UPSHUR COUNTY COMMISSION MEETING
June 8, 2017

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, June 8, 2017 at 9:00 a.m. Terry Cutright called the meeting to order. Present were Terry Cutright, Commissioner; Sam Nolte, Commissioner; Carrie Wallace, County Administrator, Tabatha Perry, Assistant County Administrator and Jacqueline Dinklocker, Secretary. Troy A. Brady, Commissioner and Carol Smith, Upshur County Clerk, 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.

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

David Godwin, Upshur County Prosecuting Attorney, appeared before the Commission and provided a review/formal presentation of an Application for Relief from Erroneous Assessments of properties owned by Appalachia Midstream Services for the years 2014, 2015 and 2016 (copy included). The properties were under-assessed due to a clerical error. Mr. Godwin advised that it is the same process frequently used for Erroneous Assessments which usually benefits the taxpayer, however not in this case. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved to accept the petition and directed Carrie Wallace to move forward with contacting parties involved in the process per David Godwin’s request. A public hearing to discuss the Application with Dustin Zickefoose and Appalachian Midstream Services will be scheduled in the future.

Carrie Wallace reviewed the loan proposal by Citizen’s Bank of West Virginia which was previously discussed during the regular meeting of the Upshur County Commission on May 25, 2017 along with other proposals, and discussed and approved at the May 31, 2017 Special Meeting. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the signing of a Resolution for the President “to act on behalf of the Upshur County Commission to enter into a loan agreement and to sign any and all loan document with Citizens Bank of West Virginia to receive and administer loan funds up to the amount of $1,137,020.00…for the refinancing of the E911 Communications Center located at 181 Pallotine Drive, Buckhannon, WV” at the rate of 3.625% for 144 months (copy included).

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign an Account Agreement and Entity Authorization with the First Community Bank for the Elkins Road PSD III Project.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign the American Fidelity Assurance Company Adoption Agreement for amended and restated Section 125 Flexible Benefit Plan (copy included). Carrie Wallace advised that the only amendment to the agreement is the revision of the address.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign the US EPA FY 17 Brownfields Grants Cooperative Agreement application for federal assistance and related documents (copy included). Brownfields Grants provide funds to communities for environmental projects (Reference “For Your Information” item # 19)

The Commission discussed a request from April Spears, Director of Mountain CAP, Child Development Center, to receive additional discounts for pool passes for the organization (copy included). Commissioners agreed that to grant the request, would set a precedence which would have to be granted to everyone. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission denied the request.
After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the employment of Patricia Hardman as a Monitor for the Tri-County Child Exchange and Visitation Program effective June 11, 2017 pending background check results at the rate of $8.75 per hour as requested by Beth Burkhart, Site Supervisor (copy included). Ms. Hardman will not work more than 19 hours per week.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the resignation of Sierra Norman as E911 Communications Center telecommunicator, effective May 28, 2017.

Terry Cutright reviewed the following “For Your Information” items (copies included):
1. Upshur County Notice of Auction of Delinquent and Nonentered Lands. Auction will take place July 11, 2017
2. Correspondence from David R. Lloyd, Office of Brownfields and Land Revitalization Director, announcing that the Upshur County Commission was selected as one of the entities the US EPA will begin negotiations with to award a cooperative agreement for a cleanup grant.
3. Correspondence from John B. McCuskey, WV State Auditor, announcing this year’s In-Service Training Seminar location and times. According to WV Code 7-7-2, each official and, at his or her option, one or more of his or her employees shall participate in the program established by the State Auditor.
4. NACo Prescription Drug Discount Card Program breakdown from 2005 to April 2017
5. Newsletters and/or Event Notifications
   - WV Tourism Social Media Campaign flyer for WV’s birthday
   - Family-Youth Engagement Strategies Training announcement
6. Agendas and/or Notice of Meetings:
   - Elkins Road PSD –June 5, 2017
   - Buckhannon-Upshur Airport Authority-June 8, 2017
   - Upshur County Safe Structures and Sites Ordinance Enforcement Board-June 8, 2017
   - Upshur County Solid Waste Authority-June 12, 2017
   - Upshur County Public Library-June 22, 2017
7. Meeting Minutes:
   - Upshur County Board of Health-March 2, 2017
   - James W. Curry Library and Park Advisory Board-April 26, 2017
8. Meetings:
   - 05/24/17-10:00 a.m.-James W. Curry Library and Park Advisory Board
   - 05/29/17-6:00 p.m.-Upshur County Fire Fighters Association
   - 06/01/17-7:00 p.m.-Banks District VFD
   - 06/01/17-7:00 p.m.-Selbyville VFD
   - 06/05/17-5:30 p.m.-Elkins Road PSD
   - 06/06/17-6:00 p.m.-Hodgesville PSD
   - 06/08/17-1:00 p.m.- Adrian PSD
   - 06/08/17-3:00 p.m.-Upshur County Conventions & Visitors Bureau–UCDA Office-CANCELLED
   - 06/08/17-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Enforcement Bd.
   - 06/08/17-4:00 p.m.- Buckhannon Upshur Airport Authority
   - 06/08/17-7:30 p.m.-Buckhannon VFD
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- 06/09/17-Region VI Local Elected Officials-Taylor County  
- 06/12/17-12:00 p.m.-Upshur County Family Resource Network  
- 06/12/17-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County  
- 06/12/17-4:30 p.m.-Upshur County Solid Waste Authority  
- 06/12/17-5:30 p.m.-B-U Recreational Park Advisory Board  
- 06/13/17-7:30 p.m.-Adrian VFD  
- 06/14/17-7:00 p.m.-Buckhannon River Watershed Association-Bd. Of Directors  
- 06/14/17-12:00 p.m.-Upshur County Senior Center Board  
- 06/14/17-3:00 p.m.-Tennerton PSD  
- 06/14/17-7:00 p.m.-Warren District VFD  
- 06/14/17-7:00 p.m.-Ellamore VFD  
- 06/14/17-6:00 p.m.-Upshur County Citizens Corp - CERT  
- 06/15/17-4:00 p.m.-Upshur County Public Library Board  
- 06/15/17-6:30 p.m.-Upshur County Farmland Protection Board-Farm Bureau Office  
- 06/15/17-6:30 p.m.-Upshur County Youth Camp Board  
- 06/18/17-6:00 p.m.-Washington District VFD  
- 06/19/17-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce  
- 06/20/17-5:00 p.m.-Upshur County EETAB  
- 06/20/17-6:30 p.m.-Upshur County Fire Board  
- 06/21/17-7:00 a.m.-Upshur County Development Authority-Executive Board  
- 06/21/17-12:00 p.m.-Lewis-Upshur LEPC-Upshur location  
- TBD-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development-Tucker County  
- 06/26/17-Mountain CAP of West Virginia CDC  
- 06/29/17-6:00 p.m.-Buckhannon Upshur Board of Health  
9. Appointments Needed or Upcoming  
- Wes-Mon-Ty Resource Conservation & Development Council (2-year term)-Commission Representative  

