The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, May 26, 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 Troy A. Brady, seconded by JC Raffety, the Commission approved the regular meeting minutes of May 12, 2016 as submitted.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the Certification of the State Election results. Local results were certified on Thursday May 19 with the exception of the contest of Magistrate/Division 2 between Kay Hurst and Juanita Adams during a special meeting of the Upshur County Commission (copies included). A recount of that contest will begin on May 31, 2016 at 9:00 a.m.

John Haymond, Tennerton Lions Club President appeared before the Commission with other Lions Club members and reviewed their offer to provide “helping hands” to renovate the playground facilities at the Buckhannon Upshur Recreation Park (copy included). Mr. Haymond cited a few areas which could use some “enhancement” including; painting of benches and playground equipment, applying safety mulch, and graveling of the roadway. The Tennerton Lions Club would provide the labor if the County Commission will supply the materials. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission accepted the offer from the Tennerton Lion’s Club to provide manpower for playground renovations. Carrie Wallace advised Mr. Haymond that he will need to provide insurance documents prior to beginning work and coordinate with Greg Harris, Director of Facilities Operations, to determine and order needed materials. Mr. Haymond and Lion’s Club members are hopeful that they will be able to complete their work prior to the July 4th holiday. Commissioners expressed appreciation to club members for their volunteerism and community spirit.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the WV Board of Pharmacy application for the Lewis-Upshur Animal Control Facility for permit renewal to handle controlled substances for the period from July 1, 2016 through June 30, 2017 (copy included).

Agenda item #3, Purchase Agreement for Chemicals and Service was not ready for action at this time and will be placed on a future agenda.

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 a June 30, 2016 deadline for compliance (copy included). The Commission urged Mr. Chapman to take corrective action and provided written notification of the potential consequences/penalties of non-compliance.

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved and authorized the Commission to sign the Oath and Certification for the Real Estate Land Books and Personal Property Books for Tax Year 2016.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the expenditure of $175.00 payable to Skateland for rink rental on July 19th, as requested by James W. Curry Public Library Director, Judith L. Williams. The Skateland event is for the “grand finale… (of the) On your mark, get set…READ and Get in the Game summer reading programs” for participants who have completed their reading logs (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the expenditure of $179.40 payable to Mark Coffindaffer for speaker/instructor fee and mileage as requested by James W. Curry Public Library Director, Judith L. Williams as part of the “Get in the Game …” summer reading program. Commissioners expressed appreciation of Ms. Williams’ efforts to instill in young people the values of reading.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the advertisement for the opening of the Upshur County Pool on May 28, 2016 (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the employment of additional staff members for the Buckhannon Recreational Park pool
as follows: (Lifeguards) Kimberly M. Culver, Benjamin J. Hummer, Michael J. McCoy (Lifeguards pending certification) Julia B. Reed, Cade W. Garrett, Darien N. Howell, Cody L. Helm, Taylor V. Powell, Benjamin J. Hummer, Abigail E. Hilpert (Admissions) Riley Lamb, Samantha Gregory and Carla Cosner. Date of employment is effective on or about May 30, 2016 at the rate of $8.75 per hour for all. The Commission also approved the change of status of employment for Samantha C. Barlow from Admissions to Lifeguard pending certification. (Copy included)

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the employment of Courtney Miller and Mckenzie Bosley as seasonal coaches for the “Splashers” swim team. Their employment is effective immediately and the cost of pay will be reimbursed to the County in full by the “Splashers”. The rate of pay for Ms. Miller is $2,000 for the season and Ms. Bosley $1,300 for the season (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the resignation of Melanie Edmond as Community Corrections Case Manager, Parenting and BIPP Facilitator, effective May 20, 2016 (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the employment of Janet McCourt as full time Case Manager for the 26th Judicial Circuit Community Corrections Day Report Center, Lewis County Office, effective June 6, 2016 at the rate of $11.00 per hour (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the resignation of Christal Gibson as Monitor with the Tri-County Child Exchange and Visitation Program, effective April 20, 2016 as recommended by Beth Burkhart, Program Coordinator.

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the employment of Bethany Jayne Burkhart as Site Supervisor for the Tri-County Child Exchange and Visitation Program effective immediately upon background clearance at the rate of $9.50 per hour as recommended by Beth Burkhart, Program Coordinator (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the resignation of Cecilia Stewart as E911 Communication Center Supervisor, effective May 20, 2016.

