

**Upshur County Commission  
Meeting Agenda**

Agenda packets are available electronically at [http://www.upshurcounty.org/agenda\\_and\\_minutes/index.php](http://www.upshurcounty.org/agenda_and_minutes/index.php) or by request to the Upshur County Commission Office at 304-472-0535

Location of Meeting:           Upshur County Courthouse Annex  
Date of Meeting:               July 13, 2017

9:00 a.m.           Moment of Silent Meditation --- Pledge of Allegiance  
                          Approval of Minutes:  
                          • June 29, 2017

**Scheduled Appointments:**

9:15 a.m.           Jackie Heroman with the Make-A-Wish Foundation – Discuss “Walk for Wishes Event” to be held on September 30<sup>th</sup>.

1:30 p.m.           Presentation of Certificate of Recognition to those who participated in the “Lowe’s Give Back Time” Project at the Buckhannon-Upshur Recreational Park

**Items for Discussion / Action / Approval:**

1. Order to approve the Number of Election Officials and Election Commissioners for the October 7, 2017 Special Election (Road Bond).
2. Order to approve the Number of Sets of Emergency Absentee Voting Commissioners for the October 7, 2017 Special Election (Road Bond).
3. Approval of Recommendation to Clarify Title in the Committee of Levonda James Samples as submitted by Daya Masada Wright, Fiduciary Commissioner. The Fiduciary Commissioner recommends that the title of Jimmie G. Samples, Sr. be clarified as “Committee”.
4. Review and signature of correspondence to Tony O’Leary, Community Development Representative, enclosing Community Development Block Grant – Small Cities Block Grant Request for Payment for the Elkins Road PSD Phase III Water System Improvements in the amount of \$18,993. This is for drawdown request # 1.
5. Approval and signature of letter of support for the BRWA’s Swamp Run Project as recommended by G. Paul Richter, BRWA WCAP Administrator’s correspondence dated June 26, 2017. This letter is intended to be used in BRWA’s application for funds through the Office of Surface Mining Reclamation and Enforcement’s Watershed Cooperative Agreement Program to treat acidic mine drainage-remediation on Swamp Run.
6. Approval and signature of letter to Fulton Financial Advisors regarding James W. Curry’s Revocable Trust Agreement. After unanimous recommendation of the Advisory Board, the Commission is requesting the consideration of disbursing an additional ten percent of the interest earned in FY 17 to each the James W. Curry Library and the Park based on the improvements that have been made to both facilities.

7. Correspondence from Brian Cooper, WV DOT Division of Highways District Seven Manager, regarding the current lease with the Division of Highways for the Tallmansville Radio Tower. The lease term is scheduled to expire on September 1, 2017. Approval of signature to renew the referenced lease with the WV DOT Division of Highways for another five year term.
8. Correspondence from Judith L. Williams, Director of James W. Curry Public Library, requesting approval of the expenditure of \$175 payable to Skateland for rink rental on August 1<sup>st</sup>. This is for the grand finale event for the "Build a Better World" and "Curry Keva Club" summer reading programs.
9. Correspondence from Joseph B. Reed, MD requesting the Commission to consider ways to promote the concept of "Go Green" for all new construction, starting with the new building expected to be built in downtown Buckhannon with the grant funding obtained by the Upshur County Development Authority. Dr. Reed suggests reducing permitting fees, conducting a general cost analysis of alternative choices and involving environmental advocates in the deliberations.
10. Approval of advertisement for evening open swim on July 26, 2017 from 6:00 p.m. to 10:00 p.m.
11. Approval of Carrie Wallace's signature of the Community Work Experience Program (CWEP) Contract Between West Virginia Department of Health and Human Resources and Upshur County Commission as the contractor representative – effective July 1, 2017 through June 30, 2018.
12. Approval of Carrie Wallace's signature of the Joint Opportunities for Independence (JOIN) Contract Between West Virginia Department of Health and Human Resources and Upshur County Commission as the contractor representative – effective July 1, 2017 through June 30, 2018.
13. Approval and signature of the Grant Offer for Airport Improvement Program Project No. 3-54-0039-031-2017 at the Upshur County Regional Airport in Buckhannon, WV. The project consists of undertaking the design phase of a project to construct a general aviation terminal building. The Federal Aviation Administration, for and on behalf of the United States, offers and agrees to pay 90% of the allowable costs with the maximum obligation amount payable being \$60,181.
14. Correspondence from Steve Butler, Upshur County Farmland Protection Board Chairman, requesting the appointment of Arely Robinson. Upon approval, Mr. Robinson would replace Mr. Butler as farm bureau member, his term would begin July 1, 2017 and expire on June 30, 2021.
15. Correspondence from Joe Gower requesting consideration to be appointed as a community representative in the 3<sup>rd</sup> Magisterial District on the Upshur County Fire Board, Inc. Upon approval, Mr. Gower's term would be effective July 1, 2017 and expire on June 30, 2020.
16. Correspondence from Elizabeth E. Kelley, for the 26<sup>th</sup> Judicial Circuit Community Corrections Day Report Center Upshur County office, announcing her resignation, effective July 6, 2017.  
*Item may lead to Executive Session per WV Code §6-9A-4*
17. Review and approval of request for employment of Kelly Bowyer as a part-time case aide for the 26<sup>th</sup> Judicial Circuit Community Corrections Day Report Center Upshur County office, effective July 17, 2017; pending background check results. Upon approval, her rate of pay will be \$10.00 per hour and she will work up to 19.5 hours per week.

