The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, October 6, 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 September 29, 2016 as submitted.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the Upshur County Public Library Roof Replacement Project Manual prepared by WYK Associates, Inc. and advertisement of project (copy included). The Manual includes an invitation for bids for the replacement of the Upshur County Library roof. There will be a mandatory pre-bid conference at 2:30 on Thursday, October 27, 2016. All sealed bids must be received no later than 9:15 a.m. on Thursday, November 10, 2016. Sealed bids will be opened, reviewed and read aloud by the Upshur County Commission at 9:30 a.m. on Thursday, November 10, 2016

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the signing of correspondence to Gerald Zirkle, President of the Upshur County Youth Baseball Association regarding a revision to the building permit requirement contained in the Property Use Agreement dated March 12, 2015. This revision is due to the City’s annexation of the property (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the “Order Directing Release of Funds” in the Estate of Madeline Thomas, deceased (copy included). The Commission approved a request from the Upshur County Sheriff during a regularly scheduled meeting of the Upshur County Commission on August 25, 2016 to release funds from oil and gas royalties being held by Mountain V Oil and Gas, Inc. in order to satisfy claims against the Estate.

Addie Helmick, Women’s Aid in Crisis representative, appeared before the Commission and read the “Proclamation” which designates the month of October 2016 as Domestic Violence Awareness Month. The proclamation recognizes victims and encourages support to end domestic violence. After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the signing of the Proclamation.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the Upshur County Commission “Chimney Repair Change Order” dated September 29, 2016. The change contained in this order allows for the chimney joint repointing below roof level in the amount of $800 (copy included).

After discussion on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved a donation of 10 – one day pool passes to be used as prizes in a raffle drawing to be conducted during November, “30 Days of November” fund raising event, as requested by Lourie Hommemma, President of the Tennerton Elementary School PTO. There will be a drawing every day of November and a “grand prize” award (copy included).

Terry Cutright reviewed the following “For Your Information” items (copies included):
1. Correspondence from John M. Anguilli, Field Regulatory Specialist for SWN Production Company, LLC, enclosing the Maintenance Plan/Monitoring and Emergency Action plan for the Upshur County Freshwater Impoundments
2. Upshur County Building Permits-September 2016
3. National 4-H Week Flyer-October 2nd through 8th
5. Upshur County E911 Communication Reports-September 2016
   - Monthly Call Summary Report
   - Monthly Department Summary Report
   - Monthly and YTD Wrecker Report
6. Agendas and/or Notice of Meetings:
   - James W. Curry Library and Park Advisory Board—September 28, 2016
   - Upshur County Family Resource Network—October 3, 2016
   - Elkins Road Public Service District—October 4, 2016
   - City Council of Buckhannon—October 6, 2016
   - Upshur County Solid Waste Authority—October 10, 2016
7. Meeting Minutes:
   - Upshur County Farmland Protection Board—June 30, 2016
   - Upshur County Farmland Protection Board—July 28, 2016
8. Meetings:
- 10/03/16-12:00 p.m.-Upshur County Family Resource Network – Special Meeting
- 10/04/16-5:30 p.m.-Elkins Road PSD
- 10/04/16-6:00 p.m.-Hodgesville PSD
- 10/05/16-6:30 p.m.-Upshur County Development Authority-Exec. Bd.
- 10/06/16-7:00 p.m.-Banks District VFD
- 10/06/16-7:00 p.m.-Selbyville VFD
- 10/10/16-12:00 p.m.-Upshur County Family Resource Network - Cancelled
- 10/10/16-4:30 p.m.-Upshur County Solid Waste Authority
- 10/10/16-6:00 p.m.-B-U Recreational Park Advisory Board-Cancelled
- 10/10/16-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur
- 10/11/16-6:00 p.m.-Buckhannon River Watershed Association
- 10/11/16-7:30 p.m.-Adrian VFD
- 10/12/16-12:00 p.m.-Upshur County Senior Center Board
- 10/12/16-6:00 p.m.-Upshur County Citizens Corp-CERT
- 10/12/16-7:00 p.m.-Ellamore VFD
- 10/12/16-7:00 p.m.-Warren District VFD
- 10/13/16-1:00 p.m.- Adrian PSD
- 10/13/16-3:00 p.m.-Tennerton PSD
- 10/13/16-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Enforcement Bd.
- 10/13/16-4:00 p.m.-B-U Airport Authority–UCDA Office
- 10/13/16-7:30 p.m.-Buckhannon VFD
- 10/16/16-6:00 p.m.-Washington District VFD
- 10/17/16-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 10/17/16-6:00 p.m.-B-U Recreational Park Advisory Board-Special Meeting
- 10/19/16-6:00 p.m.-Buckhannon Upshur Board of Health
- 10/18/16-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
- 10/18/16-4:00 p.m.-Upshur County Public Library Board
- 10/18/16-5:00 p.m.-Upshur County EETAB
- 10/18/16-5:00 p.m.-Upshur County Fire Board
- 10/19/16-12:00 p.m.-Lewis Upshur LEPC—Upshur location
- 10/19/16-6:30 p.m.-Upshur County Development Authority
- 10/20/16-6:30 p.m.-Upshur County Youth Camp Board
- 10/24/16-10:00 a.m.-Mountain CAP of West Virginia, CDC
- 10/24/16-3:30 p.m.-Upshur County Farmland Protection Board-Special Meeting
- 10/26/16-10:00 a.m.-James W. Curry Advisory Board
- 10/26/16-1:30 p.m.-Upshur County Conventions & Visitors Bureau–UCDA Office
- 10/27/16-3:30 p.m.-Upshur County Farmland Protection Board-Cancelled
- 10/31/16-6:00 p.m.- Upshur County Fire Fighters Association

