The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, August 10, 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 August 3, 2017 with typographical corrections.

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

Carrie Wallace requested to postpone action concerning Appalachian Midstream Services proposed settlement options for taxes owed as a result of the “Relief from Erroneous Assessment” hearing conducted on July 27, 2017. After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved to table the item until a future date when Mr. Godwin would be available to present the proposed settlement options.

Carrie Wallace reviewed loan proposals for the possible refinancing of the Courthouse HVAC system and stated that an additional proposal was received late yesterday afternoon. Ms. Wallace requested to postpone action so that she could contact the USEDA regarding possible financing options. After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved to table the item as requested.

The Commission discussed the Software Systems, Inc. Maintenance Contract and adjustment for additional maintenance levels. After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the contract renewal at the current maintenance level (copy included).

After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved a request from Craig Presar, WVU Extension Agent, on behalf of the Upshur County Community Education Outreach Service (CEOS) to use the Courthouse Plaza for their annual mini fair on Friday, September 8, 2017 from 8:00 a.m. to 3:00 p.m. pending receipt of a Certificate of Liability Insurance (copy included).

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved the advertisement/posting of a “Request for Bids” and Minimum Vehicle Specifications for a 2017 Police Vehicle-Sedan (copy included). Sealed proposals must be received no later than 3:00 p.m. on August 30, 2017 at the Administrative Annex located at 91 W. Main Street, Suite 101. Proposals received by the deadline will be opened, reviewed and read aloud at the regular Commission meeting at 10:30 a.m. on Thursday, August 31, 2017.

After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the advertisement/posting of a “Request for Proposals” for the replacement of a portion of the Upshur County Courthouse and Annex surveillance system and supporting equipment (copy included). A mandatory pre-bid conference will be held on Thursday, August 31, 2017 at 1:00 p.m. Sealed proposals must be received no later than 4:30 p.m. on September 20, 2017 at the Administrative Annex located at 91 W. Main Street, Suite 101. Proposals received by the deadline will be opened, reviewed and read aloud at the regular Commission meeting at 9:15 a.m. on Thursday, September 21, 2017.

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved the Sheriff of Upshur County to serve as Administrator of the Estate of Thomas Ray Shipley, 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 Sheriff of Upshur County to serve as Administrator of the Estate of Rodney Wayne 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 resignation from full time employment and change of employment status of Quayla A. Bennett as Deputy County Clerk, effective August 4, 2017. Ms. Bennett will continue to work on a part time basis to help with upcoming scheduled vacations and training of her replacement and will work up to 12 hours per week (copy included).

After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the advertisement/job posting for the position of full-time Deputy County Clerk (copy included). Applications will be accepted in the Office of the County Clerk through the close of business on September 8, 2017.

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved the advertisement/job posting for the position of part-time Executive Director for the Tri-County Visitation and Exchange Center (copy included). Applications will be accepted until the position is filled.

Terry Cutright reviewed the following “For Your Information” items (copies included):
1. Correspondence from Jason Westfall, Upshur County Youth Baseball President, expressing appreciation for the utilization of the Wellness Complex property located off of Brushy Fork Road and regretfully announcing the termination of their lease of the property due to its location within the flood zone. After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the lease termination.
2. Correspondence from Nesco, Inc. providing notice of blasting activities in accordance with all State and Federal Laws and as approved by the department of Environmental Protection commencing August 23, 2017 and continuing through August 24, 2018 from sunrise to sunset.
3. Correspondence from Governor Jim Justice announcing the Community Corrections program grant award for FY 18 in the amount of $180,000. The funds will be utilized for the continued operation of a community corrections program in Upshur and Lewis Counties.
4. Newsletters and/or Event Notifications:
   - Upshur-Buckhannon Health Department Newsletter-July-September 2017
   - Hope and Help Assembly (H.A.H.A.) at Jawbone Park-September 9, 2017
5. Agendas and/or Notice of Meetings
   - City Council of Buckhannon-August 8, 2017
   - Elkins Road PSD-August 8, 2017
   - Buckhannon-Upshur Airport Authority-August 10, 2017
   - Upshur County Solid Waste Authority-August 14, 2017
   - Upshur County Fire Board, Inc. -August 15, 2017
6. Meeting Minutes:
7. Meetings:
   - 08/01/17-6:00 p.m.-Hodgesville PSD
   - 08/03/17-7:00 p.m.-Selbyville VFD
   - 08/08/17-5:30 p.m.-Elkins Road PSD
UPSHUR COUNTY COMMISSION MEETING  
August 10, 2017

