The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, July 16, 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 09, 2015, as submitted.

Carrie Wallace provided a review of the request for approval of a “Blanket Order” to remove all existing resignation letters from the Law Order Books. Ms. Wallace advised that due to “HIPPA” regulations, the information contained in the letters may violate existing laws, so, for the sake of conformity, the letters will be maintained only in personnel files. After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the request.

After review and discussion of the “County Depository Bond of First Community Bank, Bluefield, Virginia to Upshur County Commission (Sheriff of Upshur County) effective July 1, 2015, through June 30, 2016 (copy included), on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved and accepted all of the terms in full, including but not limited to the period, the sum, and the Bank’s option to secure either bond or letter of credit and accept the Bond as presented.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved and authorized the President to sign correspondence to Opal A. Brown, Upshur County resident (copy included), requesting compliance with a property clean up request.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the reappointment of Elmer Tenney to the Tennerton Public Service District Board of Directors as recommended by John V. McGrew, Jr., Chairman. Mr. Tenney’s term will expire on July 31, 2021.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the reappointment of Thanna Wentz as board member of the Upshur County Youth Camp Board. Ms. Wentz’s term will expire on May 31, 2022.

Carrie Wallace reviewed the Grandfathered/Non-Grandfathered Status concerning the provisions of the Affordable Care Act as related to the existing health plan. After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the document and acknowledges that Upshur County does not fall under a grandfathered status (copy included).

JC Raffety reviewed the following “For Your Information” items (copies included):
1. Correspondence from Ron Hooton, District Seven Manager of the WV Department of Transportation, Division of Highways, responding to correspondence from Tabatha Perry, Assistant County Administrator, regarding the request for installation of a traffic control light at the intersection of US Route 33 and Kesling Mill Road in Upshur County. The request will be forwarded to the Traffic Engineering Division for review and evaluation.
2. Upshur County E911 Communication Center Reports—June, 2015
   - Monthly Call Summary Report
   - Monthly Departmental Summary Report
   - Monthly and YTD Wrecker Report
3. Agendas and/or Notice of Meetings:
   - Elkins Road Public Service District—July 14, 2015
   - Upshur County Fire Board—Special Meeting—July 14, 2015
   - City Council of Buckhannon—July 16, 2015
4. Meeting Minutes:
   - Upshur County Fire Board—June 9, 2015
   - Upshur County Fire Board—June 16, 2015
   - Upshur County Fire Board—Special Meeting—June 25, 2015
5. 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
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dy seconded the motion. Commissioners expressed concerns about infringing on citizens personal choices and “where to draw the lines”.

Upshur County Commission to become “Tobacco Free campuses”
to review data and statistics to support their request for all properties owned and operated by Upshur County Commission to become “Tobacco Free campuses” (copy included)

Mr. Edwards expressed that most smokers are respectful of non-smokers. Mr. Edwards expressed that most smokers are respectful of non-smokers. After discussion, Terry Cutright made a motion not to approve the request to make county owned campuses (outdoors) smoke free. Troy A. Brady seconded the motion. Commissioners expressed concerns about infringing on citizens personal choices and “where to draw the lines”.

6. 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 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-Ernest 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
- B-U Recreational Park Advisory Board (6-30-15-Christine Bennett)-Commission
- Upshur County Library Board (6-30-15-Mary Ann Crites)-Board of Education
- Upshur County Convention and Visitor’s Bureau-Commission

Representatives of the Tobacco Prevention Coalition and Upshur County Family Resource Network appeared before the Commission and provided an update/status report concerning “clean air” concerns on county owned properties. Dr. Joseph Reed, Board of Health representative, reviewed data and statistics to support their request for all properties owned and operated by Upshur County Commission to become “Tobacco Free campuses” (copy included) Currently, county owned and operated properties do operate under the “Clean Indoor Regulations”. Rick Edwards, spoke as a private citizen and expressed concerns that non-smokers are having their “rights/privileges” taken away. Mr. Edwards expressed that most smokers are respectful of non-smokers. Tim Higgins and Joyce Harris-Thacker expressed their concerns about the effects of second hand smoke and smokers disrespect of non-smokers. After discussion, Terry Cutright made a motion not to approve the request to make county owned campuses (outdoors) smoke free. Troy A. Brady seconded the motion. Commissioners expressed concerns about infringing on citizens personal choices and “where to draw the lines”.

UPSHUR COUNTY COMMISSION MEETING
July 16, 2015

- 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
- 07/14/15-6:30 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
- 07/23/15-15:4:00 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
Dr. Reed advised that information concerning – quit smoking classes- can be obtained through the Board of Health.

Relay for Life representatives appeared before the Commission and Jewel Fisher read the “Relay for Life of Upshur County Proclamation”. After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the Commission to sign the Proclamation which designates July 2015 as Relay for Life Month in Upshur County. The 18th annual Relay for Life event will be held at the Buckhannon-Upshur Middle School on July 31.

Tappan Squires, Jennifer Bennett and Seth Blake, representatives of the North Central Swim Association Championship Meet appeared before the Commission and provided an “Overview” of the event which took place at the Upshur County Recreational Park pool on July 10th and 11th. Ms. Squires expressed appreciation for the use of the pool for the event and reported on the successes of the 2 day Meet. The event was attended by 228 swimmers. With over 20 records broken for the event overall, Upshur County’s team, the “Splashes” broke 8 records. Greg Harris and the maintenance team were commended for their hard work in getting the pool “in the best shape it has been in years”. Mr. Blake reported that there were no documented incidents and made a power point presentation to the Commissioners showing highlights of the event.

Roy Collins, Upshur County resident, expressed appreciation to the Commission on their stance on the “prevailing wage” matter which has been a topic of discussion at several recent Commission meetings. Mr. Collins also voiced concerns about the requirement for a permit to hunt on Curry property. Mr. Collins stated that no permit is required to hunt on 4H Camp property. Carrie Wallace advised that is not the Commission’s intention to make it harder for hunters but insurance requirements dictate the necessity for permits for the protection of the County. Ms. Wallace advised that she will follow up concerning the 4H property as they should also require hunting permits.

The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders.
The Commission approved the following Settlements:
- Betty Lou Carson--Final
- Edwin C. or Linda J. McClure--#3621--Corrected Ticket
- Beau or Leslie Holley--#3622--Corrected Ticket
- Angela J. or Troy A. Brady III--#3623--Corrected Ticket
- Joshua L. Kelley.--#3624--Corrected Ticket
- Bobbi Jo Withers--#3625--Corrected Ticket
- Bobbi Jo Withers.--#3626--Corrected Ticket

The Commission recessed at 12:00 p.m.

The Commission attended the meeting of the Upshur County Policy Board (minutes included).

The Commission reconvened at 2:45 p.m.

With no further business, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission adjourned at 3:00 p.m.