The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, August 17, 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 Troy A. Brady, seconded by Sam Nolte the Commission approved the regular meeting minutes of August 10, 2017 as submitted.

Terry Cutright provided a review of Agenda Items 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 a letter of support to April Perry, Buckhannon Housing Authority Executive Director, offering support in changing the current numbering system to be in accordance with WV E911 guidelines. The current numbering system for the complex does not provide for easy identification to promote the health, safety and welfare of the citizens of Upshur County relevant to emergency service dispatch (copy included).

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the Natural Gas Pipeline Emergency Response, Upshur County Emergency Operations Plan Functional Annex which “provides agencies within Upshur County with the information needed to assist them with the response and recovery of a Natural Gas Pipeline Emergency” (copy included).

After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Grievance Procedure for Complaints Relating to Suspected Alleged Discrimination on the Basis of Handicapped Status in Upshur County, WV; Section 504 Transition Plan and Self-Evaluation for Compliance with Section 504 of the Rehabilitation Act of 1973.

After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the advertisement/posting of “Request for Proposals, Upshur County Courthouse and Annex Duress Alarm System (copy included). A mandatory pre-bid conference will be held on Thursday, September 7, 2017 at 1:00 p.m. Sealed bids must be received no later than 4:30 p.m. on September 27, 2017 at the Administrative Annex located at 91 W. Main Street, Suite 101. Bid proposals received by the deadline will be opened, read aloud and reviewed during the regular meeting of the Upshur County Commission at 9:15 a.m. on Thursday, September 28, 2017.

After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the FY 2018 WV Community Corrections Grant Contract Agreement and related documents in the amount of $180,000 for the continued operation of a community corrections program in Upshur and Lewis Counties copies included).

After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the resignation of Joseph F. Fealy as member of the Buckhannon Upshur Parks and Recreation Advisory Board, effective August 13, 2017 (copy included).

After discussion, on motion by Troy A. Brady, seconded by Sam Nolte, the Commission approved the resignation of JC Raffety as Citizen Representative on the Upshur County Senior Center Board, effective immediately (copy included).

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

1. Correspondence from Peter E. Brown, VP Operations Mid-Atlantic Region Altice, USA, on behalf of Suddenlink, informing Franchising Authorities that Altice will be introducing two
new residential video packages to provide more simplified, streamlined offerings for consumers, effective August 14, 2017.
2. Lewis-Upshur Animal Control Facility Adoption Financial Transactions for the month of July 2017
3. Upshur County E911 Communication Reports---July 2017
   • Monthly Call Summary Report
   • Monthly Department Summary Report
   • Monthly and YTD Wrecker Report
4. Newsletters and/or Event Notifications
   • Ribbon Cutting Ceremony at TATEEP Unique Boutique on August 21st, at 1:00 p.m.
   • Solar Eclipse Event from 1:00 p.m. to 4:00 p.m. on August 21st at the Chapel Oval of Wesleyan’s Campus
   • Chronic Condition Self-Management Workshop Training from 6:30 p.m. to 9:00 p.m. beginning September 8th at the Ellamore Fire Department
   • Upshur County Family Resource Network August Newsletter
5. Agendas and/or Notice of Meetings:
   • Upshur County Safe Sites & Structures Ordinance Enforcement Bd.-August 10, 2017
   • Upshur County Family Resource Network-August 14, 2017
   • Buckhannon City Council-August 17, 2017
   • Buckhannon-Upshur Chamber of Commerce-August 21, 2017
6. Meeting Minutes:
   • Upshur County Family Resource Network-May 8, 2017
   • Upshur County Family Resource Network-June 12, 2017
   • Upshur County Family Resource Network-July 10, 2017
   • Upshur County Solid Waste Authority-July 10, 2017
   • Elkins Road PSD-July 11, 2017
   • Adrian PSD-July 20, 2017
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
   • 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
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- 08/10/17-7:30 p.m.-Buckhannon VFD
- 08/14/17-12:00 p.m.-Upshur County Family Resource Network
- 08/14/17-4:30 p.m.-Upshur County Solid Waste Authority
- 08/14/17-5:30 p.m.-B-U Recreational Park Advisory Board
- 08/15/17-5:00 p.m.-Upshur County EETAB
- 08/15/17-6:30 p.m.-Upshur County Fire Board
- 08/16/17-7:00 a.m.-Upshur County Development Authority-Executive Board
- 08/16/17-12:00 p.m.- Lewis-Upshur LEPC-Lewis location
- 08/17/17-6:30 p.m.-Upshur County Youth Camp Board
- 08/20/17-6:00 p.m.-Washington District VFD
- 08/21/17-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 08/22/17-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
- 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
8. 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
2. Review of loan proposals for the possible refinancing of the HVAC system located within the Courthouse

The Commission recessed at 9:12 a.m.
The Commission reconvened at 9:15 a.m.

