The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, October 8, 2015, at 9:00 a.m. JC Raffety called the meeting to order. Present were JC Raffety, Commissioner, Troy A. Brady, Commissioner; Terry Cutright, Commissioner; 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.

On motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the regular meeting minutes of October 1, 2015 as submitted.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the reappointment of Albert Lake as James W. Curry Library and Park Advisory Board member (copy included). Mr. Lake’s term expiration will be December 31, 2020.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved a pay increase for Jerry Lewis, full time Case Aide, 26th Judicial Circuit Community Corrections from $10.07 per hour to $11.00 per hour as requested by Rodney Rolenson, Program Director (copy included).

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved a pay increase for Melanie Edmond, full time Community Corrections Case Manager, from $11.80 per hour to $12.40 per hour as requested by Rodney Rolenson (copy included).

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the promotion of Levi S. Heatherly from Part Time Call Center Telecommunicator at his current pay rate effective immediately as requested by Steve Linger, Director (copy included).

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the employment of Amanda Beer-Woody as full time legal assistant at the rate of $11.25 per hour effective October 11, 2015 as requested by David E. Godwin, Prosecuting Attorney (copy included).

Robert Grandusky, Ellamore resident appeared before the Commission and expressed concerns about a lack of cooperation between Randolph and Upshur Counties regarding emergency response in the Ellamore area. Mr. Grandusky’s residence is approximately one mile outside of Upshur County into Randolph County but retains a 472 telephone exchange which is primarily a Buckhannon phone number and, as such, his emergency 911 calls are answered by Upshur County 911. However, being a Randolph County resident, the “first due” responder is Coalton Fire Department, not Ellamore. A 2014 Mutual Aid Agreement between the Fire Departments apparently addresses only structure and/or brush fires and motor vehicle accidents, and not residential health or accident circumstances. According to the agreement, an Upshur County fire department can only respond if and when a Randolph County fire department requests them to. Mr. Grandusky believes that the slow response time from the Coalton Fire Department was, at least in part, a contributing factor in the recent death of his wife. Mr. Grandusky is requesting the Upshur County Commission to meet with Randolph County officials to work out a “common sense” agreement to ensure the safety and well-being of Ellamore residents.

Steve Linger, E911 Communications Center Director, stated that Upshur County took the call but Coalton/Ellamore FD’s Mutual Aid Agreement on file at the Upshur County E911 Center states that they could not dispatch into Randolph County without being requested by Coalton Fire Department. A Mutual Aid Agreement between UCEMS and RCEMS stating the same is also on file. In addition, the “Comm Center” does not have any maps for roads outside of Upshur County. Mr. Grandusky noted that there may have been some confusion about the location of the residence.

Donald Dulaney, Emergency Site Protection, LLC representative stated that he did not believe that there is any law which prohibits emergency services from crossing county lines.

JC Raffety advised that Randolph County has the ultimate authority concerning emergency dispatch for their county, but the Upshur County Commission will do whatever it can to work out a “common sense” agreement. Carrie Wallace was requested to follow up with setting up a meeting with officials and authorities. Mr. Grandusky advised that he will also meet with the Randolph County Commission.

Alicia, Tom and Avery Thacker, Upshur County residents, appeared before the Commission and Alicia read the “Liver Awareness Month” Proclamation. Mrs. Thacker provided a status report and reviewed statistics concerning the incidence of liver disease. Mr. and Mrs. Thacker’s daughter, Avery, was diagnosed with liver disease only months after birth and received a very successful lifesaving liver transplant. Mrs. Thacker reported that her daughters’ health has greatly improved and she is thriving. 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 October as “Liver Awareness Month” in Upshur County. Mrs.
Thacker encouraged residents to wear a green ribbon for Liver Awareness next to their pink ribbons for Breast Cancer awareness and to consider organ donation.

JC Raffety provided a review and second reading of an ORDINANCE GRANTING A RENEWAL FRANCHISE TO CEQUEL III COMMUNICATIONS II, LLC, A DELAWARE LIMITED LIABILITY COMPANY DOING BUSINESS AS SUDDENLINK COMMUNICATIONS, TO OPERATE AND MAINTAIN A CABLE SYSTEM IN THE COUNTY OF UPSHUR, WEST VIRGINIA; AND SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF FRANCHISE; SUPERSEDING ALL PREVIOUS FRANCHISE ORDINANCES FOR THE COUNTY COMMISSION OF UPSHUR COUNTY (copy included).

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the employment of Cheyenne Walters as full time Project Director for the 26th Judicial Circuit Community Corrections for a 90 day probationary period as requested by Rodney Rolenson, Program Director. Effective date of employment is October 11, 2015 at the rate of $14.50 per hour (copy included).

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved Angela Elizabeth Thompson as volunteer for the Lewis-Upshur Animal Control Facility.

JC Raffety commented that after a recent visit to the facility with his granddaughter, he was very impressed with its cleanliness and efficient operation.

Rick Edwards, City of Buckhannon’s Mayor, expressed interest in the City working with the Upshur and Lewis County Commissions and help with funding to make improvements to the Lewis-Upshur Animal Control Facility and its operations. Mayor Edwards proposed that more space could be added to the facility as well as additional Animal Control Officers and expressed an eventual objective to make the facility a “no kill” shelter. JC Raffety requested Carrie Wallace to follow up with scheduling a meeting with the City, County and Animal Control representatives.

JC Raffety provided a review of the “Disruptive Behavior Policy” for the Upshur County Courthouse and Annex. After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the adoption and posting of the policy.

