The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, November 17, 2016 at 9:00 a.m. Terry Cutright called the meeting to order. Present were; Terry Cutright, Commissioner; Troy A. Brady, Commissioner; Tabatha Perry, Assistant County Administrator; and Jacqueline Dinklocker, Secretary. JC Raffety, Commissioner; and Carrie Wallace, County Administrator, were not present. 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 Terry Cutright, the Commission approved the regular meeting minutes of November 10, 2016 and the 2016 General Election Canvassing Minutes as submitted.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the “Final Hearing Recommendations in the Estate of Richard Reed Woody, deceased” (copy included) as requested by Daya Masada Wright, Fiduciary Commissioner.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the Master Plan Document Amendment #1A for the Master Plan Document and Summary Plan Description for the Upshur County Commission Employee Medical Benefits Plan. The amendment specifies that “31 days” in the plan document is actually “31 calendar days” (copy included).

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the Change Order Number 3 for the Upshur County Chimney Repair Project (copy included). The amended contract sum will now be $88,250.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the Change Order Number 2 for the Upshur County Roof Repair Project (copy included). The amended contract sum will now be $167,976. This change order utilizes the entire $4,000 contingency allowance with a balance of $1,234 to be paid by the Upshur County Commission.

Patty Adams appeared before the Commission on behalf of the Pancreatic Cancer Action Network and introduced Annette Fetty-Santilli who read the World Pancreatic Cancer Day” proclamation which designates November 17th as a day which recognizes victims of pancreatic cancer and their families. After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the signing of the proclamation.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the Service Contract between Valley Business Systems and the Upshur County Commission for the color copier in the Commission office. The effective date of the service contract in the amount of $634.00 is from November 01, 2016 through October 31, 2017 (copy included).

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the advertisement of a Public Notice announcing the Upshur County Commission’s plans to submit a 2017 Brownfields Cleanup grant application to the U.S. Environmental Protection Agency. A public meeting will be held at the Upshur County Commission meeting room on Tuesday, December 6, 2016 at 6:00 p.m. (Note: change from Upshur County Youth Camp as stated on agenda)

Tabatha Perry reviewed correspondence from the Buckhannon-Upshur Park and Recreation Advisory Board (copy included) requesting the Commission to collaborate with other entities as needed for improvements in three areas, being sports fields, trail and river access. Ms. Perry advised that the Advisory Board has not sent correspondence to the Board of Education or the City of Buckhannon and no action is required from the Commission at this time.
After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved a request from the Buckhannon-Upshur Park and Recreation Advisory Board to change the meeting time from 6:00 p.m. to 5:30 p.m. on the second Monday of each month (copy included).

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the renewal of the WV Board of Veterinary Medicine Animal Euthanasia Facility Initial Registration/Renewal and Certification Renewal for Animal Euthanasia Technicians for the Lewis-Upshur Animal Control Facility (copies included).

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved Dianne L. Shoemaker as volunteer for the Lewis-Upshur Animal Control Facility.

