

## 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: Upshur County Courthouse Annex  
If you prefer to participate by telephone, please dial 1-408-650-3123 Access Code: 272 564 045 to enter the conference call.
- Date of Meeting: February 1, 2024
- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance  
Approval of Minutes:  
  - January 25, 2024
- 9:15 a.m. Open, review, and potential award of bid for one vehicle to be utilized by the Sheriff's Department. \*
- 9:30 a.m. Sheriff J. Michael Coffman –  
 (1) Provide the Upshur County Annual Sheriff's Department Activity Report and the Mountain Region Drug and Violent Crimes Task Force Summary of Activity for FY23.  
Pages 4-6  
 (2) Request the transfer of Danny Sears from Court Security Supervisor to Chief Prevention Resource Officer for the Upshur County Elementary Schools in a temporary capacity, effective February 4, 2024, through December 31, 2024. Upon approval, Mr. Sears will be paid under the guidelines set forth in the Memorandum of Understanding with the Board of Education.  
 \*  
*Item may lead to Executive Session per WV Code §6-9A-4 [Under separate cover](#)*
- 10:00 a.m. Heather Sparks, Chief Tax Deputy, providing final disposition of the 2022 real property taxes.
- 10:15 a.m. Jeremiah McCourt, Upshur County Parks and Recreation Director, providing an update regarding the upcoming season.
- 1:00 p.m. Board of Review and Equalization – Review of Property Books.  
*Will take place at the Upshur County Administrative Annex, 91 West Main Street*

### Items for Discussion / Action / Approval:

1. Approval and signature of two Sworn Statements of Expenditures for funds received from the Division of Justice & Community Services for \$7,992 and \$161,500 for expenditures incurred in FY 2022. \*  
Pages 7-8
2. Adopt Policy Extending Emergency Absentee Voting. \*  
Page 9
3. Order to approve the Number of Election Officials and Election Commissioners for the May 14, 2024 Primary Election. \*  
Page 10

4. Order to approve the Number of Sets of Emergency Absentee Voting Commissioners for the May 14, 2024 Primary Election. \* Page 11
5. Consider authorizing one Commissioner to represent Upshur County on the West Virginia First Regional Governance Board, a private, non-stock, 501(c)(3) charitable corporation set up to fulfill the requirement outlined under the Memorandum of Understanding that details the West Virginia Opioid Settlement disbursement process. \*
6. Consider revising the LUACF Volunteer Form to include provision allowing for removal from the volunteer register if inactive for a period of two years. \* Page 12-16
7. Correspondence from J. Michael Coffman, Sheriff of Upshur County, requesting approval to hire Timothy R. Hinkle, as a fill-in Court Security Officer, effective February 4, 2024. \*  
*Item may lead to Executive Session per WV Code §6-9A-4* [Under separate cover](#)
8. Approval of Meredith R. Cottrell, a West Virginia Wesleyan Service Scholar, to volunteer in the Upshur County Commission Administrative Office. \* [Under separate cover](#)
9. Consider resignation of an employee. \*  
*Item may lead to Executive Session per WV Code §6-9A-4* [Under separate cover](#)
10. 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. Appointment of Ballot Commissioners for a term of two years. Page 17
2. Correspondence from Joseph C. Thornton, Director of the State of West Virginia Department of Homeland Security – Division of Administrative Services, providing a budgeting reminder regarding Jail Per Diem Rates for FY 2025. Page 18
3. Public Notices:
  - a) Newsletters and/or Event Notifications:
    - None
  - b) Agendas and/or Notice of Meetings:
 

• Upshur County Public Library Board of Directors	January 17, 2024	Page 19
• 26 <sup>th</sup> Judicial Circuit Community Corrections	January 29, 2024	Page 20
• City Council of Buckhannon	February 1, 2024	Page 21
• Upshur County Farmland Protection Board	February 6, 2024	Page 22
  - c) Meeting Minutes:
 

• Upshur County Public Library Board of Trustees	October 18, 2023	Pages 23-25
• Upshur County Fire Board	December 26, 2023	Page 26

**\*Dates and times of monthly board meetings are viewable at:**

<http://cms4.revize.com/revize/upshurwv/calendar.php>

or go to [www.upshurcounty.org](http://www.upshurcounty.org) and click on the board meetings calendar box on the main page.

## 4. Appointments Needed or Upcoming:

- None

## 5. Board of Review &amp; Equalization Meeting Schedule

Page 27

**\*Meetings will be held at the Upshur County Administrative Annex unless otherwise noted**

- 02/01/2024 1:00 p.m. – 3:00 p.m. No appointments ---Review Property Books
- 02/06/2024 1:00 p.m. – 3:00 p.m.
- 02/08/2024 10:00 a.m. – 12:00 p.m.
- 02/13/2024 1:00 p.m. – 3:00 p.m. Coal, Oil & Gas and Industrial Appointments
- 02/16/2024 9:00 a.m. – 11:00 a.m. Adjourn Sine Die

*\*\*\*If you are interested in serving on an Upshur County board, please submit your letter of interest to the Commission Office at 91 W. Main St., Suite 101, Buckhannon, WV 26201 or [chughes@upshurcounty.org](mailto:chughes@upshurcounty.org). Upcoming term expirations are listed in this section of the agenda; however, letters of interest can be submitted at any time. Letters of interest for boards that do not currently have a vacancy will be held until a vacancy occurs. Please note that submitting a letter of interest does not guarantee appointment. \*\*\**

**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)**

**Tabled November 30, 2023** - Consider executing a Memorandum of Understanding for Regional Task Force dedicated to optimizing funds available to political subdivisions from the WV First Foundation created as a result of the State opioid litigation and settlements. Upon entering this agreement, parties agree to cooperate and provide information and documentation to Ascension Recovery Services (Ascension). Financial contribution by the parties of this MOU for the services provided by "Ascension" is voluntary, not mandatory. Pages 28-29

**Next Regular Meeting of the Upshur County Commission  
February 8, 2024 --- 9:00 a.m.  
Upshur County Courthouse Annex**

# Upshur County Sheriff's Office

## J. Michael Coffman, Sheriff

38 West Main Street, Room 103  
Buckhannon, WV 26201

Tax Office Phone: 304-472-1180 • Law Enforcement Phone: 304-472-1182

Tax Office Fax: 304-472-0937 • Law Enforcement Fax: 304-472-4547

The Upshur County Sheriff's Office brought 2023 to a close with the following yearly activity:

