The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, August 25, 2016 at 9:00 a.m. Terry Cutchright called the meeting to order. Present were Terry Cutchright, Commissioner; JC Raffety, Commissioner; Troy A. Brady, Commissioner; Tabatha Perry, Assistant County Administrator; and Doug Roberts, Secretary. Carrie Wallace, County Administrator; was absent. 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 August 11, 2016 as submitted.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the Job Description for the position of E911 Assistant to the Director as submitted (copy included).

After review and discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the Maintenance Contract from Software Systems, Inc. which includes program updates, telephone support and time spent performing data conversions and other on-site tasks, depending upon the level requested for each system (copy included).

The Commission discussed the Everbridge/Nixle proposals for the public notification system referred to as Nixle 360. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the renewal contract for “Option #1” (3 year contract) pending the addition of the following language: “This Agreement is for the fiscal years 2017, 2018 and 2019 Nixle 360 Annual subscription. Pursuant to WV Code §11-8-26, the Commission reserves the right to terminate its contract within Thirty (30) days of laying the levy for the aforementioned fiscal years if funds are not appropriated for the project. The Commission shall provide such notice of termination in writing to the Vendor” as recommended by Carrie Wallace, County Administrator. If Everbridge declines to add this language to the contract, then, the Commission approved and authorized the President to sign Option #2 (copies included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved a request from David H. Coffman, Upshur County Sheriff, regarding the Estate of Madeline Thomas, deceased, to release funds from oil and gas royalties being held by Mountain V Oil & Gas, Inc. in order to satisfy claims against the Estate. Fiduciary Commissioner, Daya Masada Wright will prepare a Certified Order.

On motion by JC Raffety, seconded by Troy A. Brady, the Commission entered executive session at 9:16 a.m. per WV Code §6-9A-4 to discuss the selection of E911 Communications Center Supervisors and Assistant to the Director. Present were Terry Cutchright, JC Raffety, Tabatha Perry and Doyle Cutchright. The Commission returned to open session at 9:20 a.m. No decisions were made in executive session.

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the following as E911 Communication Center administrative personnel effective September 4, 2016: Kimbra Wachob to fill the position of Assistant to the Director, with Stephanie Jack and Roxanne Winters as Supervisors. Each will receive a pay increase of $1.00 per hour.

The E911 Communications Center model will consist of (1) Director, (1) Assistant to the Director, (4) Supervisors, and (8) full-time Telecommunicators, eliminating 1 full time and 2 part time positions. This will result in a savings of approximately $54,000 minimum or $84,000 maximum, depending on the level of insurance coverage individuals who fill these vacancies choose.

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved and authorized the signing of the “Order and Notice of Election for an Additional County Commission Levy (copy included) for payment of costs to operate the Buckhannon Upshur Parks and Recreation Complex. Costs included consist of payroll and related expenses of pool staff, materials and equipment or maintenance and for the upkeep of facilities, supplies and utilities. The levy will appear on the November 8, 2016 Election Ballot.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the Grant Agreement in the amount of $85,463 for the benefit of the Upshur County Regional Airport (copy included). The project consists of removing obstructions (acquire land, 1 parcel, 3.67 acres) and remove obstructions (tree removal).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved a request from J. Edward McDaniels, Pastor of the Christian Fellowship Church, for the use of the Courthouse Plaza on Sunday, September 11, 2016 from 3:00 p.m. to 5:00 p.m. for a special service to honor veterans, police, fire department personnel and all other community service personnel (copy included).
After review and discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the reappointment of Joe Malcolm as board member of the Upshur County Fire Board. Mr. Malcolm’s term will expire on June 30, 2019 (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the resignation of Lacy Harbert as E911 Communications Center Telecommunicator, effective September 3, 2016.

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the advertisement/job posting for the full time positions of Telecommunicator at the E911 Communications Center (copy included). Applications will be accepted until the positions are filled.

After review and discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved Ashley Shain as volunteer for the Lewis-Upshur Animal Control Facility.

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

1. Correspondence from Doug Blackwell, President of Deepwell Energy Services, LLC, providing notice of a workforce reduction affecting 177 traffic control flagger’s working out of the Buckhannon facility. – Terry Cutright advised that Tabatha Perry spoke with Justin Bumbridge, Human Resource Manager, who clarified that the layoffs will affect approximately 15 employees residing in Upshur County.