JC Raffety reviewed correspondence to property owners who have not previously complied with Safe Structures and Sites Ordinance Advisory Board notifications to correct unsafe and/or unhealthy conditions of their properties. After discussion, on motion by Terry Cutright seconded by Troy A. Brady, the Commission approved and authorized the Commission to sign the “final notice” correspondence to the following County residents: Philip Lantz, Danny and Shirley Heater, John and Rita Simons, Amy W. Tenney, Larry Cogar and Rick W. Carrier, Jr. (copies included). Carrie Wallace advised that if property owners do not take “corrective action”, the Commission can bring the property into compliance and place a lien on the property for the amount of the cost. Property owners must reply by November 10, 2015.

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

1. “Thank You” letter from the Upshur County Family Resource Network and Stockert Youth Center in regards to the 2015 Upshur County Children’s Festival

2. Correspondence from Sara E. Miller, Justice Programs Specialist, Division of Justice and Community Services, notifying applicants that they have been recommended for funding for the upcoming fiscal year; however this is not an official award. The recommendations for the award from the Office for Victims of Crime are contingent upon the Governor approving and awarding the grants

3. James W. Curry Public Library Calendar of Events—October 2015

4. Upshur County Family Resource Network Newsletter—October 2015

5. Agendas and/or Notice of Meetings:
   - Upshur County Family Resource Network — October 5, 2015
   - 26th Judicial Community Corrections—October 5, 2015
   - Elkins Road Public Service District—October 6, 2015

6. Meeting Minutes:
   - Upshur County Family Resource Network—September 14, 2015
   - Upshur County Family Resource Network-Director’s Report—September 2015

7. Meetings:
   - 10/01/15-7:00 p.m.-Banks District VFD
   - 10/01/15-7:00 p.m.-Selbyville VFD
   - 10/06/15-6:00 p.m.-Hodgesville PSD
   - 10/06/15-5:30 p.m.-Elkins Road PSD
   - 10/14/15-12:00 p.m.-Upshur County Senior Center Board
   - 10/14/15-1:30 p.m.-Upshur County Conventions & Visitors Bureau—UCDA Office
   - 10/14/15-6:00 p.m.-Upshur County Citizens Corp-CERT
   - 10/14/15-7:00 p.m.-Warren District VFD
10/08/15-1:00 p.m.-Adrian PSD
10/08/15-3:00 p.m.-Tennerton PSD
10/08/15-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Board
10/08/15-7:30 p.m.-Buckhannon VFD
10/08/15-4:00 p.m.-B-U Airport Authority—meeting held at Airport
10/12/15-12:00 p.m.-Upshur County Family Resource Network-Cancelled
10/05/15-12:00 p.m.-Upshur County Family Resource Network-Special Meeting
10/12/15-4:30 p.m.-Upshur County Solid Waste Authority
10/12/15-6:00 p.m.-B-U Recreational Park Advisory Board-Cancelled
10/19/15-6:00 p.m.-B-U Recreational Park Advisory Board-Special Meeting
10/14/15-6:00 p.m.-Lewis-Upshur Community Corrections Board-Cancelled
10/13/15-6:00 p.m.-Lewis-Upshur Community Corrections Board-Special Meeting
10/07/15-6:00 p.m.-Buckhannon River Watershed Association
10/20/15-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
10/13/15-7:00 p.m.-Adrian VFD
10/21/15-7:00 p.m.-Elliott VFD
10/21/15-12:00 p.m.-Lewis Upshur LEPC—Lewis location
10/18/15-6:30 p.m.-Upshur County Youth Camp Board
10/20/15-6:30 p.m.-Upshur County Fire Board
10/21/15-7:00 a.m.-Upshur County Development Authority
10/07/15-7:00 a.m.-Upshur County Development Authority--Exec. Board
10/18/15-6:00 p.m.-Washington District VFD
10/19/15-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
10/20/15-5:00 p.m.-Upshur County EETAB
10/13/15-4:00 p.m.-Upshur County Public Library Board
10/22/15-3:30 p.m.-Upshur County Farmland Protection Board
10/28/15-10:00 a.m.-James W. Curry Advisory Board
TBA-6:00 p.m.- Upshur County Fire Fighters Association
10/15/15-6:00 p.m.-Buckhannon Upshur Board of Health
10/26/15-10:00 a.m.-Mountain CAP of West Virginia, CDC

8. Appointments Needed or Upcoming:
   - Upshur Fire Board (Vacant Position-6-30-16)-1st District Community Representative
   - Sourcewater Protection Committee-County Representative-Must be PSD board member or employee
   - Upshur County Farmland Preservation Board (Vacant Position-06-30-15)-At Large-Non Farming

The Commission approved all invoices for payment (copies included).
The Commission approved all Vacation Orders.
The Commission approved the following “Settlements”:
   - Dorothy Ann Bowyer-Final
   - Roger Lynn Casto-Final
   - Donna Sue Gould-Final
   - Audrey Thelma Warner-Final

The Commission approved the following “Exonerations and/or Refunds” (copies included):
   - Fred A. Small.—#3724--Corrected Ticket
   - Travis or Betheny L. Mallett (Nethken)—#3725--Corrected Ticket (duplicate)
   - Travis or Betheny L. Mallett (Nethken)—#3726--Corrected Ticket (duplicate)

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

The Commission approved the following “Consolidation of Land Tracts” (copies included)
   - Buckhannon Corporation—Map 7 Parcel 217 with Map 7 Parcel 218 and Map 7 Parcel 219.1 to make Map 7 Parcel 217—owners Anna Louise Young Livesay and Michael Livesay

With no further business, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission adjourned at 12:10 p.m.