The 2023 yearly activity consisted of:

Misdemeanor Arrest: 599

Felony Arrest: 159

Federal Arrest: 8

Criminal Reports Completed: Misdemeanor: 153

Criminal Reports Completed: Felony: 98

Accidents Responded to: 149

Traffic Citations: 387

Traffic Warnings: 358

Inmate Transports: 285 totaling 15,590.20 miles

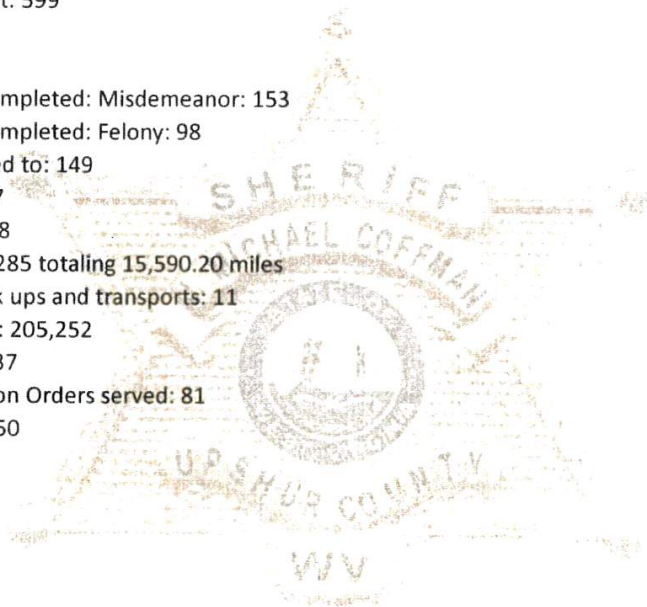
Mental Hygiene Pick ups and transports: 11

Total Miles Traveled: 205,252

Process Served: 1,937

Emergency Protection Orders served: 81

Bailiff Hours: 1,974.50





**MOUNTAIN REGION DRUG AND VIOLENT CRIMES TASK FORCE**

P.O. BOX 3022  
Elkins, WV 26241  
*Phone: (304) 637-2868*

January 24, 2024

**To: MRDTF Board Members**

**From: Corporal D.L. VanMeter -Randolph County Sheriff's Office/Taskforce Commander  
Mountain Region Drug & Violent Crimes Task Force**

**REF: Taskforce Statistics for January to December 2023**

**The following is the overall summery/totals for the activity of the Mountain Region  
Drug & Violent Crimes Taskforce for the year of 2023:**

Number of New Investigations Initiated: 143

Federal/State Felony Arrests: 66 Individuals on 144 Counts

WVIX Reports: 100

Intel Reports: 172

Criminal Investigation Reports: 143

Buy Assists: 160

Money Spent on Controlled Purchases: \$10,835.95

Drug Seizures/Controlled Buys: 127

Drug Value From Seizures: \$1,197,462.00

Property Seized: 4 Vehicles that need to be adjudicated

Seized Funds: \$142,740.74

Number of Federal Judicial Search Warrants Served: 1

Number of State Judicial Search Warrants Served: 31

Electronic Intercept Orders: N/A

Knock and Talks: N/A

Amount of Drugs seized in grams;

Fentanyl: 196 grams

Cocaine: 3.5 grams

Heroin: 93 grams

Methamphetamine: 2,379 grams = 5.24 lbs

Firearms Seized: 36

Marijuana Plants: 71

**West Virginia State Auditor's Office**  
SWORN STATEMENT OF EXPENDITURES

<b>Grant Number:</b>	<b>Grantee Name:</b>		
22-CC-27	Upshur County Commission		
<b>Grantee FEIN:</b>	<b>WV OASIS Vendor #:</b>		
55-6000406	212313		
<b>Contact Name:</b>	<b>Contact Email Address:</b>	<b>Contact Phone Number:</b>	
Tabatha R. Perry	tperry@upshurcountytv.org	3044720535	
<b>Grantee Mailing Address:</b>	<b>City:</b>	<b>Zip:</b>	<b>State:</b>
91 West Main Street, Suite 101	Buckhannon	WV	26201
<b>Total Grant Award Amount:</b>	<b>Period of Grant Start Date:</b>	<b>Period of Grant End Date:</b>	
161,500.00	7/1/21	6/30/22	

Revenue Categories	Comments	Amount
Amount Received		161,500.00
Amount Anticipated		
<b>Total Grant Revenues</b>		161,500.00

<i>If a different expenditure category is needed, use the empty spaces as needed.</i>		
Expenditure Categories	Comments	Amount
Construction		
Contractual Costs		
Equipment		
Fringe Benefits		
Personnel	community corrections program in Upshur and Lewis Counties	161,500.00
Supplies		
<b>Total Grant Expenditures</b>		161,500.00

**Ending Grant Balance (Revenues – Expenditures)** 0  
**Grant Funds Returned** 0

This is to certify that I have reviewed the enclosed Statement of Grant Receipts and Expenditures and, to the best of my knowledge and belief, the statement represents all financial activities related to the receipt, use and expenditure of funds granted by the DJCS to Upshur County Commission and that the expenditures reported were for the purposes intended and in compliance with applicable laws, regulations and the terms and conditions of the grant documents. The Statement of Grant Receipts and Expenditures is presented on the [ACCRUAL ☐ /CASH ☒] basis of accounting and is supported by our financial records and related documentation.