Terry Cutright reviewed the following “For Your Information” items (copies included):
1. Correspondence from Mark W. Matkovich, State Tax Commissioner, certifying that Donald Rice, Assessor of Upshur County, has substantially complied with the “assessor’s additional duties§7-7-6a, which entitles him to additional compensation in the amount of $15,000 as provided in WV Code §7-7-6b.
2. Correspondence from North Central Regional EMS Board regarding changes made to the structure of WV EMS TSN, Inc. due to budget cuts and a decrease in grant funds throughout the State, the Regional EMS Field Offices will have a total of 5 employees instead of 12 starting November 11, 2016 and is expected to be limited even further in the 2018 fiscal year. The Board is requesting Counties and agencies represented in the service area to assist with any funding, resources, co-operative employment opportunities or in-kind donations that would enable them to continue the employment of an employee who will be unemployed as of December 31, 2016 until a permanent source of income can be established.
3. Correspondence from Paul Becker, Vice President of Construction and Engineering for Peoples, providing public awareness and safety information.
4. Correspondence from April Pierson-Keating, Mountain Lakes Preservation Alliance, enclosing two articles from November 3, 2016.
5. Correspondence from April Pierson-Keating, Mountain Lakes Preservation Alliance, enclosing an article regarding a pipeline breach in Florida.
6. Dominion Supply Header Project-Project Update-November 2016
7. Newsletters and/or Event Notifications:
   - 4H 2016 Toy Drive Flyer
   - Buckhannon Upshur Chamber of Commerce Newsletter-November 14, 2016
   - Stonewall Jackson Memorial Hospital Physician Services Open House and Ribbon Cutting-1:00 p.m. on November 21st at 132 Cinema Circle, Buckhannon.
   - Winter Waters Exercise-Upshur County Office of Emergency Management Announcement-8:00 a.m. on December 8th at the Upshur County Emergency Operations Center
   - Artistry on Main Christmas Open House-5:00 p.m. to 8:00 p.m. on December 9th
8. Agendas and/or Notice of Meetings:
   - Upshur County Family Resource Network—November 14, 2016
   - Buckhannon-Upshur Park and Recreation Advisory Board —November 14, 2016
   - Buckhannon-Upshur Airport Authority—November 17, 2016
   - Buckhannon City Council—November 17, 2016
   - Buckhannon-Upshur Chamber of Commerce—November 17, 2016
Elkins Road PSD—December 6, 2016

9. Meeting Minutes:
   - Buckhannon-Upshur Park and Recreation Advisory Board—September 12, 2016
   - Upshur County Solid Waste Authority—October 10, 2016
   - Upshur County Citizens Corp—October 12, 2016

10. Meetings:
   - 12/01/16-7:00 p.m.-Banks District VFD
   - 12/01/16-7:00 p.m.-Selbyville VFD
   - 12/06/16-5:30 p.m.-Elkins Road PSD
   - 12/06/16-6:00 p.m.-Hodgesville PSD
   - 12/14/16-6:30 p.m.-Upshur County Development Authority-Exec. Bd.
   - 12/08/16-1:00 p.m.- Adrian PSD
   - 12/08/16-3:00 p.m.-Tennerton PSD
   - 12/08/16-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Enforcement Bd.
   - 11/17/16-4:00 p.m.-B-U Airport Authority—Stonewall Jackson Resort
   - 12/08/16-7:30 p.m.-Buckhannon VFD
   - 12/12/16-12:00 p.m.-Upshur County Family Resource Network
   - 12/12/16-4:30 p.m.-Upshur County Solid Waste Authority
   - 12/12/16-6:00 p.m.-B-U Recreational Park Advisory Board
   - 12/12/16-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur
   - 12/13/16-7:30 p.m.-Adrian VFD
   - 12/14/16-6:00 p.m.-Buckhannon River Watershed Association
   - 12/14/16-12:00 p.m.-Upshur County Senior Center Board
   - 12/14/16-6:00 p.m.-Upshur County Citizens Corp-CERT
   - 11/17/16-6:30 p.m.-Upshur County Youth Camp Board—WVU Extension Office
   - 11/20/16-6:00 p.m.-Washington District VFD
   - 11/21/16-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
   - 12/08/16-6:00 p.m.-Buckhannon Upshur Board of Health
   - 12/20/16-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
   - 12/20/16-6:30 p.m.-Upshur County Fire Board
   - 12/20/16-5:00 p.m.-Upshur County EETAB
   - 11/16/16-12:00 p.m.-Lewis Upshur LEPC—Lewis location
   - 12/14/16-7:00 p.m.-Ellamore VFD
   - 01/19/17-3:30 p.m.-Upshur County Farmland Protection Board
   - 11/29/16-4:00 p.m.-Upshur County Public Library Board
   - 12/08/16-1:30 p.m.-Upshur County Conventions & Visitors Bureau–UCDA Office
   - 03/22/17-10:00 a.m.-James W. Curry Advisory Board
   - 12/14/16-7:00 p.m.-Warren District VFD

