The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, March 05, 2015 at 9:00 a.m. JC Raffety called the meeting to order. There were present JC Raffety, Commissioner; Troy A. Brady, Commissioner; Terry Cutright, Commissioner; Carrie Wallace, 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 reading of the minutes, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the regular meeting minutes of February 19, 2015 as submitted.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the Minutes of the Board of Review and Equalization, January 29, 2015 – February 19, 2015.

Todd Gunter, Field Representative for Senator Shelley Moore Capito, did not appear for his scheduled 9:10 a.m. appointment due to inclement weather conditions.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the employment of Dan Boone as full time Animal Control Officer effective March 15, 2015 at the starting rate of $11.00 per hour with an increase to $12.00 per hour after the completion of the required training for the position (copy included).

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the job posting/advertisement for a full time temporary Seasonal Pool Director for the 2015 season of the Buckhannon-Upshur Recreational Park (copy included). Carrie Wallace advised that classes for the required Certified Pool Operator license will be offered on April 18th and 19th and reimbursable to whoever the Commission hires.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the job posting/advertisement for a full time temporary Seasonal Pool Director for the 2015 season of the Buckhannon-Upshur Recreational Park (copy included). Carrie Wallace advised that classes for the required Certified Pool Operator license will be offered on April 18th and 19th and reimbursable to whoever the Commission hires.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the appointment of Philip Petroski as board member of the Adrian Public Service District Board of Directors. Mr. Petroski is to fill an unexpired term, ending on October 31, 2015 (copy included).

JC Raffety reviewed a request from the 2nd Grade Teachers at the Buckhannon Academy Elementary School for a donation of a Summer Pool Pass for a fundraising event (copy included). After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved a donation of ten (10) 1-day passes.

Micah Hitt-Harris, Community Corrections Supervisor, appeared before the Commission and provided an update/status report on the West Virginia Community Corrections Grant Program Application in the amount of $204,676.00 for the 2016 fiscal year and the Cooperative Agreement between the Upshur County Commission, Grantee of Community Corrections Grant Funding and the Lewis County Commission. After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Grant Application and the Cooperative Agreement as requested.

Tim Higgins, Upshur County resident, did not appear for his 9:30 a.m. scheduled appointment due to inclement weather conditions. JC Raffety advised that Mr. Higgins requested that the Commission discuss WV Legislature HB 2208 and SB 109 and “vote no” on these bills. The bills concern the enforcement of local smoking restrictions (copies included). After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved and authorized the President to send a “Letter of Opposition” to the West Virginia State Legislature. Mr. Raffety requested Carrie Wallace to follow up with composing the correspondence.