Printed Name and Title: Samuel R. Nolte, Commission President

Authorized Signature: \_\_\_\_\_

Date: 2/1/2024

Sworn and subscribed before me this \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_.  
Day Month Year

Notary Public Signature: \_\_\_\_\_

Title of Office: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Revised April 2022

Notary Stamp





**West Virginia State Auditor's Office**  
SWORN STATEMENT OF EXPENDITURES

<b>Grant Number:</b>	<b>Grantee Name:</b>		
21-SVA-048	Upshur County Commission		
<b>Grantee FEIN:</b>	<b>WVOASIS Vendor #:</b>		
55-6000406	212313		
<b>Contact Name:</b>	<b>Contact Email Address:</b>	<b>Contact Phone Number:</b>	
Tabatha R. Perry	tperry@upshurcountv.org	304-472-0535 x2	
<b>Grantee Mailing Address:</b>	<b>City:</b>	<b>Zip:</b>	<b>State:</b>
91 West Main Street, Suite 101	Buckhannon	26201	WV
<b>Total Grant Award Amount:</b>	<b>Period of Grant Start Date:</b>	<b>Period of Grant End Date:</b>	
\$7,992.00	10/1/21	6/30/22	

Revenue Categories	Comments	Amount
Amount Received		\$7,992.00
Amount Anticipated		
<b>Total Grant Revenues</b>		\$7,992.00

<i>If a different expenditure category is needed, use the empty spaces as needed.</i>		
Expenditure Categories	Comments	Amount
Construction		
Contractual Costs		
Equipment		
Fringe Benefits		
Personnel	staff that provides direct services to crime victims in Upshur County	\$7,992.00
Supplies		
<b>Total Grant Expenditures</b>		\$7,992.00

**Ending Grant Balance (Revenues – Expenditures)** 0  
**Grant Funds Returned** 0

This is to certify that I have reviewed the enclosed Statement of Grant Receipts and Expenditures and, to the best of my knowledge and belief, the statement represents all financial activities related to the receipt, use and expenditure of funds granted by the Justice & Community Services to Upshur County Commission and that the expenditures reported were for the purposes intended and in compliance with applicable laws, regulations and the terms and conditions of the grant documents. The Statement of Grant Receipts and Expenditures is presented on the [ACCRUAL ☐/CASH ☒] basis of accounting and is supported by our financial records and related documentation.

Printed Name and Title: Samuel R. Nolte, Commission President

Authorized Signature: \_\_\_\_\_

Date: 2/1/2024

Sworn and subscribed before me this \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_.  
Day Month Year

Notary Public Signature: \_\_\_\_\_

Title of Office: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Revised April 2022

Notary Stamp





## EMERGENCY ABSENTEE VOTING POLICY

WHEREAS, WV Code §3-3-5c authorizes County Commissions in West Virginia to adopt a policy extending emergency absentee voting procedures in their County; and

WHEREAS, it is the opinion of this Commission that the adoption of such a policy would benefit the citizens of Upshur County:

### THE FOLLOWING POLICY IS HEREBY ADOPTED BY THIS COMMISSION

A person qualified to vote an absent voter's ballot, as defined by West Virginia Code §3-3-1, who is admitted on or after the seventh day next preceding an election, to:

(1) A hospital or other duly licensed health care facility within a County adjacent to Upshur County or within thirty-five miles of the County Seat of Upshur County, for medical treatment; or

(2) A nursing home within the County;

And who remains confined and is unable to vote in person on election day, may vote an emergency voter's ballot under the procedures set forth in West Virginia Code §3-3-5c.

Dated this 1st day of February, 2024

Upshur County Commission

\_\_\_\_\_  
President

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Upshur County Clerk

February 1, 2024

In compliance with WV Code § 3-3-5c(b), the Upshur County Commission approved to appoint one team of Emergency Absentee Ballot Commissioners for the Primary Election to be held on May 14, 2024.

These commissioners shall comprise of one Republican and one Democrat. This team will deliver emergency absentee ballots, and must be available to do so from May 7, 2024 through May 14, 2024 at noon.

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President

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Commissioner

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Commissioner

February 1, 2024

In compliance with WV Code § 3-1-29, the Upshur County Commission approved the following election boards for the following precincts for the Primary Election to be held on May 14, 2024.

- #4 – Arlington Community Building– 3 Commissioners; 2 Clerks, 2 Alternates
- #6 – Rock Cave Grade School – 4 Commissioners; 4 Clerks, 2 Alternates
- #7 – Selbyville Fire Department – 3 Commissioners; 2 Clerks, 2 Alternates
- #8 – Buckhannon Academy School - 3 Commissioners; 2 Clerks, 2 Alternates
- #9 – City Hall - 3 Commissioners; 2 Clerks, 2 Alternates
- #12 – Vo Tech School - 3 Commissioners; 2 Clerks, 2 Alternates
- #14 – Buckhannon Academy School - 4 Commissioners; 4 Clerks, 2 Alternates
- #16 – Brushy Fork Community Building - 3 Commissioners; 2 Clerks, 2 Alternates
- #18 – Vo Tech School - 3 Commissioners; 4 Clerks, 2 Alternates
- #19 – BU Middle School - 3 Commissioners; 2 Clerks, 2 Alternates
- #20 – BU Middle School – 4 Commissioners; 4 Clerks, 2 Alternates
- #25 – French Creek School - 4 Commissioners; 4 Clerks, 2 Alternates
- #27 – French Creek School - 4 Commissioners; 4 Clerks, 2 Alternates
- #35 – Union District School - 4 Commissioners; 4 Clerks, 2 Alternates
- #37 – Union District School - 4 Commissioners; 4 Clerks, 2 Alternates
- #38 – Hodgesville School - 3 Commissioners; 2 Clerks, 2 Alternates
- #39 – Hodgesville School - 4 Commissioners; 4 Clerks, 2 Alternates
- #40 – BU Middle School - 3 Commissioners; 2 Clerks, 2 Alternates
- #44 – BU Middle School - 4 Commissioners; 4 Clerks, 2 Alternates
- #47 – Washington District School - 4 Commissioners; 4 Clerks, 2 Alternates

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President

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Commissioner

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Commissioner

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**INTEROFFICE MEMORANDUM**

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**TO:** TABITHA PERRY, COUNTY ADMINISTRATOR  
**FROM:** JANELLA COCHRAN, SUPERVISOR OF ANIMAL SERVICES  
**SUBJECT:** TIME FRAME FOR VOLUNTEERS  
**DATE:** JANUARY 29, 2024  
**CC:** UPSHUR COUNTY COMMISSION

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Tabitha,

I am requesting that the commission put a time frame on volunteers. If an approved volunteer hasn't volunteered in two years, I ask that they be removed from the approved volunteer list.

If you have any questions, feel free to contact me.

Thank you.