9. Appointments Needed or Upcoming:
- Buckhannon-Upshur Parks and Recreation Advisory Board (Vacant Position 6-30-18)-Commission

Tabled Items
1. Correspondence from Robin Keough requesting a revision of the Lewis-Upshur Animal Control Facility Volunteer Program—After discussion on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved (1) the volunteer age limit be changed from 18 years of age to 16 years of age with the stipulation that the volunteer be supervised by an adult volunteer and (2) the volunteer application be modified to address younger applicants and (3) to expand volunteer hours on Saturdays to 9:00 a.m. to 12:00 p.m. The Commission rejected the request to expand volunteer hours to include Sundays. The amended policy will be sent to the Lewis County Commission for their signatures and final approval.

Robert Ware, Upshur County resident, appeared before the Commission and expressed concerns about who is responsible for the financial responsibility and placement of a street sign for Sunny Acres Drive in French Creek. Mr. Ware advised that during the Addressing and Mapping project, his street was renamed and no street sign has been put up and he believes that the County should be responsible in requiring the developer of the subdivision to erect street signage. Mr. Ware
has concerns about emergency services being able to locate his residence in an emergency situation since his family has ongoing health concerns.

Commissioner Raffety advised that even though the street signs make it easier to find a residence, emergency response uses GPS technology to pinpoint a designated location.

Terri Jo Bennett, Addressing and Mapping Project Coordinator, discussed the assignment of county addresses and Carrie Wallace reviewed the E911 Addressing and Mapping Ordinance Section 7.2—“The property owner(s) and/or owner(s) of any subdivision or other development shall erect or cause to be erected street signs in conformance with this Ordinance at any and all intersections within such subdivision or development ….” Mr. Ware argued that the responsibility and cost of the sign should be the responsibility of the county and/or subdivision developer, not property owners and requested the assistance of the Commission to request the developer to place the road signs. After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved to send correspondence to the developer of the subdivision for placement of road signs. On motion by JC Raffety, seconded by Troy A. Brady, the Commission approved signing of correspondence to Mr. and Ms. Ware (copy included) which states the Commission’s position.

Kelley Cunningham, Assistant Prosecuting Attorney, appeared before the Commission to discuss the appropriation of funds for the Child Advocacy Center as requested by David E. Godwin, Prosecuting Attorney (copy included). Ms. Cunningham advised that the services of the CAC and Tracy Shroyer-Carlyle, Child Advocate, provide a valuable service to the county and the $2,000 requested is actually a savings of many thousands of dollars. Ms. Shroyer-Carlyle, who conducts child forensic interviews, provided a cost benefit analysis and advised that recent savings to the county was more than $22,000 versus outside agencies. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved to reinstate the $2,000 Child Advocacy Center appropriation for the FY 2017 and restore the item to the Prosecuting Attorney’s budget.

Terri Jo Bennett, Flood Plain Manager, provided a review of the Non-Conversion Agreement for Structures in the 100-Year Floodplain. The agreement allows property owners to obtain a conditional building permit to build within a flood hazard area by agreeing to restrictions as listed. The document is for the purpose of FEMA insurance requirements. After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the use of the document as requested by Ms. Bennett.

The Commission discussed tabled item #2-review and discuss US Cellular services for local government. Carrie Wallace provided an overview with cost estimates, of the proposal to install tracking software in county owned vehicles. After discussion, the Commission declined to take action on the proposal at this time and on motion by JC Raffety, seconded by Troy A. Brady, remove the proposal as a tabled agenda item, pending further information.

The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders

The Commission approved the following “Settlements” (copies included):
- Ryan Patrick Davis-Final Settlement
- David L. Edwards-Final Settlement Waiver
- Veronica M. Farr-Final Settlement Waiver
- Patricia Jolene Maher-Second Annual and Final Settlement

The Commission approved the following “Exonerations and/or Refunds” (copies included):
- Thomas C. Wimer—#3983—$312.07

The Commission approved the following “Requests to Attend Meeting (copies included):
- James T. Farrell—October 12, 2016

The Commission approved the following “Consolidation of Land Tracts” (copies included):
- Washington District—#1055—1/2 int. OG 24.79 blended with #2768—1/2 int. OG 24.79 to make #1055—OG 24.79, owners, Robert and Jean Losh
- Washington District—#1054—1/2 int. OG 7.62 blended with #2760—1/2 int. OG 7.62 to make #1054—OG 7.62, owners, Robert and Jean Losh
- Washington District—#843—1/2 int. OG 5.33 blended with #2767—1/2 int. OG 5.33 to make #843—OG 5.33, owners, Robert and Jean Losh
The Commission reviewed agenda items for future meetings, received project updates, discussed administrative business items and reviewed budget expenditures from July 1, 2016 through August 31, 2016.

With no further business, on motion by Troy A. Brady, seconded by JC Raffety, the Commission meeting adjourned at 12:35 p.m.