2. The Rotary Club of Buckhannon Fall Blood Screening Flyer – October 8th and 15th – 6:30 a.m. until 10:00 a.m.

3. USDA Rural Energy of America Program Grant Info Session Flyer


7. Upshur County Mileage Reports – July 2016
   - Upshur 911
   - Maintenance
   - Emergency Management
   - Sheriff
   - Addressing and Mapping
   - Community Corrections
   - Dog Pound

8. Upshur County E911 Communication Reports – July 2016
   - Monthly Call Summary Report
   - Monthly Department Summary Report
   - Monthly and YTD Wrecker Report

9. Agendas and/or Notice of Meetings:
   - Buckhannon City Council—August 18, 2016

10. Meeting Minutes:
    - Upshur County Fire Board—May 17, 2016
    - Adrian Public Service District—June 9, 2016
    - Adrian Public Service District—June 16, 2016
    - Upshur County Fire Board—June 21, 2016
    - Upshur County Fire Board—June 28, 2016
    - Upshur County Safe Sites & Structures Ordinance Enforcement Bd.—July 14, 2016
    - Adrian Public Service District—July 14, 2016
    - Upshur County Fire Board—July 19, 2016

11. Meetings:
    - 09/01/16-7:00 p.m.-Banks District VFD
    - 09/01/16-7:00 p.m.-Selbyville VFD
    - 09/06/16-5:30 p.m.-Elkins Road PSD
    - 09/06/16-6:00 p.m.-Hodgesville PSD
    - 09/07/16-6:30 p.m.-Upshur County Development Authority-Exec. Bd.
09/08/16-1:00 p.m.- Adrian PSD
09/08/16-3:00 p.m.-Tennerton PSD
09/08/16-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Enforcement Bd.
09/08/16-4:00 p.m.-B-U Airport Authority–UCDA Office
09/08/16-7:30 p.m.-Buckhannon VFD
09/12/16-12:00 p.m.-Upshur County Family Resource Network
09/12/16-4:30 p.m.-Upshur County Solid Waste Authority
09/12/16-6:00 p.m.-B-U Recreational Park Advisory Board
09/12/16-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis-Cancelled
09/12/16-7:30 p.m.-Adrian VFD
09/13/16-6:00 p.m.-Buckhannon River Watershed Association
09/14/16-12:00 p.m.-Upshur County Senior Center Board
09/14/16-6:00 p.m.-Upshur County Citizens Corp-CERT
09/15/16-6:30 p.m.-Upshur County Youth Camp Board
09/18/16-6:00 p.m.-Washington District VFD
09/19/16-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
09/19/16-6:00 p.m.-Buckhannon Upshur Board of Health
09/20/16-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
09/20/16-6:30 p.m.-Upshur County Fire Board
09/20/16-5:00 p.m.-Upshur County EETAB
09/21/16-12:00 p.m.-Lewis Upshur LEPC—Lewis location
09/21/16-6:30 p.m.-Upshur County Development Authority
09/21/16-7:00 p.m.-Ellamore VFD
09/23/16-3:30 p.m.-Upshur County Farmland Protection Board
09/27/16-4:00 p.m.-Upshur County Public Library Board
09/28/16-1:30 p.m.-Upshur County Conventions & Visitors Bureau–UCDA Office
09/28/16-10:00 a.m.-James W. Curry Advisory Board
09/28/16-7:00 p.m.-Warren District VFD
TBA-6:00 p.m.- Upshur County Fire Fighters Association

12. Appointments Needed or Upcoming:
   - Upshur County Fire Board (Vacant Position—6-30-19) Fire Association Representative
   - Upshur County Fire Board (Vacant Position—6-30-16-Joe Malcolm)-Fire Association Representative
   - Buckhannon-Upshur Parks and Recreation Advisory Board (Vacant Position 6-30-18)-Commission
   - Hodgesville Public Service District (8-5-16-Donnie Kincaid)

Tabled Items
1. Correspondence from Robin Keough requesting a revision of the Lewis-Upshur Animal Control Facility Volunteer Program.

The Commission discussed the operational hours of the public restrooms located in the Annex building on the Chancery Street alley. Additional lighting and cameras have been installed and one additional camera will be installed. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the reopening of the restrooms “24/7” on a trial basis as soon as the last camera is installed. If any other problems arise, then, appropriate action will be taken.

At 9:47 a.m., on motion by Troy A. Brady, seconded by JC Raffety, the Commission entered executive session per WV Code §6-9A-4 to discuss potential property acquisition for the relocation of the Seventeenth Family Court Circuit in an effort to accommodate the addition of a judge to the Twenty-Sixth Judicial Circuit Court. Present were Terry Cutright, JC Raffety, Troy A. Brady, and Tabatha Perry. The Commission returned to open session at 9:57 a.m. No decisions were made in executive session.