Janella L Cochran

**Lewis-Upshur Animal Control Facility (LUACF) Volunteer Form****Revised 2/1/2024**

318 Mud Lick Rd  
 Buckhannon, WV 26201  
 304-472-3865

General Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number / Email: \_\_\_\_\_

Are you at least 18 years of age? ☐ Yes ☐ No

If you are under the age of 18, you must provide proof of being at least 16 years of age and a Junior or Senior in high school. For example, a copy of your driver's license or birth certificate and school class schedule. Volunteers under the age of 18 must be accompanied by an adult volunteer at all times. For a list of adult volunteers and their volunteer schedules, please see Jan Cochran, Facility Supervisor.

Are you affiliated with any other organization? College? Please list: \_\_\_\_\_

Animal Handling Skills, Training, or Experience or any special skills that you have that could be useful during your volunteer service at LUACF (i.e. handler training, public speaking, grooming, photography etc.):

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Availability

How many hours a week are you available to volunteer? \_\_\_\_\_

Days you are available to volunteer: ☐ Monday ☐ Tuesday ☐ Wednesday  
☐ Thursday ☐ Friday ☐ Saturday

What area would you like to serve? *Check all that apply.*

- |  |  |
|--|--|
| <input type="checkbox"/> Cleaning kennels            | <input type="checkbox"/> Bathing / Grooming Animals                |
| <input type="checkbox"/> Cleaning cat cages          | <input type="checkbox"/> Dog Walking                               |
| <input type="checkbox"/> Taking Pictures             | <input type="checkbox"/> Vaccination Assistance                    |
| <input type="checkbox"/> Transportation (to rescues) | <input type="checkbox"/> Evaluation for Rescue                     |
| <i>*Must be at least 18 y.o.a.</i>                   | <i>*Must be at least 18 y.o.a</i>                                  |
| <input type="checkbox"/> Adoption Events             | <input type="checkbox"/> Writing Descriptions for Website / Rescue |

What experience do you have with your areas of interest for volunteering? \_\_\_\_\_

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### Tell Us About Yourself

Why do you want to volunteer at LUACF? (Personal enrichment, school credit, required community service). Have you volunteered with other shelters? If yes, please list and explain.

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Have you ever been arrested? ☐ Yes ☒ No

If yes, explain the number of arrests(s), nature of offense(s) leading to arrest(s), how recently such arrest occurred, the disposition of the arrest(s) and types of rehabilitation.

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### References

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

I authorize the Lewis County Commission and/or the Upshur County Commission to contact any reference, present and/or previous employer listed above. I understand that the Lewis County Commission and the Upshur County Commission may discontinue the services of any volunteer

at any time for any reason. In addition, not actively volunteering for a period of two years, will result in removal from the volunteer registry. By volunteering at the LUACF, you acknowledge that you are neither an employee of the LUACF nor are you an independent contractor of the LUACF.

_____ Signature	_____ Date
_____ Parent Signature	_____ Date
_____ Under 18 Volunteer Signature	_____ Date

#### **Release of Liability & Assumption of Risk**

The staff of the Lewis Upshur Animal Control Facility welcomes you to our facility and thanks you for your volunteer services. However, we must be clear that certain dangers exist that you should be aware of before assisting with animal rescue or allowing your child to assist.

Risks of caring for animals include but are not limited to being bitten by an animal, scratched by an animal, falling, illnesses, and other various perils. Many animals have been traumatized, some are sick, all are unpredictable, and may either bite or injure you or cause you to fall or hurt yourself. If you are a guardian allowing your child to volunteer, please talk to your child about being careful with dehydration, overheating, lifting heavy objects, and unauthorized personnel.

By signing up as a volunteer I agree that if I am injured for any reason while assisting the LUACF, I am solely responsible for said injuries, medical expenses, or any other losses of any kind whatsoever. By allowing your child to sign up as a volunteer you agree that if he/she is injured for any reason while assisting with the LUACF, you are solely responsible for your child's injuries, medical expenses, or any other losses of any kind whatsoever.

If you do not have your own health insurance, you may not volunteer for the LUACF.

I expressly assume the risk for any and all potential injuries which may arise during my volunteer work with the LUACF. If this application is for a minor and you are not willing to agree to the full assumption of risk for any and all injuries your child may sustain, please do not allow your child to volunteer to participate in any activity at the LUACF. By signing this agreement, you expressly assume the risk for any and all potential injuries which may arise during your child's volunteer work with the LUACF.

I understand that my participation is strictly voluntary and I freely chose to participate. I voluntarily agree to assume all risks of injury and/or death and, on my own behalf and on behalf of my child, heirs, next of kin, and all representatives, after having been advised of the potential hazards of this activity, do hereby WAIVE AND RELEASE all demands and claims, whether in law or in equity, that I or my heirs, next of kin, and all representatives might otherwise have



against the Lewis Upshur Animal Control Facility, Upshur County Commission and Lewis County Commission and all Commissioners, agents, employees, and officers thereof as well as any other entity, organization or individual who is assisting with any animal care or interaction at the Lewis Upshur Animal Control Facility on account of any injuries, disabilities, death, property damage or losses and expenses of any nature whatsoever, resulting from my volunteer activities for the Lewis Upshur Animal Control Facility.

I understand that certain federal and/or state statutes may grant immunity or limit my personal liability in the event that personal injury or harm comes to another as a result of my volunteer activities. However, I understand that this is not complete and total immunity and that I may be held personally liable in certain situations including, but not necessarily limited to, willful or criminal misconduct; reckless misconduct; conscious and/or fraudulent indifference to the rights or safety of others.

I further agree to indemnify, defend, and hold harmless, the Lewis Upshur Animal Control Facility, Upshur County Commission and Lewis County Commission, and its Commissioners, agents, employees and volunteers from any claims, suits, and actions of any kind or nature, whether at law or in equity, arising from mine or my child's volunteer activities at the Lewis Upshur Animal Control Facility.

\_\_\_\_\_  
Adult Volunteer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Under 18 Volunteer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

State of West Virginia

County of: \_\_\_\_\_

I, \_\_\_\_\_, Notary Public in and for said  
County and State to affirm and attest that the above individual(s) appeared before me and  
executed this document on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal)

\_\_\_\_\_  
(Notary Public)

My Commission Expires on: \_\_\_\_\_

January 29, 2024

Pursuant to Chapter 3, Article 1, Section 19 of the West Virginia Code, as amended, the undersigned hereby appoints the following Ballot Commissioners to serve in Upshur County, West Virginia. To begin serving on February 1, 2024, for a term of two years.

