The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, July 09, 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 L. Wallace, County Administrator; Tabatha R. 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 reading of the minutes, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the regular meeting minutes of July 02, 2015, as submitted.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the employment of Shelia Adams as part time E911 Tele Communicator as recommended by Steven M. Linger, E911 Communications Center Director (copy included).

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the employment of Christina M. Pickens as part time E911 Tele Communicator as recommended by Steven M. Linger, E911 Communications Center Director (copy included). Effective date of employment is July 19, 2015.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the employment of Tyler A. Gordon as a Probationary Deputy Sheriff, effective July 12, 2015 at the rate of $17.00 per hour, increasing to $17.31 per hour on completion of training at the West Virginia State Police Academy as recommended by David H. Coffman, Sheriff (copy included).

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the temporary part time employment of Shelia Adams at a salary of $500 per week effective on July 19, 2015 (copy included). Ms. Adams will work not more than 30 hours per week to train her replacement as Chief Tax Deputy. Her employment will terminate on or before December 26, 2015. This agreement is subject to cancellation by written correspondence by either party.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the employment of Christina M. Pickens as part time E911 Tele Communicator as recommended by Steven M. Linger, E911 Communications Center Director (copy included). Effective date of employment is July 19, 2015 at the rate of $11.00 per hour for not more than 29.5 hours per week.

Doyle Tenney, IBEW Local 596 Journeymen Electrician and Mike Bickel, Upshur County resident appeared before the Commission and expressed their concerns regarding the decision of the Upshur County Commission to not pay “prevailing wage” to workers on construction projects costing $500,000 or less as was approved by the State Legislature. Mr. Tenney presented data and statistics to support his claim that the payment of the “prevailing wage” would not costing $500,000 or less saving taxpayers money. After discussion, JC Raffety advised that the Commission based their decision on what they felt was best for the county. Mr. Raffety commended Mr. Tenney and Mr. Bickel for expressing their views and encouraged them to make changes through the democratic/legislative process.

The Commission recessed at 10:00 a.m.

The Commission reconvened at 10:10 a.m.

JC Raffety reviewed correspondence from Lauren Ragland, WVMATTERS representative, and advised that James Farrell, Office of Emergency Management Director, has responded to the questions relative to Emergency Planning and Water Quality regarding the Atlantic Coast Pipeline and Mountain Valley Pipeline (copy included). (Note: no action was required by the Commission)

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the West Virginia Division of Highways, Structures Division General Sketch Sheet for repairs to the Youth Camp Girder Bridge (copy included).

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the “Notice” dated July 1, 2015, regarding the utilization of the Emergency Operations Center.

JC Raffety reviewed the following “For Your Information” items (copies included):

1. Correspondence from Michael A. Albert, Chairman of the Public Service Commission of West Virginia appointing Jacqueline McDaniels as a member of the Board of Directors of the Upshur County Solid Waste Authority to a term expiring June 30, 2019

2. Correspondence from Charles K. McKinney, Assistant Chief Inspector, Chief Inspector Division of the Office of the State Auditor, enclosing the report on applying agreed-upon procedures of the Upshur County Magistrate Court for the period ending December 31, 2014. Report is available for public review in the Office of the Upshur County Commission.

3. Correspondence from Governor Earl Ray Tomblin approving a STOP Violence Against Women Act grant award in the amount of $30,700