Seth Blake, Pool Director provided an End of Season report on the Buckhannon Upshur Recreation Park Pool. Mr. Blake advised that it was a “good/successful season” with no major safety incidents. Mr. Blake advised that the new chairs and umbrellas were a great addition and held up well and reported that public feedback was very positive. Mr. Blake also reported that the concession stand was run well and felt it was a good decision to bring it back and suggested that modernizing and upgrading the baby pool area will contribute to an even more successful future.

Buckhannon-Upshur High School PRO Officer, Rocky Hebb, appeared before the Commission and provided an update concerning the purchase of a K9 Officer. Corporal Hebb appeared before the Commission on June 8, 2017 and has since obtained further information. Officer Hebb has located a dog at the Shallow Creek Kennel in Sharpsville, Pa. at a cost of $9,250 and advised that training will be held December through January 2018. A deposit of $1,000 will be required. The cost of the K9 officer will be shared 50/50 with the Board of Education. The Commission also discussed the likelihood that Officer Hebb will be changing vehicles soon and discussed the cost of a kennel to transport the K9. After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved the purchase
of the K9 up to $12,000 and to pay the deposit in the amount of $1,000. Corporal Hebb was requested to research if a universal (transport) kennel is available and at what cost.

Chris Barron, representative for the Upshur County EMS and Volunteer Fire Departments, appeared before the Commission and provided a review of the upcoming, Fire Safety Fair, which is planned for October 7th and requested a monetary or prize donation. A location for the event has not yet been determined. Commissioners advised that they were unable to make a monetary donation due to budgetary constraints. After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved a donation of 10-one-day pool passes for the 2018 season. Carrie Wallace advised that there were concession items left over from the pool facility that can also be donated.

The Commission recessed at 9:50 a.m.
The Commission reconvened at 10:00 a.m.

David Godwin, Prosecuting Attorney, appeared before the Commission and provided an update on a settlement option that has been proposed by Appalachian Midstream Services, LLC for taxes owed for years 2014, 2015 and 2016 as approved by the Upshur County Commission during their regularly scheduled meeting on July 27, 2017. Mr. Godwin advised that the settlement proposal is in the amount of $50,000 which is 42% of the $118,000 amount owed. Mr. Godwin advised that the cost of litigation of an appeal would be costly, with the risk of reversal and recommended to accept the settlement proposal. After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved to accept the settlement offer in the amount of $50,000.

Carrie Wallace provided an update/review of the proposals for the possible refinancing of the HVAC system located within the Courthouse. Ms. Wallace advised that proposals were obtained from Citizen’s Bank of WV, Premier Bank, Progressive Bank and First Community Bank-3 options (copy included). After discussion, on motion by Sam Nolte, seconded by Troy A. Brady, the Commission approved refinance option #3 from First Community Bank which will result in a savings of $40,373.40 over a period of twelve years.

The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders.
The Commission approved the following “Settlements” (copies included):
• Roy David Coakley—Final Settlement
• Warren D. Smith—Final Settlement Waiver
• Ernest Lynn Tenney—Final Settlement
• Arabelle Thomason—Final Settlement Waiver
• John Cleetus Ward II—Final Settlement Waiver

The Commission approved the following “Exonerations and/or Refunds” (copies included):
• Henry N. Cole Jr. or Mickalyla Cole—#4169—$25.44
• Jason or Erika Heater—#4170—$10.50
• Tina Quinn—#4171—$2.10
• Cisco Systems Capital Corp—#4172—$123.54
• Ronnie A. Jr. or Kimberly F. Miller or Home Base, Inc. —#4173—$108.74
• Carl J. and Donna R. Starr—#4174—$158.30
• Kip Cottrill—#4175—$22.07
• Superior Car Wash, LLC (#1 Down Town)—#4176—$773.42
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- Superior Car Wash, LLC (#2) — #4177 — $565.54
- Rochelle L. Smith — #4178 — $122.66
- Michael or Tiffany Fitzgerald — #4179 — $170.56
- Richard W. or Virginia Claypool — #4180 — $31.88
- Vanessa D. Chewning — #4181 — $161.20
- Vanessa D. Chewning — #4182 — $142.62
- Vanessa D. Chewning — #4183 — $118.90
- Daniel Scott or Elizabeth Frame — #4184 — Corrective Ticket
- Larry Brown — #4185 — Corrective Ticket
- Michael J. Kowalkoski — #4186 — $2.10
- Michael J. or Sharon Kowalkoski — #4187 — Corrective Ticket

The Commission approved the following “Consolidation of Land Tracts” (copies included):

- Union District — Map 6H Parcel 57.1 blended with Map 6H Parcel 93 to make Map 6H Parcel 93 — Owners, Ellis L. or Robert J. Wagoner
- Union District — Map 6F Parcel 2.7 blended with Map 6F Parcel 2.12 to make Map 6F Parcel 2.7 — Owner, Jeffrey Perkins
- Buckhannon District — Map 4G Parcel 54 blended with Map 4G Parcel 53.1, Map 4G Parcel 53.5 and Map 4G Parcel 53.6 to make Map 4G Parcel 53.1 — Owner, CMH Revocable Trust

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.