4. Upshur County Health Department Newsletter—May 2016

5. Agendas and/or Notice of Meetings:
   • Elkins Road Public Service District—May 3, 2016
   • Community Corrections—May 9, 2016

6. Meeting Minutes:
   • Upshur County Fire Board—February 16, 2016
   • Upshur County Fire Board—March 15, 2016
   • James W. Curry Library and Park Advisory Board—March 23, 2016

7. Meetings:
   • 05/03/16-5:30 p.m.-Elkins Road PSD
   • 05/03/16-6:00 p.m.-Hodgesville PSD
   • 05/04/16-7:00 a.m.-Upshur County Development Authority-Executive Board-
   • 05/05/16-7:00 p.m.-Banks District VFD
   • 05/05/16-7:00 p.m.-Selbyville VFD
   • 05/09/16-12:00 p.m.-Upshur County Family Resource Network
   • 05/09/16-4:30 p.m.-Upshur County Solid Waste Authority
   • 05/09/16-6:00 p.m.-B-U Recreational Park Advisory Board
   • 05/09/16-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis
   • 05/10/16-6:00 p.m.-Buckhannon River Watershed Association
   • 05/10/16-7:30 p.m.-Adrian VFD
   • 05/11/16-6:00 p.m.-Buckhannon Upshur Board of Health
   • 05/11/16-12:00 p.m.-Upshur County Senior Center Board
   • 05/11/16-12:30 p.m.-Upshur County Conventions & Visitors Bureau-UCDA Office
   • 05/11/16-6:00 p.m.-Upshur County Citizens Corp-CERT
   • 05/11/16-7:00 p.m.-Warren District VFD
   • 05/12/16-1:00 p.m.-Adrian PSD
   • 05/12/16-3:00 p.m.-Tennerton PSD
   • 05/12/16-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   • 05/12/16-7:30 p.m.-Buckhannon VFD
   • 05/12/16-4:00 p.m.-B-U Airport Authority—meeting held at Airport
   • 05/05/16-6:30 p.m.-Upshur County Youth Camp Board-Special Meeting
   • 05/15/16-6:00 p.m.-Washington District VFD
   • 05/16/16-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
   • 05/17/16-4:00 p.m.-Upshur County Public Library Board
   • 05/17/16-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
   • 05/17/16-6:30 p.m.-Upshur County Fire Board
   • 05/17/16-5:00 p.m.-Upshur County EETAB
   • 05/18/16-7:00 p.m.-Elamore VFD
   • 05/18/16-12:00 p.m.-Lewis Upshur LEPC—Lewis location
   • 05/18/16-7:00 a.m.-Upshur County Development Authority
   • 05/25/16-10:00 a.m.-James W. Curry Advisory Board
   • 05/26/16-3:30 p.m.-Upshur County Farmland Protection Board
   • TBA-6:00 p.m.-Upshur County Fire Fighters Association

The Commission approved all invoices for payment (copies included)

The Commission approved all Vacation Orders

The Commission approved the following “Settlements” (copies included):
   • Marthella Coralee Andrick—Final Settlement
   • Patricia Beth Dean—Amended First Annual Settlement
   • Patricia Beth Dean—Second Annual Settlement
   • Billy Joe Heater—First Annual Settlement
   • Audra Armelia Wentz Lanham—Final Settlement Waiver
The Commission approved the following “Exonerations and/or Refunds” (copies included):

- **Doyle Junior Lantz**—#3820—$904.36
- **Granny Attic**—#3821—$105.86
- **Kimonia or Scott Freeman**—#3822—$119.78
- **Kimonia or Scott Freeman**—#3823—$194.90

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

- **Union District**—Map 8M Parcel 52 blended with Map 8M Parcel 55.2 to make Map 8M Parcel 52—owners Harold C. Jr. and Juanita Humphrey

Terry Cutright opened a Public Hearing at 9:30 a.m. to hear comments and concerns from customers and residents of the Elkins Road Public Service District service area concerning the Small Cities Block Grant application in the amount of $1,500,000 for the Elkins Road PSD Phase III Waterline Extension Project. Cary Smith, Region VII Planning and Development Council representative provided an update on the project. Greg Belcher, Chapman Technical Group representative reviewed the project and he and Ms. Smith answered questions from area residents concerning additional and/or upgraded services. Ms. Smith advised that the grant awards are very competitive and requested residents to provide documentation in support of the project to include with the application and noted that public feedback would increase the chances for approval of the application. The deadline for submission of the application is May 23 and residents were encouraged to submit letters as soon as possible.