**Republican Ballot Commissioner:**

Connie Brady  
35 College Avenue  
Buckhannon, WV 26201

**Democratic Ballot Commissioner:**

Donna S. Matthews  
19 Park Street  
Buckhannon, WV 26201

Said Ballot Commissioners shall perform the duties of such Commissioners at all general, special and primary elections held in Upshur County or any magisterial district thereof during their term of office.



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Carol J. Smith  
Upshur County Clerk  
Chairman of the Board of Ballot Commissioners



MARK A. SORSAIA  
CABINET SECRETARY

State of West Virginia  
Department of Homeland Security  
Division of Administrative Services  
1124 Smith Street  
Charleston, WV 25301  
(304) 558-8814



JOSEPH C. THORNTON  
DIRECTOR

January 26, 2024

Upshur County Commission  
38 West Main Street, Room 302  
Buckhannon, WV 26201

**Re: Budgeting Reminder – Jail Per Diem Rates**

Dear Commission,

As you are preparing your budgets for the fiscal year starting July 1, 2024, please remember during the 2023 Regular Session of the Legislature, HB3552 was passed and subsequently approved by the Governor on March 29, 2023. This bill amended West Virginia Code §15A-3-16, relating to jail per diem costs. In subsection (k), it states the base rate per day, per inmate rate shall be set at \$54.48. It also states a county will be billed based on a pro rata number of inmate days. That pro rata number of inmate days will be calculated by ***multiplying each county's population as contained in the 2020 United States Census by .52.***

Each county is responsible for the following regarding annual per diem jail costs:

- **80% of the current per diem rate for the first 80% of its pro rata share of total billed inmate days.** *This rate is determined to be \$45.97.*
- **100% of the current per diem rate for its inmate days that are greater than 80% and up to 100% of its pro rata share of total billed inmate days.** *This would be the base per diem rate of \$57.46.*
- **120% of the current per diem rate for its inmate days that exceed 100% of its pro rata share of total billed inmate days.** *This rate is determined to be \$68.95.*

These will be the new rates for FY2025.

Since these pro rata days are calculated using the county and state populations according to the 2020 United States Census, your county's numbers will stay the same as calculated for FY2024 until a new census is conducted.

If you have any questions, please contact Angela Nitardy, Accounts Receivable Manager, at 304-352-0218 or by email at [Angela.D.Nitardy@wv.gov](mailto:Angela.D.Nitardy@wv.gov).

Very respectfully,

Joseph C. Thornton



**Upshur County Public Library  
Board of Directors Meeting  
Wednesday, January 17, 2024, 4:00 p.m.**

**Agenda**

- I. Call to Order
- II. Reading/Approval of Minutes
- III. Review/Approval of Monthly Financial Report
- IV. Guest – Christine Miller, Superintendent
- V. Librarian's Report – see attachment
  - A. Grant
  - B. Library Projects
  - C. Service Center Audit
  - D. Affiliates/Service Center Items
- VI. Unfinished Business
  - A. Account Signatories – Wording
- VII. New Business
  - A. By-laws Revision – Board Meeting Time?
  - B. Reaffirmation of Email Motion for Payroll Change
  - C. Early Closing Approval – Ramp Dinner
  - D. Closing Approval – Service Center Day
- VIII. Friends of the Library Update – Sandra Craig
- IX. Public Comments/Correspondence
- X. Setting date of next Board meeting
- XI. Adjournment

In compliance with West Virginia's Public Meeting Law, the 26<sup>th</sup> Judicial Circuit Community Corrections Program regular board meeting will be held January 29, 2024 at 6:00pm at the Lewis County Treatment Center in Lewis County. The public is invited to attend and learn more about our program, serving Lewis and Upshur Counties.

## **COMMUNITY CORRECTIONS**

### **Board Meeting Agenda**

**January 29, 2024**

**Lewis County Treatment Center 6:00 P.M.**

#### **I. Handouts**

- Sign in sheets
- Agenda, Previous Meeting Minutes
- Budget report

#### **II. New Business**

- 1) Batterer's Intervention Prevention Class Update
- 2) Home Confinement Update- Lewis-16 Upshur-29
- 3) Community Corrections Update
  - Referrals received since July 1, 2022, Upshur-165 Lewis-88 Total- 253
  - Presentation by counselor Pinkney on treatment center
  - Request for additional funding for treatment center
  - Request to hire part-time/full time secretary for treatment center
  - Update on new staff

#### **III. Next Meeting**

- **February 26, 2024 at the Upshur County Day Report Center time to be determined.**



***City Council of Buckhannon – 7:00 pm in Council Chambers  
Meeting Agenda for Thursday, February 1, 2024***

Channel 3 is Live Streaming our City Council Meetings at <https://www.facebook.com/ch3buckhannon/> Send public comments via email to [buckhannon@buckhannonwv.org](mailto:buckhannon@buckhannonwv.org) or drop them in the mail, or drop box behind City Hall.

You may join the meeting from your computer, tablet or smartphone: <https://global.gotomeeting.com/join/443910693>  
Or by dialing in using your phone: United States: [+1 \(571\) 317-3112](tel:+15713173112) Access Code: 443-910-693

- A. Call to Order**
  - A.1 Moment of Silence
  - A.2 Pledge to the Flag of the United States of America
  - A.3 Mayor's State of the City Address
- B. Recognized Guests**
  - B.1 West Virginia Wesleyan College Student Senate Meredith Cottrell-Greetings & Campus
- C. Department & Board Reports**
  - C.1 Public Works Director- Jerry Arnold
  - C.2 Finance Director- Amberle Jenkins
  - C.3 Fire Chief- JB Kimble
  - C.4 City Attorney- Tom O'Neill
- D. Correspondence & Information**
  - D.1 Addressing/Mapping Verification 14 Ritchie Street, Apt 101, Buckhannon, WV 26201
  - D.2 Addressing/Mapping Verification 14 Ritchie Street, Apt 201, Buckhannon, WV 26201
  - D.3 Report of Cat & Dog Activity -Upshur County Commission-December 2023
- E. Consent Agenda**
  - E.1 Approval of Minutes -Regular Meeting 01/18/24
  - E.2 Approval of Building and Wiring Permits
  - E.3 Approval of Payment of the Bills
- F. Strategic Issues for Discussion and/or Vote**
  - F.1 Discussion/Possible Action Authorization to Sign Regional Task Force MOU re: Opioid Litigation Settlement
  - F.2 Approval Ordinance No. 466 St. Joseph's Hospital Property Annexation 1<sup>st</sup> Reading
  - F.3 Set Date of Special City Council Budget Working Session
- G. Comments and Announcements**
  - G.1 Pamela Bucklew
  - G.2 David McCauley
  - G.3 Jack Reger
  - G.4 David Thomas
  - G.5 CJ Rylands
  - G.6 Randall Sanders
- H. Mayor's Comments and Announcements**
- I. Adjournment**