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the reappointment of Joyce Harris-Thacker as a board member of the Upshur County Solid Authority (copy included). Ms. Harris-Thacker’s four year term will expire on June 30, 2020.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the WVCoRP (West Virginia Association of Counties Risk Pool) Self-Insurance Renewal Package consisting of 1) (Coversheet to) Member Agreement 2) Uninsured Motorists Coverage Offer and 3) Underinsured Motorists Coverage Offer (copies included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the installation of a “Little Free Library” at the County Health Department site as requested by Melodie Stemple, Secretary/Treasurer of Create Buckhannon. The “library” has been sponsored by Mrs. K. Bueler, who will be responsible to keep books supplied for this location (copy included).

Steve Butler, Upshur County Farmland Protection Board Chairman and Administrator of the WV Farm Bureau, appeared before the Commission and requested approval of amendments to the UC Farmland Protection Board Program Handbook. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the amendments to the Handbook as requested.
UPSHUR COUNTY COMMISSION MEETING
May 26, 2016

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the reappointment of Edwin Beer as member of the Upshur County Safe Sites and Structures Ordinance Enforcement Board effective through June 30, 2018 (copy included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the reappointment of James Farrell as member of the Upshur County Safe Sites and Structures Ordinance Enforcement Board effective through June 30, 2018 (copy included).

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

1. Memorandum from Joshua B. Woofter, Justice Programs Monitor with the Division of Justice and Community Services, advising that a member of the Division of Justice and Community Services staff will be conducting an on-site visit on June 6, 2016 at 1:00 p.m. concerning Grant 14-VAW-021.

2. Memorandum from Joshua B. Woofter, Justice Programs Monitor with the Division of Justice and Community Services, advising that a member of the Division of Justice and Community Services staff will be conducting an on-site visit on June 6, 2016 at 2:30 p.m. concerning Grant 14-VA-033.

3. Reminder of deadlines for submitting budget revisions from Ora L. Ash, Deputy State Auditor


6. Adoption Financial Transactions—April 2016


9. Agendas and/or Notice of Meetings:
   - Upshur County Safe Sites & Structures Ordinance Enforcement Board—May 12, 2016
   - Buckhannon Upshur Airport Authority —May 12, 2016
   - Upshur County Public Library Board —May 17, 2016
   - Buckhannon City Council——May 26, 2017
   - City of Buckhannon-Public Meeting—May 31, 2016

10. Meeting Minutes:
   - Upshur County Solid Waste Authority —May 9, 2016
   - Upshur County Solid Waste Authority-Director’s Report—April 12-May 9, 2016

11. Meetings:
   - 06/02/16-6:30 p.m.-Upshur County Youth Camp Board-Special Meeting
   - 06/02/16-7:00 p.m.-Banks District VFD
   - 06/02/16-7:00 p.m.-Selbyville VFD
   - 06/07/16-5:30 p.m.-Elkins Road PSD
   - 06/07/16-6:00 p.m.-Hodgesville PSD
   - 06/08/16-7:00 a.m.-Upshur County Development Authority-Executive Board
   - 06/09/16-1:00 p.m.- Adrian PSD
   - 06/09/16-3:00 p.m.-Tennerton PSD
   - 06/09/16-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   - 06/09/16-7:30 p.m.-Buckhannon VFD
   - 06/09/16-4:00 p.m.-B-U Airport Authority—meeting held at Airport
   - 06/13/16-12:00 p.m.-Upshur County Family Resource Network
   - 06/13/16-12:00 p.m.-Upshur County Family Resource Network
   - 06/13/16-4:30 p.m.-Upshur County Solid Waste Authority
   - 06/13/16-6:00 p.m.-B-U Recreational Park Advisory Board
   - 06/13/16-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur
   - 06/14/16-6:00 p.m.-Buckhannon River Watershed Association
   - 06/14/16-7:30 p.m.-Adrian VFD
06/15/16-7:00 p.m.-Ellamore VFD
06/15/16-12:00 p.m.-Lewis Upshur LEPC—Lewis location
06/19/16-6:00 p.m.-Washington District VFD
06/20/16-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
06/21/16-4:00 p.m.-Upshur County Public Library Board
06/21/16-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
06/21/16-6:30 p.m.-Upshur County Fire Board
06/21/16-5:00 p.m.-Upshur County EETAB
06/22/16-12:00 p.m.-Upshur County Senior Center Board
06/22/16-1:30 p.m.-Upshur County Conventions & Visitors Bureau—UCDA Office
06/22/16-6:00 p.m.-Upshur County Citizens Corp-CERT
06/22/16-7:00 p.m.-Warren District VFD
06/22/16-7:00 a.m.-Upshur County Development Authority
06/23/16-3:30 p.m.-Upshur County Farmland Protection Board
06/27/16-10:00 a.m.-James W. Curry Advisory Board
TBA-6:00 p.m.-Buckhannon Upshur Board of Health
TBA-6:00 p.m.-Upshur County Fire Fighters Association

