UPSHUR COUNTY COMMISSION MEETING
November 9, 2017

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, November 9, 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 Troy A. Brady seconded by Sam Nolte, the Commission approved the regular meeting minutes of October 26, 2017 and November 2, 2017 as submitted.

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

Patty Adams and Annette Fetty-Santelli appeared before the Commission on behalf of the Pancreatic Cancer Action Network. Ms. Fetty-Santelli read the “Pancreatic Cancer Awareness Month” Proclamation which provides data and information and creates awareness of this devastating disease (copy included). After discussion, on motion by Troy A. Brady seconded by Sam Nolte, the Commission approved and authorized the signing of the proclamation.

Carrie Wallace reviewed a request from Upshur County resident, Mary Herndon to close an unused paper alley located between parcels of land that she owns in Buckhannon District submitted per WV Code §7-1-3h as discussed at the November 2, 2017 meeting of the Upshur County Commission. Ms. Wallace advised that she has reviewed the request with Prosecuting Attorney, David Godwin and that he has recommended that Ms. Herndon seek counsel from an attorney to perform a deed and title search. Per Mr. Godwin’s recommendation Ms. Wallace will also seek a second opinion from an attorney that specializes in property transfers.

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the Small Cities Block Grant #16SCBG0008, Elkins Road PSD Phase III Water System Improvements Project, drawdown request #4 in the amount of $4,632.00 from Tony O’Leary, Community Development Representative (copy included).

After discussion, on motion by Troy A. Brady seconded by Sam Nolte, the Commission approved the reappointment of Richard H. Ralston, II, to the Upshur County Building Commission (copy included). Mr. Ralston’s term will expire on November 10, 2022.

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved the everbridge one-year renewal quote in the amount of $3,090. This service is for the limited capacity free public notification system referred to as nixle 360. The contract period is from November 23, 2017 to November 22, 2018.

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved Karen T. Sanford, Derek Nickleson and Maggie Nickleson as Lewis-Upshur Animal Control Facility Volunteers.

Terry Cutright continued to review the following “For Your Information” items:

1. Adrian PSD notice of failure to complete corrective actions.
2. Correspondence from Brian Wright, Authorized Representative of the Atlantic Coast Pipeline, LLC, announcing the receipt of a Certificate of Public Convenience and Necessity from the Federal Energy Regulatory Commission to construct, operate and maintain the Atlantic Coast Pipeline and enclosing a Project At-A-Glance Fact Sheet and Landowner Environmental Complaint Resolution Form.
3. Correspondence from Tabatha R. Perry, Assistant County Administrator, to Thomas Moates regarding his property located in Warren Tax District – Tax Map 6C – Parcel Number 4. During the regularly scheduled Commission Meeting conducted on November 2, 2017, the Commission moved to grant Mr. Moates a 60-day extension to bring the property into full compliance with the Ordinance.

4. Upshur County Building Permits for October 2017

5. Newsletters and/or Event Notifications:
   - Frank B. Bartlett Post #0007 The American Legion – Schedule of Events for Veteran’s Day – November 11th

6. Agendas and/or Notice of Meetings:
   - Community Corrections-November 6, 2017
   - Elkins Road PSD-November 7, 2017
   - Upshur County Senior Center-November 8, 2017
   - Buckhannon-Upshur Airport Authority-November 9, 2017
   - Upshur County Safe Structures and Sites Enforcement Board-November 9, 2017
   - Upshur County Convention & Visitors Bureau-November 9, 2017
   - Upshur County Solid Waste Authority-November 13, 2017

7. Meeting Minutes:
   - B.R.W.A. Board of Directors-May 10, 2017
   - B.R.W.A. Board of Directors -July 12, 2017
   - B.R.W.A. Board of Directors -September 13, 2017
   - James W. Curry Library and Park Advisory Board-September 27, 2017

8. Meetings:
   - 11/02/17-6:00 p.m.-Buckhannon-Upshur Board of Health
   - 11/02/17-7:00 p.m.-Banks District VFD
   - 11/02/17-7:00 p.m.-Selbyville VFD
   - 11/07/17-5:30 p.m.-Elkins Road PSD
   - 11/07/17-4:00 p.m.-Hodgesville PSD
   - 11/08/17-12:00 p.m.-Upshur County Senior Center Board
   - 11/08/17-3:00 p.m.-Tennerton PSD
   - 11/08/17-6:00 p.m.-Upshur County Citizens Corp – CERT
   - 11/08/17-7:00 p.m.-Ellamore VFD
   - 11/08/17-7:00 p.m.-Buckhannon River Watershed Association - Board of Directors
   - 11/08/17-7:30 p.m.-Warren District VFD
   - 11/09/17-1:00 p.m.-Adrian PSD
   - 11/09/17-3:00 p.m.-Upshur County Conventions & Visitors Bureau – Event Center at Brushy Fork
   - 11/09/17-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   - 11/09/17-4:00 p.m.-Buckhannon Upshur Airport Authority
   - 11/09/17-7:30 p.m.-Buckhannon VFD
   - 11/13/17-12:00 p.m.-Upshur County Family Resource Network
   - 11/13/17-4:30 p.m.-Upshur County Solid Waste Authority
   - 11/13/17-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
   - 11/13/17-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
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- 11/14/17-7:30 p.m.-Adrian VFD
- 11/15/17-12:00 p.m.-Lewis Upshur LEPC- Lewis location
- 11/15/17-6:30 p.m.-Upshur County Fire Board Inc.-Special Meeting
- 11/15/17-7:00 a.m.-Upshur County Development Authority
- 11/16/17-3:00 p.m.-Upshur County Farmland Protection Board
- 11/16/17-6:30 p.m.-Upshur County Youth Camp Board
- 11/19/17-6:00 p.m.-Washington District VFD
- 11/20/17-2:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 11/21/17-4:00 p.m.-Upshur County Public Library Board
- 11/21/17-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 11/21/17-4:00 p.m.-Upshur County Fire Board Inc.-Cancelled
- 11/27/1-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 11/27/17-6:00 p.m.-Upshur County Fire Fighters Association

9. Appointments Needed or Upcoming:
- Tennerton Public Service District–July 31, 2017

Lori Ulderich Harvey and Tim Higgins appeared before the Commission on behalf of the Upshur County Tobacco Prevention Coalition. Mr. Higgins reviewed data concerning the effects of tobacco usage and discussed the expanded indoor clean air policy which the Board of Health passed unanimously. Ms. Ulderich-Harvey read the “Great American Smokeout Proclamation” which “…encourages all tobacco product users to… pledge to quit for at least one day…” and designates November 16, 2017 as a day to put aside tobacco products and abstain from their use. Ms. Ulderich-Harvey also discussed the “Quit Cold Turkey-Win a Turkey” program for which pledge jars will be available in doctor’s offices and various venues throughout the county. After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved and authorized the signing of the proclamation (copy included).

Lori Ulderich-Harvey, Upshur County Family Resource Network Director, provided a review and reading of a proclamation recognizing November 2017 as National Adoption Month. Ms. Ulderich-Harvey invited anyone interested in adopting or fostering to contact her. After discussion, on motion by Troy A. Brady seconded by Sam Nolte, the Commission approved and authorized the signing of the proclamation (copy included).

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):
  - Mary Ellen Anderson—Final Settlement Waiver
  - Thomas J. Streets, Sr.—Final Settlement Waiver
  - Ronald David Thorne, II—Final Settlement Waiver

The Commission recessed at 11:25 a.m.
The Commission reconvened at 1:05 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 3:15 p.m.