JC Raffety reviewed the following “For Your Information” items: (copies included).
1. Correspondence from Debbie Thacker-Wilfong regarding the FY 2015-2016 Public Utility Values
2. Correspondence from Circuit Court Judge Reger regarding Courthouse Closure Protocol
3. Correspondence from Carol Jordan, WV CoRP, regarding the 2015-2016 Workers’ Compensation Experience Modification Factor
4. Correspondence from SuddenLink Communications regarding an increase in rates, effective with customers’ April 2015 billing cycle
5. Correspondence from J. Burton Hunter III regarding Family Court Security concerns
6. Correspondence from West Virginia Division of Labor offering workplace coverage under the WV Occupational Safety and Health Act
7. Correspondence from Steptoe & Johnson requesting a Board of Assessment Appeals hearing in October, 2015 on behalf of CNX Gas Company, LLC
8. Correspondence from Office of the Governor regarding National Disaster Resilience Competition Notice of Public Hearing and Invitation to Comment on Phase I Application
9. Notice of Hearing for Bertha Virginia Smith Estate on April 9, 2015 at 1:00 p.m.
10. Lewis-Upshur Animal Control Facility Adoption Financial Transactions---January 2015
11. NACo Prescription Drug Discount Program---January 2015
13. Building Permits, February 2015
14. Family Resource Network Calendar of Events---March 2015
15. Agendas and/or Notice of Meetings:
   - Buckhannon Upshur Airport Authority---February 23, 2015
   - Buckhannon City Council---Town Hall Meeting---March 3, 2015
   - Family Resource Network---March 9, 2015
   - Solid Waste Authority---March 9, 2015
16. Meeting Minutes:
   - Adrian Public Service District---January 8, 2015
   - Fire Board---January 20, 2015
   - Fire Board Special Meeting---January 27, 2015
   - Family Resource Network---February 9, 2015
   - Citizen Corp Council---February 11, 2015
17. Meetings:
   - 03/05/2015-7:00 p.m.-Banks District VFD
   - 03/05/2015-7:00 p.m.-Selbyville VFD
   - 03/03/2015-6:00 p.m.-Hodgesville PSD
   - 03/03/2015-5:30 p.m.-Elkins Road PSD--Cancelled
   - 03/11/2015-12:00 p.m.-Upshur County Senior Center Board
   - 03/11/2015-1:30 p.m.-Upshur County Conventions & Visitors Bureau-UCDA Office
   - 03/11/2015-6:00 p.m.-Upshur County Citizens Corp - CERT
   - 03/11/2015-7:30 p.m.-Warren District VFD
   - 03/12/2015-7:00 p.m.-Adrian PSD
   - 03/12/2015-3:00 p.m.-Tennerton PSD
   - 03/12/2015-4:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   - 03/12/2015-7:30 p.m.-Buckhannon VFD
   - 03/12/2015-7:00 a.m.-Buckhannon Upshur Airport Authority---meeting at airport
   - 03/09/2015-12:00 p.m.-Upshur County Family Resource Network
   - 03/09/2015-4:30 p.m.-Upshur County Solid Waste Authority
   - 03/09/2015-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
   - 03/09/2015-6:00 p.m.-Lewis-Upshur Community Corrections Board
   - 03/04/2015-6:00 p.m.-Buckhannon-Upshur Watershed Association
   - 03/17/2015-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
   - 03/10/2015-1:00 p.m.-Adrian VFD
   - 03/11/2015-7:00 p.m.-Ellamore VFD
   - 03/18/2015-7:00 p.m.-Lewis Upshur LEPC
   - 03/19/2015-6:30 p.m.-Upshur County Youth Camp Board
   - 03/17/2015-6:30 p.m.-Upshur County Fire Board
   - 03/11/2015-7:00 a.m.-Upshur County Development Authority – Exec. Board
   - 03/15/2015-6:00 p.m.-Washington District VFD
   - 03/16/2015-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
   - 03/17/2015-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
   - 03/17/2015-4:00 p.m.-Upshur County Public Library Board
   - 03/18/2015-7:00 a.m.-Upshur County Development Authority – Full Board
   - 03/26/2015-4:00 p.m.-Upshur County Farmland Preservation
   - 03/23/2014-10:00 a.m.-Mountain CAP of West Virginia, CDC
   - 03/25/2015-10:00 a.m.-James W. Curry Advisory Board
   - TBA—6:00 p.m.-Upshur County Fire Fighters Association
18. Budget Hearing Schedule—Contact Carrie Wallace at clwallace@upshurcounty.org for a detailed list of meeting schedule
• Monday, March 9th beginning at 1:00 p.m.
• Tuesday, March 10th beginning at 9:00 a.m.
• Wednesday- March 11th beginning at 9:00 a.m.
• Thursday- March 12th beginning at 11:00 a.m.
• Friday-1:00 March 13th beginning at 9:00 a.m.

19. Appointments Needed or Upcoming:

• Upshur County Safe Structures and Sites Board-(Vacant Position- 06-30-14)-Community
• Upshur County Enhanced Emergency Telephone Advisory Board-(Vacant Position- 06-30-13)-Community
• Upshur County Civil Service Board-(Vacant Position- 12-31-13)-Commission

JC Raffety reviewed a request from Callie Sams, Buckhannon-Upshur Parks and Recreation Advisory Board representative, for a donation of 4 individual pool passes and 2 family pool passes to be used as prizes at the Buckhannon-Upshur 1st Annual Hometown Olympics to take place June 6 and 7, 2015. Carrie Wallace recommended keeping donations consistent and fair to all with a donation of ten (10) 1-day passes. After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the donation of ten (10) 1-day passes (copy included).