12. Appointments Needed or Upcoming:
Upshur County Civil Service Board (Vacant Position-12-31-2016)—Bar Association

The Commission recessed at 9:40 a.m.
The Commission reconvened at 10:00 a.m.

James Farry, CERT (Community Emergency Response Teams) representative and former OEM (Office of Emergency Management) Director, appeared before the Commission to discuss County budget and related spending authorization procedures. Mr. Farry expressed disapproval of the new procedures to authorize CERT’s spending. Mr. Farry advised that previously, CERT was allocated a specific amount of funding and given free rein to spend it as deemed necessary and appropriate by the Board of Directors. Under the new directive, (which was created during the March budget meetings) it is his understanding that the CERT Board must obtain approval from the Commission for certain expenditures. Mr. Farry also conveyed that this was the first he heard of the new policy and expressed concerns about lack of communication. Mr. Farry further expressed dissatisfaction with the proposed “Agreement between the Upshur County Commission and CERT Basic Training Course Instructors for the Expenditure of Certain CERT Funds Under the Fiduciary Care of the Office of Emergency Management” which specifies that a training class must consist of not less than 6 students with a compensation of between $140 and $170. Mr. Farry stated that class sizes could be unpredictable due to a variety of factors and the goal is to conduct class and get people trained no matter how many people are in attendance. It was suggested that a Commissioner should attend a meeting between the OEM and CERT to come to an agreement to determine suitable class size and compensation. This idea was rejected with Commissioners expressing that they did not feel that it is appropriate or necessary for the Commission to be involved with the creation of an Agreement for the CERT Training. Several CERT members expressed concerns about being “micromanaged” and not being able to get volunteers because of being over-regulated. After discussion, JC Raffety, made a motion to defer action on the policy and stated that “written words do not necessarily convey intent”. The motion was not seconded and Commissioner Brady expressed that there “has to be a policy”. JC Raffety advised that CERT Members and OEM personnel should get together and come to an agreement (Carrie Wallace or Tabatha Perry could sit in as an observer). After further discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission agreed to defer action on the policy for further consideration.

The Commission discussed the E911 Communications Center mobile device policy. E911 personnel requested an exception to the policy and stated that an online course that she is taking has relevance to her job and training and she wishes to bring her laptop for study during slow or inactive periods during worktime. Carrie Wallace questioned how usage of the laptop would be monitored/limited. Commissioners expressed concern about jeopardizing the safety of citizens, setting a precedent/employees taking advantage, not of benefit to all-only for personal gain and questioned relevance to job abilities and/or performance. After discussion, no action was taken to allow the employee to use her personal laptop. Carrie Wallace proposed that possibly accommodation might be made by using a “retired” County owned computer and install the
needed software for access to her class (which would also allow County Officials the ability to monitor for appropriate usage). Ms. Wallace will look into this option.

The Commission approved all invoices for payment (copies included)

The Commission approved all Vacation Orders

The Commission approved the following “Settlements” (copies included):

- Velma M. Austin—Final Settlement
- Madeline A. Craig—Final Settlement
- Rella Haymond—Final Settlement
- Nadine Virginia Knight—Final Settlement
- Zita Helen Lee—Final Settlement
- Marjorie Ruth Montgomery—Final Settlement
- Olive Louise McLaughlin—Final Settlement
- Robert Randolph Reed—Final Settlement
- Dean H. Ruhlow—Final Settlement
- Basil Bryan Singleton—Final Settlement
- Lurene Tenney—Final Settlement

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

- Carolyn Shreve--# 3824--$2.10

The Commission recessed at 11:00 a.m.

The Commission attended meetings of the Upshur County Department Supervisors and the Upshur County Policy Board (copies included).

The Commission reconvened at 2:45 p.m.

With no further business, on motion by JC Raffety, seconded by Troy A. Brady, the Commission meeting adjourned at 2:45 p.m.