11. Appointments Needed or Upcoming: (none)

Robert Moates, Upshur County resident, appeared before the Commission on behalf of his father, Thomas Moates, to discuss, Safe Structures and Sites Ordinance Enforcement Board Case # 041416-01 Mr. Moates provided a review of efforts that have already been made to bring the property into compliance and advised that even though extensive efforts have been made, that full
compliance cannot be achieved by the current deadline and has requested an extension of time. Commissioners agreed that progress has been made by clean-up efforts and after discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved to grant a 60 day extension.

On motion by Troy A. Brady, seconded by Terry Cutright, the Commission entered executive session per WV Code §6-9A-4 at 9:46 a.m. to discuss an application for Donated Leave and the granting of leave under the Family and Medical Leave Act. Present were Terry Cutright, Troy A. Brady, and Tabatha Perry. The Commission returned to open session at 9:52 a.m. No decisions were made in executive session.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved a donated leave request (subject not named due to confidentiality per HIPPA regulations) and granted FMLA leave. Commissioner Cutright advised that “The Commission is entitled to extend its written policies and to increase the benefits provided within the statute without the application to other employees or in other incidents”. Requests will be reviewed on a case by case basis.

Dirk Burnside, member of the local Franklin (Masonic Lodge) No. 7, appeared before the Commission and advised that the lodge members plan to donate funds for the repair of the Upshur County Courthouse cornerstone. The Masons placed the original stone and feel an obligation for its upkeep. The original sandstone cornerstone has deteriorated and is no longer readable. Mr. Burnside provided a review of options concerning the repair of the cornerstone as follows:

- Cover with a marble covering with inscription
- Leave as is and place a bronze plaque with inscription
- Smooth out stone and re-engrave inscription

The Masons recommend option #3. Mr. Burnside advised that he has researched the history and will have the wording engraved as close as possible to the original. The item will be placed on a future agenda for approval.

Mr. Burnside discussed the responsibilities of the E911 Communications Center and commented that he believes that the public is unaware of the scope of services that the Center provides and suggested planning for a recognition presentation in the future.

The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders
The Commission approved the following “Settlements” (copies included):

- Scotty Jean Filer—Final Settlement Waiver
- William C. Hoffman, Jr.—Final Settlement Waiver

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

- Charles J. or Michelle Dawn Marple—#3989—$299.20
- Teddy, Remona or Ashley Zickefoose—#3990—$200.16
- Donna Maria Zebhur—#3991—$99.82
- Donna Maria Zebhur—#3992—$9.46
- Donna Maria Zebhur—#3993—$72.50
- Donna Maria Zebhur—#3994—$120.84
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- Nicholas P. Ringer —#3995—$96.40
- Nicholas P. Ringer —#3996—$95.62
- Brian and Amanda Black—#3997—Corrective Ticket
- Jeanie L. (Lantz) or Christopher S. Acres—#3998—Corrective Ticket
- Rex E. Harris—#3999—$386.66
- Rex E. Harris—#4000—$380.36

The Commission approved the following “Requests to Attend Meeting” (copies included):
- Tabatha R. Perry—November 30-December 2, 2016
- Carrie Wallace—November 30-December 2, 2016

The Commission approved the following “Consolidation of Land Tracts” (copies included):
- Warren District – Map 4D Parcel 17 blend with Map 4D Parcel 17.3, Map 4D Parcel 17.5, and Map 4D Parcel 17.4 to make Map 4D Parcel 17.3- owners Stephen Mark and Kathy Lynn George

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the signing of the Certification of results of the 2016 General Election. The Certification is for local results only as State and Federal results have not yet been received.

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 Terry Cutright, the Commission meeting adjourned at 12:00 p.m.