JC Raffety reviewed correspondence from Circuit Court Judge, Jacob E. Reger, concerning a request from Angela Brady to provide parking for magistrate court staff (copy included). After discussion, on motion by Terry Cutright seconded by JC Raffety, the Commission approved the request. Funding for the parking will be provided through the Magistrate Court Fund. (Note: Commissioner Brady excused himself from voting due to conflict of interest)

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the request from Greg Harris, Safe Structures and Sites Ordinance Enforcement Board representative, for the Commission to order clean up concerning Case number 061214-01 (copy included).

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the approval and acceptance of the quote from Global Science and Technology for the Dell PowerEdge T110 Server in the amount of $1,385.78 (copy included) to be used for the James W. Curry Integrated Library Management System as discussed at a previous County Commission meeting.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the Customer Service Agreement with Book Systems, Inc., in the amount of $7,430.00 for the James W. Curry Integrated Library Management System software warranty, maintenance, support and updates as discussed at a previous County Commission meeting (copy included).

Helen Phillips, Upshur County Assessor, appeared before the Commission and requested to meet in executive session to discuss staffing issues. On motion by Troy A. Brady, seconded by Terry Cutright, the Commission entered executive session per WV Code 6-9A-4 at 9:47 a.m. Present were JC Raffety, Troy A. Brady, Terry Cutright, Carrie Wallace and Helen Phillips. The Commission returned to open session at 10:03 a.m. No decisions were made in executive session.

Helen Phillips announced the resignation of Ann Stewart as full time Deputy Assessor effective March 13, 2015. Ms. Stewart has accepted employment with the WV Supreme Court of Appeals.

Ms. Phillips announced the resignation/retirement of Debbie Barnes as full time Deputy Assessor effective April 30, 2015.

Ms. Phillips then announced her own resignation/retirement effective March 31, 2015. Commissioners Raffety, Brady and Cutright commented that Ms. Stewart, Ms. Barnes and Ms. Phillips all will be greatly missed and wished “Good Luck” to all.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved agenda item #10, advertisement for the full time positions in the Office of the Upshur County Assessor. Applications must be returned on or before Monday, March 15, 2015.
Carrie Wallace requested the presence of Greg Harris, Director of Facilities Operations, for the opening of Grounds Keeping bids.

The Commission recessed at 10:13 a.m.

The Commission reconvened at 10:18 a.m.

At 10:18 a.m. Carrie Wallace opened bids for Upshur County Grounds Keeping. The following bids were received (copies included): Happy Grass Lawn Care in the amount of $20,420 (less $2600 for Wellness Complex)=$17,820; Lawn Crafters in the amount of $46,162.50 (less Wellness Complex)=$40,312.50 and Sam’s Lawn and Garden in the amount of $21,690 (less $3,900 for Wellness Complex)= $17,790. Mr. Harris stated that all bids were in compliance with requirements and recommended approving the low bid which was received from Sam’s Lawn and Garden in the amount of $17,790. After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the acceptance of the bid from Sam’s Lawn and Garden.

Kammie Markwood, former E911 Tele communicator did not appear for her scheduled 10:30 a.m. appointment due to inclement weather conditions and will be rescheduled to appear at a future meeting.

After receiving word from Circuit Court Judge, Jacob E. Reger, that the Court would be closing due to inclement weather conditions, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the closing of the Courthouse and Annex and the immediate dismissal of all non-essential personnel for the rest of the day.

Greg Harris provided an update on maintenance concerns.

The Commission approved all invoices for payment: (copies included)

The Commission approved all Vacation Orders.

The Commission approved the following Settlements:

- George E Ball-Final Settlement
- Brian David Caynor-Final Settlement
- Wilbert L. Jeffries-Final Settlement
- John Andrew Lewis-Final Settlement
- Pamela Lea McCourt-Final Settlement
- Rodney ONeal Rushing-Final Settlement
- Maxine Lorrine Wamsley-Final Settlement
- Dora Grey Winkler-Final Settlement

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

- Raymond J. and Diane E. Hoover--#3554--$104.73
- Steven Luke Dodrill--#3555--$16.98
- Monnie N. or Rebecca Burr--#3556--$63.50

The following “Exonerations and/or Refunds” were voided: (copies included)

- Betsy L. George--#3550--$47.24
- Betsy L. George--#3551--$36.78

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

- Terri Jo Bennett-June 15-17, 2015

With no further business, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission meeting adjourned at 11:50 a.m.