The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, November 2, 2017 at 9:00 a.m. Terry Cutright called the meeting to order. Present were Terry Cutright, Commissioner, Troy A. Brady, Commissioner; Sam Nolte, Commissioner; Carol Smith, Upshur County Clerk; Carrie Wallace, Upshur 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 Sam Nolte seconded by Troy A. Brady, the Commission approved the regular meeting minutes of October 19, 2017 and the Special Meeting (Board of Assessment Appeals) Minutes of October 24, 2017 as submitted.

Terry Cutright provided a review of Agenda Items/Scheduled Appointments to be covered in today’s meeting.

After discussion, on motion by Sam Nolte seconded by Troy A. Brady, the Commission approved and authorized the President to sign the Resolution of Participation for the West Virginia Certified Development Community (CDC) Program for the Upshur County Development Authority (copy included).

After discussion, on motion by Troy A. Brady seconded by Sam Nolte, the Commission approved and authorized the President to sign the Service Contract between Valley Business Systems and the Upshur County Commission for the color copier located in the Commission office for the annual amount of $584. This includes everything except paper, staples and computer/networking service. This contract is effective 11/01/2017 to 10/31/2018.

After discussion, on motion by Troy A. Brady seconded by Sam Nolte, the Commission approved and authorized the President to sign the Service Contract with Cleveland Brothers to perform semi-annual service and annual maintenance service for the engine, generator and GENSET located at the E-911 Communication Center / Office of Emergency Management (copy included). The total cost of $1,268.30 includes all parts, travel time, mileage and labor for these two inspections.

Ann Slaughter, Tennerton Lion’s Club representative read the Diabetes Awareness Month November 2017 Proclamation (copy included) “to increase community awareness of risk factors and symptoms related to diabetes...(and) improve the likelihood that people with diabetes will get the attention they need before suffering the devasting complications of the disease”. After discussion, on motion by Troy A. Brady seconded by Sam Nolte, the Commission approved and authorized the signing of the proclamation.

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

1. Correspondence from Melissa Garretson Smith, Executive Director of the WV Courthouse Facilities Improvement Authority announcing that the previously requested time extension for the Circuit Courtroom project has been approved. The new deadline for completion is February 28, 2018.

At 9:15 a.m., the Commission discussed the Safe Structures and Sites Ordinance Enforcement Board, Case #041416-01, owned by Thomas Moates. The case was previously discussed during the March 23, 2017; April 20, 2017; June 22, 2017 and August 31, 2017 meetings of the Upshur County Commission at which time extensions were granted for full ordinance compliance of property clean-up. Tabatha Perry advised that Mr. Moates is currently recovering from surgery. Commissioners noted that progress has been made on the clean-up. After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved an extension of 60 days to bring the property into full compliance with the ordinance.
Terry Cutright continued to review the following “For Your Information” items:

2. Correspondence from Tabatha R. Perry, Assistant Administrator, to Todd Spencer Walter Gould regarding his property located in Washington Tax District – Tax Map 7J – Parcel Number 11. During the regularly scheduled Commission Meeting conducted on October 26, 2017, the Commission moved to grant Mr. Gould a 60-day extension to bring the property into full compliance with the Ordinance.

3. Correspondence from Tabatha R. Perry, Assistant Administrator, to Frank Kelley regarding his property located in Washington Tax District – Tax Map 7J – Parcel Number 11.1. During the regularly scheduled Commission Meeting conducted on October 26, 2017, the Commission moved to grant Mr. Kelley a 60- day extension to bring the property into full compliance with the Ordinance.


5. Upshur County Road Name Index as of 10/26/17 - Prepared by Terri Jo Bennett, Upshur County Addressing and Mapping Coordinator.

6. Upshur County Mileage Reports – September 2017
   - Upshur 911
   - Maintenance
   - Emergency Management
   - Sheriff
   - Addressing and Mapping
   - Community Corrections
   - Dog Pound

7. Newsletters and/or Event Notifications:
   - James W. Curry Public Library Calendar of Events for November and December
   - Invitation – Check presentation by Senator Capito for the Community-Oriented Connecting Broadband Grant at 10:00 a.m. on Monday, November 6th at BUHS
   - Family Connections Family Socials Flyer – November 6th & December 4th from 11:00 a.m. to 1:00 p.m. at SYC
   - St. Joseph’s Hospital Advocacy Team Grassroots Effort – Thursday, November 9th at 9:00 a.m. or 5:30 p.m. in the St. Joseph’s Hospital Library.
   - Shoe Sensation – Socks 4 Troops and Veterans Announcement
   - Upshur County Youth Camp Landscape Design Presentation – November 18th from 11:00 a.m. to 3:00 p.m. at the Event Center at Brushy Fork
   - WVU Center for Excellence in Disabilities MODIFY Program Holiday Donation Flyer – Donations will be accepted until December 15th. These gifts will be given to youth ages 17-23 who have aged out of foster care.