**POSTED 01/29/2024**



**Notice of Special Meeting**  
**Upshur County Farmland Protection Board**

\*\*\*\*\*

Location: Upshur County Extension Office Conference Room  
 91 W Main Street, Ste 102  
 Buckhannon, WV 26201  
 Date: February 6, 2024  
 Time: 6:00 pm

**AGENDA**

CALL MEETING TO ORDER / ROLL CALL

PUBLIC QUESTIONS / COMMENT PERIOD

PRESENTATION OF PLAQUES TO PAST MEMBERS

APPROVAL OF MINUTES: December 18, 2023

BUSINESS ITEMS – Discussion/Update/Action

- New Board member
- Review Applications for January 1, 2024, application cycle
  - Suan
  - Hicks
  - Queen

FINANCIAL MATTERS – Discussion/Update/Action

- Financial Report- Financial Spreadsheet
- Payment of WVAFPB Annual Dues
  - Payment of Bills /Invoices -Turtley For You Consulting, Saddleback Services, etc

OTHER BUSINESS –

Tabled Business: Hinkle Easement- next steps of deed review and baseline documents

DATE OF NEXT MEETING –

ADJOURNMENT



**Upshur County Public Library Board of Trustees Meeting  
October 18, 2023**

A meeting of the Upshur County Public Library Board of Trustees was held on Wednesday, October 18, 4:00 p.m. at the library. Board members in attendance were Kyle Nuttall, John Haymond, Katie Loudin, and Matthew Stott. Absent was Sherry Dean. Also in attendance were Paul Norko, Library Director; Keyth Sokol, Assistant Director; and Connie Cutright, Business Manager.

The meeting was called to order by President Kyle Nuttall at 4:05 p.m.

The board approved the minutes of the August 30, 2023 meeting on a motion made by Katie and seconded by John.

Connie gave a review of the financial reports. The board accepted the financial reports for August and September, including itemized lists of electronic debits/credits on a motion made by John and seconded by Katie.

**Director's Report** – See the written report

**Additions:**

New Databases – Thanks to the WV Library Commission, the following databases will be available to patrons of the Library: Ms. Tumbleweed, National Geographic for Kids, and Tutor.com

**Unfinished Business**

MOU with Board of Education – Kyle spoke with Superintendent Christine Miller concerning the Memorandum of Understanding between the Upshur County Public Library and the Upshur County Board of Education. She stated it was similar to a "gentleman's handshake". Katie suggested we include wording stating that a significant reduction in support will result in a reduction in services; that both parties will revisit the MOU if there is a significant reduction in support; and that the MOU will be revisited annually.

**New Business**

Electronic Sign Fundraiser – Paul stated that of the \$15,000 match we needed for the grant, we have collected or pledged funds amounting to \$14,950.00. Katie made a motion that was seconded by Matt to use monies from the fund balance to meet the \$15,000.00 match.

2024 Holiday Closing List – The 2024 Holiday Closing List was approved on a motion made by John and seconded by Katie with the addition of Juneteenth Day and correction of the Strawberry Festival date.

Delayed Opening – Paul asked if the library could have a delayed opening in December so that the staff could enjoy a Christmas Brunch. Matt made a motion, seconded by John that the library have a delayed opening on the chosen date for a Staff Brunch.

There was no Friends of the Library representative present.

The next meeting will be Wednesday, November 15, 2023 at 4:00 p.m. at the library. The meeting then adjourned.