18. Correspondence from Tabatha R. Perry, Assistant Administrator, announcing the resignation of Haley Williams, BU Recreational Park lifeguard, effective June 29, 2017.  
*Item may lead to Executive Session per WV Code §6-9A-4*
19. Correspondence from Amy E. Arbogast, E911 Communications Center telecommunicator, announcing her resignation, effective July 7, 2017.  
*Item may lead to Executive Session per WV Code §6-9A-4*
20. Approval of Application for Donated Leave  
*Item may lead to Executive Session per WV Code §6-9A-4*
21. Approval of granting leave under the Family and Medical Leave Act  
*Item may lead to Executive Session per WV Code §6-9A-4*
22. Approve Invoices for Payment, Purchase Card Invoices for Payment, Budget Revisions / Financial Reports or Information, Correction of Erroneous Assessments, Exonerations/Refunds, Grant Updates / Requests for Reimbursements, Final Settlements, Vacation Orders, Consolidation of Land Tracts, Facility Maintenance Concerns or Updates, Road Name Requests, Project Reports / Updates, Request to Attend Meetings, Request for Day(s) Off.

**For Your Information:**

**(Certain Items May Require Discussion, Action and/or Approval by the Commission)**

1. Public Service Commission of WV Commission Order issued June 22, 2017 regarding wireless enhanced 911 fees. This Order increases the wireless enhanced 911 fee from \$3 to \$3.34 per month, per subscriber, to become effective July 1, 2017.
2. Correspondence from Gary Duffield dated June 21, 2017 enclosing a letter that he sent to the Banks District Volunteer Fire Department asking for the specific reason(s) as to why his membership was terminated.
3. Upshur County E911 Communication Reports --- May and June 2017
  - Monthly Call Summary Report
  - Monthly Department Summary Report
  - Monthly and YTD Wrecker Report
4. Correspondence from Tabatha R. Perry, Assistant Administrator, to Thomas Moates regarding his property located in Warren Tax District – Tax Map 6C – Parcel Number 4. During a regularly scheduled Commission Meeting conducted on June 22, 2017, the Commission moved to grant Mr. Moates a 60 day extension to bring the property into full compliance with the Ordinance.
5. Upshur County Sheriff's Financial Statement for Period Ending May 2017
6. Upshur County Animal Control/Humane Officer Dog Report – June 2017
7. Lewis-Upshur Animal Control Facility Cat Report – June 2017
8. Upshur County Building Permits – June 2017

9. Appointments Needed or Upcoming:

- Wes-Mon-Ty Resource Conservation & Development Council (2 year term) – Commission Representative
- Upshur County Fire Board (Community Representative – 2<sup>nd</sup> District) – June 30, 2018

Newsletters and/or Event Notifications, Agendas and/or Notices of Meetings, Meeting Minutes and Scheduled Meetings can all be found by visiting: [http://www.upshurcounty.org/agenda\\_and\\_minutes/index.php](http://www.upshurcounty.org/agenda_and_minutes/index.php)

**Tabled Items**

**(Certain Items May Require Discussion, Action and/or Approval by the Commission)**

1. US Census Bureau local updated census address project

**Next Regular Meeting of the Upshur County Commission  
July 20, 2017 --- 9:00 a.m.  
Upshur County Courthouse Annex**