- 08/03/17-7:00 p.m.-Banks District VFD
- 08/08/17-7:30 p.m.-Adrian VFD
- 08/09/17-7:00 p.m.-Buckhannon River Watershed Association-Bd. Of Directors
- 08/09/17-12:00 p.m.-Upshur County Senior Center Board
- 08/09/17-3:00 p.m.-Tennerton PSD
- 08/09/17-7:00 p.m.-Warren District VFD
- 08/09/17-7:00 p.m.-Ellamore VFD
- 08/09/17-6:00 p.m.-Upshur County Citizens Corp - CERT
- 08/10/17-1:00 p.m.-Adrian PSD
- 08/10/17-3:00 p.m.-Upshur County Conventions & Visitors Bureau–UCDA Office
- 08/10/17-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Enforcement Bd.
- 08/10/17-4:00 p.m.- Buckhannon Upshur Airport Authority
- 08/10/17-7:30 p.m.-Buckhannon VFD
- 08/14/17-12:00 p.m.-Upshur County Family Resource Network
- 08/17/17-7:00 a.m.-Upshur County Development Authority-Executive Board
- 08/16/17-7:00 p.m.- Lewis-Upshur LEPC-Lewis location
- 08/17/17-6:30 p.m.-Upshur County Youth Camp Board
- 08/16/17-7:30 p.m.-Washington District VFD
- 08/21/17-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 08/22/17-4:00 p.m.-Upshur County Public Library Board
- 08/23/2017-10:00 a.m.-James W. Curry Library and Park Advisory Board
- 08/28/17-6:30 p.m.-Upshur County Fire Fighters Association
- 08/28/17-10:00 a.m.-Mountain CAP of West Virginia, CDC
- 09/07/17-6:00 p.m.-Buckhannon Upshur Board of Health
- 09/11/17-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County
- 10/23/17-Region VI Local Elected Officials-Annual Meeting
- TBD-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development

1. Appointments Needed or Upcoming
   - Wes-Mon-Ty Resource Conservation & Development Council (2-year term)-Commission Representative
   - Upshur County Fire Board (Community Representative-3rd District)-June 30, 2017

Tabled Items
1. US Census Bureau Local Updated Census Address Project

Dr. Joseph Reed appeared before the Commission and provided information and data concerning the Second Annual Green Bean and Volunteerism Weekend, August 10-12, 2017 (copies included). Green Bean Weekend/Green Bean Stroll is a fundraising event for the purpose of providing the Parish House with nutritious vegetables to help alleviate hunger in Upshur County. The event also is an acknowledgement of volunteerism/volunteers to which the success of activities and events is attributed. After discussion, on
motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved and authorized the President to sign the “Green Bean Weekend 2017” proclamation.

Terry Cutright introduced Corporal Charles “C.J.” Day III and made a presentation of a “Certificate of Recognition” in honor of being named West Virginia Prevention Resource Officer (PRO) of the Year. Commissioners expressed their appreciation and commended Corporal Day for his achievement.

Bernard Keating, appearing before the Commission on behalf of the Mountain Lakes Preservation Alliance, City of Buckhannon, WV Rivers and Buckhannon River Watershed Association and provided information concerning the upcoming “Water Celebration” event to be held on August 24 at the Riverwalk/Riverfront Park from 5:30 to 8:00 p.m. (copy included). The event will feature speakers, vendors, canoeing, kid’s activities and entertainment in order to highlight the importance of clean water. Mr. Keating presented a request for a monetary donation to help fund the event. Commissioners commended the organizations for their efforts, however, after discussion, Troy A. Brady made a motion to deny the donation request which died for a lack of second. Commissioner Brady pointed out that personal donations would be more appropriate. Terry Cutright suggested a gift/donation of pool passes for fund raising/door prizes. After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved a donation of 10-one day pool passes for the 2018 Swim Season.

The Commission approved all invoices for payment (copies included)

The Commission approved all Vacation Orders.

The Commission approved the following “Settlements” (copies included):

- Donald L. Bowyer—Final Settlement Waiver
- Areta Carol Burnside—Final Settlement Waiver
- Dale L. Karickhoff—Final Settlement Waiver
- Patricia Lou Kelley—Final Settlement Waiver
- James D. Leaseburge—Final Settlement Waiver
- Sharron L. Miller—Final Settlement Waiver
- Molly Agnes Shaver—Final Settlement Waiver
- Mary Anna Summers—Final Settlement Waiver

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

- Gregory L. and Mylinda K. Moats—#4162—$17.34
- Legends of Pritt Mtn Inn—#4163—$46.90
- Douglas A. Harsh—#4164—$92.72
- Karen Lee Dye and Stephen Hoyt and Michelle Renea—#4165—$2.20
- Robert Douglas or Daphne D. Johnston—#4166—$60.15
- Thimothy Lee and Brenda or Bethanie Cogar—#4167—$32.57
- Karen Lee Dye and Stephen Hoyt and Michelle Renea—#4168—$2.20

The Commission approved the following “Request to Attend Meeting” (copies included):

- Doyle R. Cutright II- August 9, 2017-August 17, 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 Troy A. Brady, the Commission meeting adjourned at 12:00 p.m.