Respectfully submitted,

*Connie Cutright*

Connie Cutright,  
Business Manager

Approved,

*Kyle Nuttall*  
Kyle Nuttall, Matt Stott  
Board President

**Upshur County Public Library**  
**July through December 2023**

						TOTAL		
	Sep 23	Oct 23	Nov 23	Dec 23	Jul - Dec 23	Budget	\$ Over Budget	% of Budget
<b>Income</b>								
4020 • County Commission	0.00	0.00	0.00	12,000.00	24,000.00	48,000.00	-24,000.00	50.0%
4030 • Board of Education	0.00	0.00	0.00	0.00	0.00	93,700.00	-93,700.00	0.0%
4040 • Grant-In-Aid	0.00	24,610.00	0.00	0.00	49,020.00	98,042.00	-49,022.00	50.0%
4060 • WVLC Svcs. to Lib. (admin fees)	0.00	16,264.00	0.00	0.00	32,528.00	65,058.00	-32,530.00	50.0%
4160 • Other Grants	0.00	0.00	0.00	2,500.00	11,300.00	3,000.00	8,300.00	376.67%
4230 • Unrestricted Gifts	158.12	1,210.42	74.64	82.08	2,066.28	3,800.00	-1,733.72	54.38%
4240 • Restricted - Memorial/Gift Matl	0.00	0.00	1,000.00	500.00	1,520.00	2,500.00	-980.00	60.8%
4310 • Interest	122.46	1,150.60	121.79	101.96	2,766.14	4,500.00	-1,733.86	61.47%
4420 • Copies/Faxes	423.23	589.73	526.03	660.69	3,206.30	5,600.00	-2,393.70	57.26%
4450 • Fines	117.00	99.45	139.36	124.73	713.29	1,600.00	-886.71	44.58%
4490 • Other fees-cards, JD, earbuds	37.20	73.00	55.00	42.99	318.48	500.00	-181.52	63.7%
4730 • Fundraisers	5.00	11,270.25	130.25	231.75	11,882.75	1,000.00	10,882.75	1,188.28%
4735 • Fundraiser - Ramp Dinner	0.00	0.00	0.00	0.00	0.00	10,500.00	-10,500.00	0.0%
<b>Total Income</b>	<b>863.01</b>	<b>55,147.45</b>	<b>2,047.07</b>	<b>16,244.20</b>	<b>139,321.24</b>	<b>337,800.00</b>	<b>-198,478.76</b>	<b>41.24%</b>
<b>Expense</b>								
6020 • Wages	16,210.87	17,935.48	17,056.99	15,751.78	100,761.47	212,638.00	-111,876.53	47.39%
6030 • FICA	1,005.08	1,111.98	1,057.55	1,016.91	6,287.52	13,184.00	-6,896.48	47.69%
6040 • Medicare	235.06	260.07	247.31	237.83	1,470.47	3,083.00	-1,612.53	47.7%
6050 • WV Public Employees Retirement	1,333.01	1,423.35	1,394.50	1,327.63	8,161.87	16,705.00	-8,543.13	48.86%
6060 • Insurance (Employer Paid)	2,791.56	2,791.56	2,791.56	2,791.56	15,745.40	35,200.00	-19,454.60	44.73%
6080 • WV Unemployment	57.01	54.95	12.89	13.76	263.16	1,138.00	-874.84	23.13%
6090 • Workers Comp.	0.00	0.00	0.00	0.00	0.00	532.00	-532.00	0.0%
6110 • Books	-20.54	869.47	371.03	1,036.04	2,121.61	7,800.00	-5,678.39	27.2%
6112 • Memorial/Gift Materials	44.23	449.12	194.76	657.03	1,345.14	2,500.00	-1,154.86	53.81%
6140 • Periodicals/Newspapers	0.00	201.00	761.28	987.04	1,949.32	1,500.00	449.32	129.96%
6143 • Electronic Books	0.00	0.00	0.00	658.53	1,275.37	2,500.00	-1,224.63	51.02%
6151 • Audios	192.39	107.65	0.00	0.00	300.04	1,500.00	-1,199.96	20.0%
6152 • DVD's	24.92	77.83	84.84	127.74	394.33	800.00	-405.67	49.29%
6230 • Other Grant Expenditures	3,960.67	1,148.42	363.13	1,038.35	6,510.57	3,000.00	3,510.57	217.02%
6310 • Office/Library Supplies	0.00	297.32	442.22	59.46	801.03	3,400.00	-2,598.97	23.56%
6350 • Postage	155.84	108.73	98.33	102.99	554.88	1,800.00	-1,245.12	30.83%
6521 • Equipment/Furniture	0.00	12.99	67.84	0.00	95.50	1,000.00	-904.50	9.55%
6541 • Equipment Maint.	0.00	0.00	0.00	0.00	0.00	100.00	-100.00	0.0%
6552 • Software/Elec. Sub./Maint. fees	871.78	142.45	0.00	72.00	1,733.16	4,298.00	-2,564.84	40.33%
6554 • Hotspot Service Fees	0.00	548.75	275.00	1,043.99	2,415.24	4,800.00	-2,384.76	50.32%
6570 • Vehicle Maintenance	0.00	242.45	0.00	0.00	248.34	500.00	-251.66	49.67%
6720 • Bldg. Maint. (inc. Janitorial)	399.98	31.28	60.45	29.37	165.06	1,000.00	-834.94	16.51%
6742 • Utilities - Electric	0.00	2,606.77	1,688.47	0.00	7,217.84	20,000.00	-12,782.16	36.09%
6743 • Utilities - Water/Waste	0.00	102.61	100.24	205.22	609.73	1,200.00	-590.27	50.81%
6750 • Telephone	0.00	231.05	540.81	0.00	1,281.27	1,000.00	281.27	128.13%
6760 • Insurance - Building & Bonds	0.00	0.00	728.00	0.00	728.00	728.00	0.00	100.0%
6770 • ERATE Transfer/Affiliates	0.00	730.80	0.00	704.70	704.70			
6910 • Public Info./Programming	23.98	584.64	220.32	38.33	936.13	800.00	136.13	117.02%
6920 • Memberships	45.00	0.00	0.00	0.00	45.00	250.00	-205.00	18.0%
6930 • Travel/Meetings/Cont. Ed./Conf.	26.37	499.45	1,068.11	-321.86	1,350.45	2,200.00	-849.55	61.38%
6950 • Fundraising Expenses	0.00	0.00	0.00	0.00	0.00	250.00	-250.00	0.0%
6955 • Fundraiser Ramp Dinner	0.00	0.00	0.00	0.00	0.00	4,200.00	-4,200.00	0.0%
6970 • Professional & Misc. Fees	0.00	0.00	0.00	0.00	1,500.00	100.00	1,400.00	1,500.0%
6980 • Audit	0.00	0.00	0.00	0.00	0.00	3,180.00	-3,180.00	0.0%
<b>Total Expense</b>	<b>27,357.21</b>	<b>32,570.17</b>	<b>29,625.69</b>	<b>27,578.40</b>	<b>166,972.60</b>	<b>352,886.00</b>	<b>-185,913.40</b>	<b>47.32%</b>
<b>Net Income</b>	<b>-26,494.20</b>	<b>22,577.28</b>	<b>-27,578.62</b>	<b>-11,332.20</b>	<b>-27,651.36</b>	<b>-15,086.00</b>	<b>-12,565.36</b>	<b>183.29%</b>