**Tabled Items**  
1. US Census Bureau Local Updated Census Address Project  
   Linda Wolfe, Relay for Life Chair, appeared before the Commission to announce the 20th annual Relay for Life event on July 15 at Jawbone Park. Ms. Wolfe reviewed statistical information and announced that Upshur County residents have provided donations in the amount of “2 million dollars to help fight the battle against cancer”. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the signing of the American Cancer Society Relay for Life Proclamation which designates the month of July 2017 as Relay for Life Month in Upshur County.  
   Jessica Bennington, Upshur County resident, appeared before the Commission to discuss the progress of clean up efforts to her property. The last extension for Safe Structures and Sites case # 041212-01 was given during the April 6, 2017 Commission meeting. Ms. Bennington provided photographs to document the progress that has been made and she believes ordinance compliance had been met. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved Greg Harris to inspect the property and report back to the Commission with his recommendations.
At 9:45 a.m., Tabatha Perry opened and reviewed bids for the Circuit Courtroom. One bid was received in the amount of $66,500 from D-C Elevator Company (copy included). Carrie Wallace advised that the amount far exceeds the $22,800 budgeted amount which would be funded through the Courthouse Facility Improvement Authority Grant. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved to table the item for further review of available options.

At 10:00 a.m., Carrie Wallace and Tabatha Perry opened and reviewed bids for the James W. Curry Park Timber Sale. Five bids were received as follows: AFP Logs and Lumber -- $47,679, Dingess Lumber--$74,958, High Mountain Timber, LLC—$55,725 Jim Chambers Lumber in the amount of $62,287.79, and Northwest Hardwoods in the amount of $75,096.75. A sixth bid from an unknown business was disqualified for not meeting the bid submission deadline. Nate Kennedy, Curry Park Board representative, advised that the appraised value of the timber was $65,000 and recommended the contract be awarded to the high bidder. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign a contract and related documents with Northwest Hardwoods (copy included),

Sheriff, David Coffman and Deputy Sheriff, Rocky Hebb, PRO Officer at the Buckhannon Upshur High School, appeared before the Commission and provided information and data concerning drug usage and prevention. The officers made their case for the purchase of a K9 Officer to assist Corporal Hebb in his PRO duties. A packet was provided to the Commissioners which contained pertinent information and letters of support. Corporal Hebb and Sheriff Coffman advised that the K9 would also be utilized at other times to detect drugs in other situations as needed and discussed the possibility of receiving donations for the project and partnering with the Board of Education. Officer Hebb reported that the idea had been presented to the Board of Education and received positive feedback. Sheriff Coffman advised that the cost of the dog was estimated to be around $12,000. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission agreed to move forward with a (50%) partnership with the Board of Education for the purchase of a K9 Officer.

Sheriff Coffman discussed budget deficit issues and requested a budget revision.

The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders.
The Commission approved the following “Settlements” (copies included):
• Charles Phillip Ashcraft—Final Settlement Waiver
• Dennis R. Haddix— Final Settlement Waiver
• Dama Geraldine Hayes—Final Settlement Waiver
• Billy Joe Heater—Final Settlement Waiver
• Annette R. Hiedemann—Final Settlement
• Doris Laverne Hinkle—Final Settlement Waiver
• Amber Sue Mick—Final Settlement Waiver
• Myron McCall Queen—Final Settlement Waiver
• Michael Loyd Spotloe—Final Settlement Waiver
The Commission approved the following “Exonerations and/or Refunds” (copies included):
• Dana & Kristina D. Aegan—#4065—Corrective Ticket
• Allen D. Jr. & Angela M Moran—#4066—$261.38
• Kelley L. Ryan—#4067—$62.72
Kelley L. Ryan—#4068—$65.40
The Commission approved the following “Request to Attend Meeting” (copies included):
Tabatha R. Perry-June 14, 2017
The Commission reviewed agenda items for future meetings, received project updates and discussed administrative business items.
With no further business, on motion by Sam Nolte, seconded by Terry Cutright, the Commission meeting adjourned at 12:40 p.m.