Several area residents acknowledged the need for service and commented on problems they were experiencing with the well water in the area. One resident reported that out of 13 wells drilled, only 2 produced usable water. Another stated that his laundry expenses were about $200 monthly because of water problems.

If approved, the project will improve current service, resolve low pressure problems, increase fire protection service via additional hydrants and add about 82 new customers. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the grant application. At 9:55 a.m. the public hearing was adjourned.

Seth Cutright, Upshur County Deputy Sheriff, appeared before the Commission and was presented with a “Certificate of Recognition Award” for outstanding achievement. Deputy Cutright completed the 165th Officers Training class at the Police Academy in Cross Lanes, WV and achieved a 7.57 run time and broke a 15 year record of 8.04 for a 1.5 mile run.

Steve Linger, E911 Communications Center Director, appeared before the Commission and requested to meet in executive session to discuss an employee schedule change. On motion by JC Raffety, seconded by Troy A. Brady, the Commission entered executive session at 10:04 a.m. per WV Code 6-9A-4. Present were Terry Cutright, JC Raffety, Troy Brady, Carrie Wallace, Tabatha Perry and Steve Linger. The Commission returned to open session at 10:10 a.m. No decisions were made in executive session.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved a request from Kristin Hall and Stephanie Jack, E911 Telecommunicators, for permanent shift change as recommended by Steve Linger. Ms. Hall will change from midnight shift to day shift and Ms. Jack will change from day shift to the midnight shift.

The Commission recessed at 10:10 a.m.

The Commission reconvened at 10:30 a.m.

Steve Linger, E911 Communications Center Director, requested to meet in executive session to discuss Supervisor Disciplinary Action. On motion by JC Raffety, seconded by Troy A. Brady, the Commission entered executive session at 10:30 a.m. per WV Code 6-9A-4. Present were Terry Cutright, JC Raffety, Troy Brady, Carrie Wallace, Tabatha Perry and Steve Linger. The Commission returned to open session at 10:55 a.m. No decisions were made in executive session.
After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved a suspension of 36 working hours without pay and to enter documentation of the action into the employee’s permanent file. (Employee name withheld due to confidential nature)

At 10:45 a.m. Terry Cutright reviewed the process for the selection of the winning applicants for the James W. Curry Scholarship Award. Two Scholarships are awarded each year, one to a male and one to a female student, in the amount of $2000 over a two year period, $1000 per year for each. The scholarships are provided through an endowment from the James W. Curry Library and Park Scholarship Fund. Tabatha Perry advised that the applications have had all personal identifying information obscured to ensure anonymity of applicants before being seen by the Commissioners. Twenty applications were received, 5 male applicants and 15 female applicants (males #1-5, female #6-20).

Having had an opportunity to review the applications prior to today’s meeting, Commissioners Cutright, Raffety and Brady each stated that they have made their decision and did not need to meet in executive session. Their votes for the winning applicants are as follows: Terry Cutright, #1 and #8; JC Raffety, #5 and #8 and Troy Brady, #1 and #19. The majority of votes were received by #1 and #8. After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved application #1, Brandon Tenney for the male recipient and application #8, Joanne Williams, for the female recipient of the scholarship awards. Commissioners commended the applicants for their high level of involvement in community which was demonstrated in their applications.

With no further business, on motion by Troy A. Brady, seconded by JC Raffety, the Commission meeting adjourned at 12:10 p.m.