4. Correspondence from Governor Earl Ray Tomblin approving Community Corrections program grant award in the amount of $204,676
5. Upshur County Tobacco Prevention Coalition-“Economic Impact of Cigarette Butt Litter” article.
6. Upshur County Building Permits—June 2015
7. Invitation to the Upshur County Development Authority Board of Director’s meeting to be held August 5, 2015 at 12:00 p.m.
8. Upshur County Health Department Newsletter—July 2015
9. Agendas and/or Notice of Meetings: None
10. Meeting Minutes:
   - Upshur County Farmland Protection Board—April 23, 2015
   - Upshur County Farmland Protection Board—May 28, 2015
11. Meetings:
   - 07/02/15-7:00 p.m.-Banks District VFD
   - 07/02/15-7:00 p.m.-Selbyville VFD
   - 07/07/15-6:00 p.m.-Hodgesville PSD
   - 07/07/15-5:30 p.m.-Elkins Road PSD
   - 07/08/15-12:00 p.m.-Upshur County Senior Center Board
   - 07/15/15-1:30 p.m.-Upshur County Conventions & Visitors Bureau-UCDA Office
   - 07/08/15-6:00 p.m.-Upshur County Citizens Corp-CERT
   - 07/08/15-7:00 p.m.-Warren District VFD
   - 07/09/15-1:00 p.m.-Adrian PSD
   - 07/09/15-3:00 p.m.-Tennerton PSD
   - 07/09/15-4:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   - 07/09/15-7:30 p.m.-Buckhannon VFD
   - 07/09/15-4:00 p.m.-B-U Airport Authority—meeting held at Airport
   - 07/13/15-12:00 p.m.-Upshur County Family Resource Network
   - 07/13/15-4:30 p.m.-Upshur County Solid Waste Authority
   - 07/13/15-6:00 p.m.-B-U Recreational Park Advisory Board
   - 07/13/15-6:00 p.m.-Lewis-Upshur Community Corrections Board
   - 07/01/15-6:00 p.m.-Buckhannon River Watershed Association
   - 07/21/15-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
   - 07/14/15-7:00 p.m.-Adrian VFD
   - 07/15/15-7:00 p.m.-Ellamore VFD
   - 07/15/15-12:00 p.m.-Lewis Upshur LEPC—Lewis location
   - 07/16/15-6:30 p.m.-Upshur County Youth Camp Board
   - 07/07/15-6:30 p.m.-Upshur County Fire Board—Special Meeting
   - 07/21/15-6:30 p.m.-Upshur County Fire Board—Cancelled
   - 07/15/15-7:00 a.m.-Upshur County Development Authority—Exec. Board
   - 07/19/15-6:00 p.m.-Washington District VFD
   - 07/20/15-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
   - 07/21/15-5:00 p.m.-Upshur County EETAB
   - 07/21/15-4:00 p.m.-Upshur County Public Library Board
   - 07/23/15-4:00 p.m.-Upshur County Farmland Protection Board
   - 07/22/15-10:00 a.m.-James W. Curry Advisory Board
   - TBA: 6:00 p.m.-Upshur County Fire Fighters Association
   - 08/05/15-12:00 p.m.-Upshur County Development Authority Annual Meeting-Event Center Brushy Fork
12. Appointments Needed or Upcoming:
   - Upshur County Safe Structures and Sites Board (Vacant Position-6-30-14)-Community
   - Upshur County Civil Service Board (Vacant Position-12-31-13)-Commission
   - B-U Recreational Park Advisory Board (Vacant Position-06-30-16)-Commission
   - B-U Board of Health (Vacant Position-6-30-15)-Commission
   - Upshur County Fire Board (Vacant Position-6-30-15)-Fire Association Representative
   - Upshur County Youth Camp Board (5-31-15-Thanna Wentz)
   - Upshur County Youth Camp Board (5-31-15-Craig Presar)
   - Upshur County Public Service Districts (7-31-15-Elmer Tenney)-Tennerton PSD
   - B-U Recreational Park Advisory Board (6-30-15-Callie Sams)-City
   - B-U Recreational Park Advisory Board (6-30-15-Tappan Squires)-City
   - B-U Recreational Park Advisory Board (6-30-15-Carl “Robbie” Martin)-Board of Education
The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders.
The Commission approved the following Settlements:
- Robert Conner Rogers-Final Settlement
- James Corbett Tenney-Final Settlement
- Carroll B. Sands-Second Annual Settlement
- James H. Stump-First Annual Settlement
The Commission approved the following “Exonerations and/or Refunds” (copies included):
- Matthew or Rebecca McDaniels-#3617-Corrected Ticket
- Bonnie L. (Hogue) Baxa-#3618-Corrected Ticket
- Terry K. English-#3619-Corrected Ticket
- Automotive Rentals, Inc.-#3620-Corrected Ticket

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the President to sign the “Request for Revision to Approved Budget” to be sent to the Office of the State Auditor for approval (copy included).
The Commission recessed at 12:15 p.m.
The Commission reconvened at 2:00 p.m.

Representatives from Upshur County Emergency Medical Services (UCEMS), Emergency Site Protection, LLC (ESP), Upshur County E911 Communications Center and Upshur County Office of Emergency Management (OEM) appeared before the Commission to discuss moving forward to create a Mutual Aid Agreement between Upshur County EMS and ESP. After discussion, UCEMS representatives, Dirk Burnside and Rebecca Phillips, and ESP representatives, Donald Dulaney and Shane Zimmerman agreed that they could work out the details of a Mutual Aid Agreement that would be satisfactory to all at a separate meeting between the two parties.

Mr. Dulaney expressed concerns that E911 dispatchers were not currently allowed to call ESP for back up services and cited a recent incident in which a major accident had occurred and Lewis County was called instead of ESP. Mr. Dulaney stated that, in this case, ESP would have been closer and would have provided a quicker response to a critical situation.

Becky Phillips expressed concerns about the availability of qualified personnel since ESP, LLC would likely pay more than county government service and expressed that UCEMS could not survive if ESP, LLC takes their business.

Mr. Dulaney reiterated that ESP is not competing with Upshur County. Emergency Site Protection, LLC provides many additional emergency services which include hazardous materials clean up, firefighting support services, CPR training, drug and alcohol testing and equipment rental and services 5 surrounding counties, so that medical transport is not their only source of income. ESP, LLC plans to make Upshur County its regional office, as it is the central location. Mr. Dulaney expressed that he started with EMS in this case, ESP would have “not jump calls, discredit or hurt Upshur County EMS in any way” and advised that ESP policy states that any employee who would “jump” a call would be fired.

Mr. Dulaney discussed getting access to the IRP and SIREN radio frequencies.
Dirk Burnside expressed concerns about the Commission not making use of the services of EETAB (Upshur County Enhanced Emergency Telephone Board) as advisors.
Office of Emergency Management Director, Jim Farrell, discussed listing “One Tier Assets”, and Mr. Dulaney said he would cooperate with that endeavor.
JC Raffety requested a motion to “Authorize Emergency Site Protection, LLC to be a recognized emergency services provider in Upshur County”. After discussion, on motion by Terry Cutright, seconded by Troy A. Brady; motion passed (contingent on receiving Tier 1 information). Recognition of ESP, LLC as a service provider will allow them to access radio frequencies.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission passed a motion to “Identify response time to a call as 3 minutes (standard) with (provider to give) immediate confirmation/acknowledgement”. Parties agreed that if they were going to be “out of service” they would advise E911 and/or alternate service provider.

Steve Linger inquired if ESP, LLC was the requested provider, do they have the authority to call ESP? After discussion, Mr. Dulaney stated that ESP would defer the call to the closest service provider.

JC Raffety left the meeting at 3:00 p.m.
Dirk Burnside offered his services to counsel ESP, LLC in their application process for radio frequency access.
Carrie Wallace inquired if the company does (fire) equipment testing and advised that the County has equipment that ESP may be interested in acquiring. Mr. Zimmerman stated that he will follow up.

With no further business, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission adjourned at 3:35 p.m.