The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders
The Commission approved the following “Settlements” (copies included):
   - Arnett Browne Corley-Final Settlement
   - Marie Chapman-Final Settlement
   - June C. Daugherty-Final Settlement
   - Deena Gregory- Final Settlement
Consolidation of Land Tracts

Jeff Smell

Upshur County

Receipt of requested documents)

seconded by Troy A. Brady, the Commission approved
Lease and Sublease Purchase Agreement”.

through the County

Mt. Hope Water Association appeared before the Commission to discuss the financing of a truck
roads Leasing, LLC will pay for the advertisement of the notice.

The Commission reconvened at 2:45 p.m.

◆ Berkeley Alderson Harrison-Final Settlement
◆ John Norris Hodges-Final Settlement
◆ Michael Wayne Hoover-Final Settlement
◆ Lou Anna Loudin-Final Settlement
◆ Paul B. Mackey-Final Settlement
◆ Monzell Darrell Marple-Final Settlement
◆ Charles Richard Mealey-Final Settlement
◆ Robert M. Nolte-Final Settlement
◆ Donald Darrell Reed, Sr. -Final Settlement
◆ Sylvia Jane Reed-Final Settlement
◆ Franklin David Ware-Final Settlement Waiver
◆ Jane E. Williams-Final Settlement

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

◆ Lois D. Tenney—#3927—$12.86
◆ Tina McDaniels—#3928—$40.98
◆ William O’H Lynch —#3929—$297.35
◆ Marjorie A. Corio—#3930—$134.49
◆ John Edward and Patricia Ann Bennett—#3931—$79.33
◆ Herbert O. Jr. and Twila E. McClain—#3932—$282.64
◆ Gary W. or Connie S. Cutright.—#3933—$651.78
◆ Junior L. and Shanna Collins—#3934—$588.98
◆ Delta West, LLC—#3935—$241.30
◆ Delta West, LLC —#3936—$1,27.42
◆ Cisco Systems Capital Corp.—#3937—$8.14
◆ Sherry L. Powers—#3938—$175.12
◆ Chaumont Business Properties II, LLC—#3939—$1,750.49
◆ Chaumont Business Properties II, LLC—#3940—$2,112.99
◆ Chaumont Business Properties II, LLC—#3941—$2,145.57
◆ Phillip O. Pulliam II—#3942—$2.10
◆ Phillip O. Pulliam II—#3943—$2.10
◆ Phillip O. Pulliam II—#3944—$0-Clerical Error-Supplement saved, no value
◆ Dennis Leo or Chrystalyn Turner Tenney—#3945—$291.06
◆ Rochine (Sabo) or George Armstrong Blake—#3946—$131.36

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

◆ Buckhannon District—Map 5H Parcel 65 will blend with Map 5H Parcel 76.2 to make Map 5H Parcel 65-Owners Sheila A and Thomas Allen Dowell
◆ Meade District—Map 6L Parcel 29 will blend with Map 6L Parcel 29 .1 to make Map 6L Parcel 29.1-Owner Johnivell Tenney
◆ Union District—Map 9E Parcel 33 will blend with Map 9E Parcel 33.3 and Map 9E Parcel 33.6 to make Map 9E Parcel 33.3-Owners Richard L. or Renee M. Small
◆ Washington District—Map 7J Parcel 20 will blend with Map 7J Parcel 19 and Map 7J Parcel 30 to make Map 7J Parcel 20-Owner Cecil R. and Sharron L. Miller
◆ Buckhannon District—Map 4 Parcel 12 will blend with Map 4 Parcel 14 .1 and Map 4 Parcel 14 .2 to make Map 4 Parcel 12 -Owner Ralph Knicely

Jeff Smell, owner of Country Roads Leasing, LLC and Donnie Tenney, as representative of Mt. Hope Water Association appeared before the Commission to discuss the financing of a truck through the County for the Mt. Hope Water Association using tax-exempt funds through a “Master Lease and Sublease Purchase Agreement”. Terry Cutright requested a copy of Mt. Hope Water Association’s financial statement and last audit. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved to move forward with the process (pending receipt of requested documents). Jeff Smell will prepare a public hearing notice and Country Roads Leasing, LLC will pay for the advertisement of the notice.

The Commission recessed at 10:45 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.
The Commission discussed “Procedures to Dispatch Wrecker Services” with emergency service personnel and wrecker companies, which were most recently amended on June 18, 2015. No decisions were made. The Commission will continue review and discuss at a future meeting.

The Commission reviewed agenda items for future meetings, received project updates and discussed administrative business items.

With no further business, on motion by Troy A. Brady, seconded by JC Raffety, the Commission meeting adjourned at 4:40 p.m.