8. Agendas and/or Notice of Meetings:
   - James W. Curry Library/Park-October 25, 2017
   - City Council of Buckhannon-November 2, 2017

9. Meeting Minutes:

10. Meetings:
11. Appointments Needed or Upcoming:

Tabled Items
1. US Census Bureau local updated census address project

Terry Cutright made a proposal to remove Tabled Item #1-- US Census Bureau local updated census address project from the agenda until Terri Jo attends upcoming training and an update is provided. After discussion, on motion by Troy A. Brady seconded by Sam Nolte, the Commission approved to remove the agenda item.
Terry Cutright reviewed correspondence from Mary Herndon, Upshur County resident, requesting the closure of an unused paper alley located between parcels of land that she owns in Buckhannon District (copy included). Carrie Wallace advised that after reviewing the deeds of record (ref. Deed Book 493 @ page 745, Deed Book 543 @ page 641) she would like to review the request with the Office of the Prosecuting Attorney before moving forward.

Burl Smith, Upshur County Solid Waste Authority Director and Terry Carrington WV Make It Shine Coordinator, appeared before the Commission and provided a review of the WV Make It Shine Clean County Award 2017 which was presented at the AWVSWA/REAP conference banquet at Pipestem Resort on October 24, 2017. Mr. Carrington advised that the Award was designed to promote “stewardship and volunteerism” and community pride. Mr. Carrington advised that Upshur County “excelled” in participation and cited examples such as REAP/Adopt-A-Highway/Adopt-A-Spot Programs, Youth Environmental Program, Union Elementary Aquaponic program, Buckhannon River Watershed Authority, and the Buckhannon-Upshur Recycling program. Both the City of Buckhannon and Upshur County placed first. The Upshur County Solid Waste Authority received a prize award of $2,000 to help fund future efforts. The Commission expressed their appreciation of the Solid Waste Authority’s efforts and commended them for the award.

Carol Smith, Upshur County Clerk, reviewed a budget revision request. After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the budget revision as submitted with a “Request for Revision to Approved Budget” to be sent to the Office of the State Auditor for approval (copies included).

The Commission approved all invoices for payment (copies included):

The Commission approved all Vacation Orders.

The Commission approved the following “Settlements” (copies included):
- Betty G. Booth—Final Settlement Waiver
- Melody Ann Burch—Final Settlement Waiver
- Junior Lee Cobb—Final Settlement Waiver
- Billie R. Gatrell—Final Settlement Waiver
- Charles Leroy Kendall—Final Settlement
- French Z. McQuain—Final Settlement Waiver
- Rex Nelson Reeder—Final Settlement Waiver
- James E. Rice—Final Settlement
- William Sinclair—Final Settlement Waiver
- Kenna Jean Sutton—Final Settlement Waiver
- Debra Kay Wilfong aka Debbie Kay Thacker Wilfong—Final Settlement Waiver

The Commission approved the following “Exonerations and/or Refunds” (copies included):
- Larry S. Jr. and Virginia L. Anderson—#4225—$37.82
- Richard H. and Suzanne S. Zebuhr—#4226—$231.12
- Seth A. or Quinn R. Hoover—#4227—$205.15

The Commission approved the following “Consolidation of Land Tracts” (copies included):
- Meade District-Map 8H Parcel 40.1 blended with Map 8H Parcel 40 to make Map 8H Parcel 40-Owners, David and Margaret Stanley

Frank Fato, Upshur County resident appeared before the Commission concerning a fire fee complaint. Mr. Fato expressed concerns that the tax may not be fair and/or equitable to certain owners,
i.e., the owner of a large apartment complex in comparison to the owners of individual dwelling (trailers) in a trailer park. Terry Cutright advised that he will relay the complaint to the Fire Board and Carrie Wallace will follow up with other Counties to inquire if there is a more equitable way to charge the fire fee.

Wayne Harman, WV Division of Rehabilitation Services, Elkins and Buckhannon Branch Office Supervisor appeared before the Commission to request the use of office space for the WV Division of Rehabilitation Services. Mr. Hardman previously used office space in the Courthouse and then relocated to the WV DHHR building. Unfortunately, due to space constraints, the Commission advised that there is no office space available.

The Commission recessed at 12:20 p.m.

The Commission reconvened at 1:30 p.m.

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 Sam Nolte, the Commission meeting adjourned at 3:40 p.m.