The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, April 27, 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, 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 April 20, 2017 as submitted.

Dirk Burnside, Franklin (Masonic) Lodge #7, appeared before the Commission and provided an update/status report on the resurfacing of the Upshur County Courthouse cornerstone. Mr. Burnside appeared at the December 1, 2016 Commission meeting at which time the Commission accepted an offer from the Lodge for the repair of the cornerstone. Mr. Burnside, advised that the work has been completed at a cost under budget and provided photographs of the marker. Commissioners expressed appreciation to the Franklin Lodge members for undertaking the project.

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

Carrie Wallace provided a review of the Special Meeting/Work Session which was held on April 25, 2017 at the Lewis County Commission meeting room. Gilmer County representatives were not in attendance. Alan Pritt, representative of Pritt & Spano PLLC and Rusty Webb, representative of The Webb Law Centre, PLLC provided a review of proposed litigation of Drug Manufacturers to the Upshur and Lewis County Commissioners. Ms. Wallace advised that after the meeting, each county would review and make their independent decisions whether to join in “class action” suits or pursue independently. Commissioners noted that a (Judges) decision is pending as to whether counties and municipalities can file and many questions still need to be answered, and agreed that they are “not ready to make a decision” at this time. After discussion, on motion by Troy A. Brady, the Commission approved to table the item pending further review.

At 9:15 a.m., Carrie Wallace reviewed bids submitted for “Accessible Circuit Courthouse Seating”. Ms. Wallace noted that one bid was received late and would be disqualified. Four bids were received as follows (copies included): Lee Reger Builds, Inc.--$27,346; Church Furniture Store--$18,860.40; Southeast Church Furniture--$21,800 and Imperial Woodworks— (2 bids) $18,262 and option for removal additional $3,100. Terry Cutright granted a request from Ms. Wallace to recess at 9:22 a.m. to review the bids to make sure requirements were met and documentation provided.

The Commission reconvened at 9:32 a.m.

Carrie Wallace requested to postpone action and table the bid award for further review. Ms. Wallace advised that clarification was needed and she will follow up with the vendors for additional information. After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved to table action on the bid award.

At 9:30 a.m. on motion by Sam Nolte, seconded by Troy A. Brady, the Commission entered executive session per WV Code §6-9A-4 to discuss employment of a Director for the Office of Emergency Management. Present were Terry Cutright, Troy A. Brady, Sam Nolte, Carrie Wallace, Tabatha Perry and Brian Shreves. The Commission returned to open session at 9:47 a.m. No decisions were made in executive session.

Sam Nolte made a motion (concerning the Office of Emergency Management) to: 1.) Eliminate the position of part-time Director; 2.) Eliminate the position of part-time Deputy Director; 3.) Create the position of full-time Director; 4.) Full-Time Director position to be compensated at a salary of $40,000 annually with benefits and 5.) recommend Brian Shreves to fill the position of full-time OEM Director effective April 30, 2017. Troy A. Brady seconded the motion and motion passed unanimously.

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved the appointment of Brian Shreves to fill the unexpired vacant position as board member on Upshur County Safe Sites & Structures Ordinance Enforcement Bd. which will expire on June 30, 2018.

Carrie Wallace reviewed the selection process of the position of E911 Communications Center Supervisor and advised that 2 candidates were interviewed for the position. After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the selection of Brandi L. Walton as E911 Communications Center Supervisor with a pay raise of $1.00 per hour effective April 30, 2017. Ms. Wallace noted that the recommendation of the interview committee was a unanimous decision.

After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the appointment of the Sheriff of Upshur County to serve as Administrator of the Estate of Paul Junior Landis, deceased, in accordance with Chapter 44, Article 1, Section 11 of the WV Code as requested by Carol J. Smith, Upshur County Clerk (copy included).

After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the appointment of the Sheriff of Upshur County to serve as Administrator of the Estate of Anna Martha Landis, deceased, in accordance with Chapter 44, Article 1, Section 11 of the WV Code as requested by Carol J. Smith, Upshur County Clerk (copy included).
Williams, deceased, in accordance with Chapter 44, Article 1, Section 11 of the WV Code as requested by Carol J. Smith, Upshur County Clerk (copy included).

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved the temporary appointment of Tabatha R. Perry as Commission representative to the Upshur County Conventions & Visitors Bureau during the planned leave of current representative, Carrie L. Wallace.

After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the adoption of the Upshur County Volunteer Manual (available at www.upshurcounty.org website) as approved by the Upshur County Policy Board at their April 20, 2017 meeting.

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved the Upshur County Employee Handbook of Personnel Guidelines current revision, dated April 27, 2017 (available at www.upshurcounty.org website) as approved by the Upshur County Policy Board at their April 20, 2017 meeting.

Terry Cutright reviewed correspondence from Bethany Burkhart, Tri-County Visitation and Exchange Program Site Supervisor, announcing that Misty Lattea has rejected the employment opportunity as Monitor (copy included-no action required).

After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the resignation of Jessica K. Foster as full-time Deputy Circuit Clerk, effective April 9, 2017.

