

UPSHUR COUNTY COMMISSION MEETING

February 8, 2018

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, February 8, 2018 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commissioner; Troy A. Brady, Commissioner; Terry Cutright, Commissioner, Carol Smith, Upshur County Clerk; Carrie Wallace, Upshur 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.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved the regular meeting minutes of February 1, 2018 as submitted.

Ginny Dixon, Upshur County Family Resource Network and Tobacco Prevention Coalition representative appeared before the Commission and read the "Through with Chew Week" proclamation which designates February 19th through 23rd as "Through with Chew Week" in Upshur County (copy included). The proclamation cites statistics concerning the physical and financial cost of the usage of smokeless tobacco throughout West Virginia and the United States and encourages users to "quit for at least one day". After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved and authorized the signing of the proclamation. Dr. Joseph Reed provided a handout of statistical data (copy included).

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Small Cities Block Grant #16SCBG0008, Elkins Road PSD Phase III Water System Improvements Project, drawdown request #6 in the amount of \$9,264.00 to be submitted to Todd Goddard, Community Development Representative (copy included).

Sam Nolte reviewed correspondence from Joseph N. Geiger, Jr., Director of the WV Archives and History, announcing the award of \$10,000 to be used by the Circuit Clerk's office to digitize chancery and law case files, and the award of \$955 to be used by the Assessor's office to purchase a color scanner. (No action required) The correspondence also requests a response with the Commission's intent to pursue the records project.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved and authorized the President to sign an agreement for contracting housecleaning work with Jane Cutlip of Quality Home and Office Cleaning for the Courthouse, Administrative Annex and Communications Center. These services will be provided on a temporary basis for up to twelve weeks while additional quotes are received and the vacant housekeeper position is advertised (copy on file in the Office of the Upshur County Commission).

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the President to sign the revised Professional Services Agreement between the Upshur County Commission and the Region VII Planning and Development Council to obtain GIS professional services to assist with the telephone conversion portion of the addressing and mapping project. The project is expected to be completed no later than June 30, 2018 and the cost is not to exceed \$10,000.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved the signing of an Order (copy included) declaring opioid issues in Upshur County as a public nuisance, as permitted by WV Code §7-1-3kk. The Upshur County Commission shall take any and all actions which it deems proper and necessary to abate the public nuisance caused by the opioid crisis, including the filing of a legal action against any responsible parties.

After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the Contingent Fee Contract with Fitzsimmons Law Firm

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PLLC (copy included). This contract authorizes Fitzsimmons Law Firm PLLC “to take charge and prosecute by claim or suit for damages to final determination by all necessary legal proceedings or by compromise or settlement a claim for damages caused by the opioid epidemic against certain pharmaceutical manufacturers, distributors, suppliers and all others who may be potentially liable.”

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the President to sign correspondence to Ms. Connie Boley-Lilly with the Federal Aviation Administration requesting a change in the designation of direct deposit account for FAA grant funding for the Upshur County Regional Airport (copy included).

Sam Nolte reviewed the following “For Your Information” items:

1. Correspondence from Governor Jim Justice committing the remaining one million two hundred sixteen thousand five hundred sixty six dollars (\$1,216,566) from the State’s FY 2017 CDBG allocation for the Elkins Road PSD, Phase III Water System Improvement Project.
2. U.S. EPA Brownfields Grant Quarterly Progress Report for period October 1, 2017 through December 31, 2017.
3. WV Courthouse Facilities Improvement Authority Fund Progress Report for period October 31, 2017 through January 20, 2018.
4. Atlantic Coast Pipeline Construction Update – January 2018
5. Newsletters and/or Event Notifications:
 - CAHHS, Inc. Community Lecture Series hosted by Rescare-February 15th from 12 p.m. to 4 p.m. at the Best Western in Bridgeport
6. Agendas and/or Notice of Meetings:
 - Elkins Road PSD-February 6, 2018
 - Upshur County Public Library-February 13, 2018
 - Buckhannon-Upshur Airport Authority-February 8, 2018
 - Upshur County Safe Structures and Sites Enforcement Board-February 8, 2018
 - Upshur County Solid Waste Authority-February 12, 2018
 - City Council of Buckhannon-Special Session-February 27, 2018
7. Meeting Minutes: (none)
8. Meetings:
 - 02/01/18-7:00 p.m.-Banks District VFD
 - 02/01/18-7:00 p.m.-Selbyville VFD
 - 02/06/18-5:30 p.m.-Elkins Road PSD
 - 02/06/18-4:00 p.m.-Hodgesville PSD
 - 02/08/18-1:00 p.m.-Adrian PSD
 - 02/08/18-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 02/08/18-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Board
 - 02/08/18-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 02/08/18-7:30 p.m.-Buckhannon VFD
 - 02/12/18-12:00 p.m.-Upshur County Family Resource Network
 - 02/12/18-4:30 p.m. -Upshur County Solid Waste Authority
 - 02/12/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 02/13/18-4:00 p.m.-Upshur County Public Library Board
 - 02/13/18-7:30 p.m.-Adrian VFD
 - 02/14/18-12:00 p.m.-Upshur County Senior Center Board

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- 02/14/18-3:00 p.m.-Tennerton PSD
 - 02/14/18-6:00 p.m.-Upshur County Citizens Corp – CERT
 - 02/14/18-7:00 p.m.-Ellamore VFD 02/14/18-7:30 p.m.-Warren District VFD
 - 02/14/18-7:00 p.m.-Buckhannon River Watershed Association - Board of Directors
 - 02/15/18-3:00 p.m.-Upshur County Farmland Protection Board
 - 02/18/18-6:00 p.m.-Washington District VFD
 - 02/19/18-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 02/20/18-6:30 p.m.-Upshur County Fire Board, Inc.
 - 02/20/18-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 02/21/18-7:00 a.m.-Upshur County Development Authority – Executive Board
 - 02/21/18-12:00 p.m.-Lewis Upshur LEPC --- Lewis location
 - 02/22/18-6:30 p.m.-Upshur County Youth Camp Board
 - 02/26/18-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
 - 03/01/18-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 03/05/18-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County
 - 03/28/18-10:00 a.m.-James W. Curry Advisory Board
 - TBD-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
9. Appointments Needed or Upcoming: (none)
10. Board of Review & Equalization Meeting Schedule
- 02/01/2018-1:00 p.m.–3:00 p.m. No appointments ---Review Property Books
 - 02/06/2018-9:00 a.m.–11:00 a.m. Coal, Oil & Gas and Industrial Appointments
 - 02/09/2018-1:00 p.m.–3:00 p.m.
 - 02/14/2018-1:00 p.m.–3:00 p.m.
 - 02/16/2018-9:00 a.m.–11:00 a.m. Adjournment

Carol Smith, Upshur County Clerk, reviewed (2) requests for budget revisions. After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the budget revisions as discussed with a “Request for Revision to Approved Budget” to be sent to the Office of the State Auditor for approval.

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

The Commission approved all Vacation Orders.

The Commission approved the following “Settlements” (copies included):

- Delores Loretta Simmons—Third Annual Settlement
- David Duane Taylor II—Final Settlement Waiver

The Commission recessed at 12:00 p.m.

The Commission reconvened at 1:05 p.m.

The Commission reviewed agenda items for future meetings, received project updates and discussed administrative business items.

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