## JULY 2023-JUNE 2024 CIRC STATS

Type	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	Totals	% of total circ
Adult Fiction	351	400	339	462	250	267							2069	14.47%
Adult Non-Fictio	140	129	149	135	85	72							710	4.97%
Books on CD	87	64	72	87	62	58							430	3.01%
DVDs	379	410	248	369	339	218							1963	13.73%
Easy Books	457	528	377	384	421	204							2371	16.58%
Hotspots	32	52	41	47	47	44							263	1.84%
Juv. Fiction	279	283	348	343	260	150							1663	11.63%
Juv. Non-Fiction	133	153	154	198	213	51							902	6.31%
Kits	7	2	1	2	3	2							17	0.12%
Large Print	79	102	55	74	55	79							444	3.11%
New Books	229	239	203	250	183	184							1288	9.01%
Paperback	169	186	151	145	118	124							893	6.25%
Periodicals	16	14	14	14	11	13							82	0.57%
Special Collectio	17	26	1	192	227	168							631	4.41%
WV Material	15	12	25	27	27	17							123	0.86%
WV Non Circ.	0	0	0	1	0	0							1	0.01%
Young Adults	84	84	46	95	56	58							423	2.96%
Young Adults NF	3	3	10	7	1	2							26	0.001818
Total Print	2477	2687	2234	2832	2358	1711	0	0	0	0	0	0	14299	
Total Renewals	419	460	504	494	486	509							2872	
Ebook Circ.	1815	1614	1603	1639	1615	1764							10050	
Total Circulation	4711	4761	4341	4965	4459	3984	0	0	0	0	0	0	27221	

**Upshur County Fire Board Special Meeting  
December 26, 2023**

Members Present: Joseph Gower, Sidney Huffman, Kristie Tenney, Donna Matthews, and Jesse Davidson

Members Absent: Steven Linger and Rick Harlow

Others Present: Tyvonne Gibson, Bruce Tomblyn, Sue Dean, Les Schoonover, Art Wilson, Clifton Shaw, Edward Ware and Paul Juker; Guests; and Toni Newman-Fire Fee Clerk

The meeting was called to order by Joe Gower at 6:30 pm. All motions passed unanimously unless otherwise stated.

The meeting minutes from November 14, 2023, were approved on motion by Sid Huffman and second by Donna Matthews.

The Fire Fee Clerk reported the 2023 fees are at 82 percent collected. Audit Reports were distributed to the members present. Updated WV State Financial Statement information was emailed to each Board member. There are two members whose terms are expiring on June 30, 2023. Sid Huffman, first term and Joe Gower, second term. We will need to find a replacement for Joe prior to the July meeting of the Board.

The checking account balance as of 11/30/2023 was \$109,106.48. The disbursement from the Chief Tax Deputy was \$6,341.49 for the month of November.

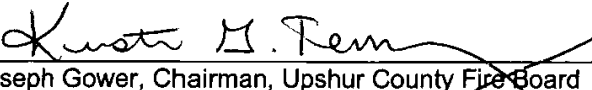
The following invoices were reviewed and approved upon motion by Donna Matthews and second by Jesse Davidson: Software Systems---monthly maintenance---Invoice # 38058---\$237.00; Upshur County Commission---reimbursement---supplies---\$380.14; Ferrari & Associates, PLLC---Audit---\$2,460.00; and State Auditor's office---Audit---\$197.00.

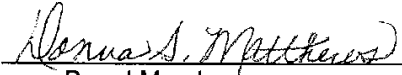
After discussion with the Treasurer and Chief of the Department, and on motion by Kristie Tenney and second by Donna Mathews, the Board decided to compile a list of questions for the auditor of Ellamore VFD's financial records and ask her to set up a meeting at her convenience for a review of the information provided to the Board.

The Tabled item, "procedure for reviewing Financial Statements from the VFDs," was tabled again as Tyvonne Gibson reported the Fire Association will not meet again until January to provide additional requested information.

There was one corrective ticket this month, approved on motion by Donna Matthews and second by Jesse Davidson. The Board approved 6 Exoneration Requests.

There being no further business, the meeting adjourned. The next meeting will be January 16, 2024, at the Buckhannon VFD.

  
Joseph Gower, Chairman, Upshur County Fire Board

  
Donna S. Matthews  
Board Member

### 2023 Board of Review & Equalization Meeting Schedule

<b>02/01/2023 (Tues)</b>	<b>1:00-3:00 p.m.</b> No appointments --- Review Property Books
<b>02/03/2023 (Fri)</b>	<b>1:00-3:00 p.m.</b>
<b>02/09/2023 (Th)</b>	<b>10:00 a.m. -12:00 p.m.</b>
<b>02/14/2023 (Tues)</b>	<b>1:00 p.m. -3:00 p.m.</b> Coal, Oil & Gas Industrials
<b>02/16/2023 (Th)</b>	<b>10:00 a.m. – 12:00 p.m.</b> Adjourn Sine Die

**APPROVED**  
**DEC 15 2022**  
UPSHUR COUNTY COMMISSION  
*[Signature]*

**MEMORANDUM OF UNDERSTANDING  
FOR REGIONAL TASK FORCE**

This Memorandum of Understanding (“MOU”) is made and entered into by and between the following political subdivisions, namely Randolph County, Tucker County, Upshur County, Lewis County and Barbour County, referred to as Parties.

**RECITALS**

**WHEREAS**, the Parties are members of the Regional Task Force which is dedicated to optimizing the funds available to the political subdivisions from the Opioid Foundation created as a result of the State opioid litigation and settlements; and

**WHEREAS**, the Parties agree that it is effective to be prepared to use these settlement funds when available with a proposal in the form of a White Paper prepared by a professional group that would set forth what has been identified as the Parties top priorities; and

**WHEREAS**, Ascension Recovery Services (“Ascension”) is a professional group which has made a proposal to create a White Paper that tests the feasibility of accomplishing our goals to establish a five-county treatment facility and to provide highly accessible services to affected children (See attached); and

**WHEREAS**, for Ascension to complete this White Paper, the Parties will need to cooperate and provide information to Ascension to complete this work as requested.

**NOW THEREFORE** in consideration of the foregoing recital and mutual covenants contained herein, it is mutually agreed as follows:

1. The Parties agree to cooperate and provide information and documentation to Ascension for their work and services in the completion of the White Paper.
2. Each Party shall designate a representative who will be the contact person for Ascension during the process of collecting the information and documentation.
3. Ascension has provided a fee schedule with their proposal. The contribution to the payment of their fees is voluntary, not mandatory. No Party to this MOU is obligated to pay the fees by signing this MOU. However, any payment would be accepted.

**IN WITNESS WHEREOF**, this MOU is made and entered into by the Parties who have signed below as of the date indicated.

Signature \_\_\_\_\_

On behalf of the Upshur County Commission

Print Samuel R. Nolte

Title President

Signature \_\_\_\_\_

On behalf of the City of Buckhannon

Print \_\_\_\_\_

Title \_\_\_\_\_