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved the employment of Leslie D. Trainer as full-time Deputy Circuit Clerk effective May 8, 2017 at the rate of $9.00 per hour as recommended by Brian Gaudet, Circuit Clerk (copy included).

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

1. Atlantic Coast Pipeline Project Update-April 2017
2. Upshur County Mileage Reports-March 2017
   • Upshur 911
   • Maintenance
   • Emergency Management
   • Sheriff
   • Addressing and Mapping
   • Community Corrections
   • Dog Pound
3. Newsletters and/or Event Notifications:
   • Upshur-Buckhannon Health Department Newsletter-April-June 2017
   • Discover Nature Day 2017 flyer-May 6, 2017
4. Agendas and/or Notice of Meetings:
   • Upshur County Development Authority-April 19, 2017
   • Region VII Planning and Development Council-April 24, 2017
   • Upshur County Solid Waste Authority-May 8, 2017
5. Meeting Minutes:
   • Region VII Planning and Development Council-January 23, 2017
   • Upshur County Safe Sites & Structures-February 9, 2017
   • Upshur County Development Authority Executive Meeting-February 17, 2017
   • Adrian PSD-March 9, 2017
   • Adrian PSD-March 16, 2017
   • Upshur County EETAB-March 21, 2017
   • Adrian PSD-March 30, 2017
6. Meetings:
   • 05/02/17-5:30 p.m.-Elkins Road PSD
   • 05/02/17-6:00 p.m.-Hodgesville PSD
   • 05/04/17-7:00 p.m.-Banks District VFD
   • 05/04/17-7:00 p.m.-Selbyville VFD
   • 05/08/17-12:00 p.m.-Upshur County Family Resource Network
   • 05/08/17-6:00 p.m.-Buckhannon Upshur Board of Health
   • 05/08/17-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
   • 05/08/17-4:30 p.m.-Upshur County Solid Waste Authority
   • 05/08/17-5:30 p.m.-B-U Recreational Park Advisory Board
   • 05/09/17-7:30 p.m.-Adrian VFD
   • 05/10/17-7:00 p.m.-Buckhannon River Watershed Association-Bd. Of Directors
   • 05/10/17-12:00 p.m.-Upshur County Senior Center Board
   • 05/10/17-3:00 p.m.-Tennerton PSD
• 05/10/17 6:00 p.m.-Upshur County Citizens Corp-CERT
• 05/10/17 7:00 p.m.-Warren District VFD
• 05/10/17 7:00 p.m.-Ellamore VFD
• 05/11/17 1:00 p.m.- Adrian PSD
• 05/11/17 3:00 p.m.-Upshur County Conventions & Visitors Bureau–UCDA Office
• 05/11/17 4:00 p.m.- Upshur County Safe Sites & Structures Ordinance Enforcement Bd.
• 05/11/17 4:00 p.m.- Buckhannon Upshur Airport Authority
• 05/11/17 7:30 p.m.-Buckhannon VFD
• 05/15/17 1:00 p.m.-Buckhannon-Upshur Chamber of Commerce
• 05/16/17 5:00 p.m.-Upshur County EETAB
• 05/16/17 6:30 p.m.-Upshur County Fire Board
• 05/17/17 7:00 a.m.-Upshur County Development Authority
• 05/17/17 12:00 p.m.- Lewis-Upshur LEPC-Lewis location
• 05/18/17 4:00 p.m.-Upshur County Public Library Board
• 05/18/17 6:30 p.m.-Upshur County Farmland Protection Board-Farm Bureau Office
• 05/18/17 6:30 p.m.-Upshur County Youth Camp Board
• 05/21/17 6:00 p.m.-Washington District VFD
• 05/22/17 6:00 p.m.-Upshur County Fire Fighter’s Association
• 05/23/17 10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development-Tucker County
• 05/25/17 10:00 a.m.-James W. Curry Advisory Board
7. Appointments Needed or Upcoming:
  • Upshur County Safe Structures and Sites Ordinance Enforcement Board (unexpired term-6-30-2018)-Community Member

Tabled Items
1. US Census Bureau Local Updated Census Address Project
2. Correspondence from Jennifer K. Bennett, Buckhannon Swim Club Treasurer, requesting the use of the Buckhannon-Upshur Recreational Park pool for swim practice and swim meets on the listed days and times.
3. Bid award for Accessible Circuit Courtroom Seating
   The Commission approved all invoices for payment (copies included)
   The Commission approved all Vacation Orders.
   The Commission approved the following “Settlements” (copies included):
   • John Allen Long—Final Settlement Waiver
   • Hazel Avis Perry—Final Settlement Waiver
   • Barbara Ann Williams Watts—Final Settlement Waiver
   The Commission approved the following “Exonerations and/or Refunds” (copies included):
   • Troy or Yvonne M. Frederick—#4057—Corrective Ticket
   The Commission reviewed agenda items for future meetings, received project updates and discussed administrative business items.
   The Commission adjourned at 12:00 p.m.
   The Commission attended the meeting of the Upshur County Policy Board
   The Commission reconvened at 1:45 p.m.
   With no further business, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission meeting adjourned at 2:20 p.m.