

Upshur County Commission Agenda

Location of Meeting: Upshur County Courthouse Annex
Date of Meeting: April 12, 2018

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance

Approval of Minutes:

- April 5, 2018

9:15 a.m. Shawn Tucker, Upshur County Youth Soccer Association, Inc. – Discuss future development plans for the Wellness Complex property

Items for Discussion / Action / Approval:

1. Correspondence from Edwin Beer announcing his resignation from the Safe Structures and Sites Enforcement Board, effective immediately. * Page 1
2. Approval and signature of the WV Courthouse Facilities Improvement Authority Fund – 14th Cycle -- Project Completion Report and Request for Reimbursement.* Page 2-8
3. 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. Correspondence from Clayton J. Fitzsimmons with the Fitzsimmons Law Firm PLLC providing an update regarding the opioid epidemic lawsuit. Page 9
2. Correspondence from Tabatha R. Perry, Assistant County Administrator, to Thomas Moates regarding his property located in Warren Tax District – Tax Map 6C – Parcel Number 4. During the regularly scheduled Commission Meeting conducted on April 5, 2018, the Commission moved to grant Mr. Moates a sixty day extension to bring the property into full compliance with the Ordinance. Page 10
3. Correspondence from Tabatha R. Perry, Assistant Administrator, to Todd Spencer Walter Gould regarding his property located in Washington Tax District – Tax Map 7J – Parcel Number 11. During the regularly scheduled Commission Meeting conducted on April 5, 2018, the Commission moved to grant Mr. Gould a sixty day extension to bring the property into full compliance with the Ordinance. Page 11
4. Correspondence from Tabatha R. Perry, Assistant Administrator, to Frank Kelley regarding his property located in Washington Tax District – Tax Map 7J – Parcel Number 11.1. During the regularly scheduled Commission Meeting conducted on April 5, 2018, the Commission moved to grant Mr. Kelley a sixty day extension to bring the property into full compliance with the Ordinance. Page 12
5. Upshur County Building Permits for the month of March 2018 Page 13-14

6. Newsletters and/or Event Notifications:

7. Agendas and/or Notice of Meetings:

- Upshur County Family Resource Network April 9, 2018 Page 15
- Buckhannon-Upshur Parks and Recreation Advisory Board April 9, 2018 Page 16
- Upshur County Senior Center April 11, 2018 Page 17
- Upshur County Safe Structures and Sites Enforcement Board April 12, 2018 Page 18
- Buckhannon-Upshur Chamber of Commerce April 16, 2018 Page 19
- Upshur County Fire Board, Inc. April 17, 2018 Page 20

8. Meeting Minutes:

- Upshur Citizen Corp Council January 10, 2018 Page 21
- Elkins Road PSD March 6, 2018 Page 22-23
- Buckhannon-Upshur Parks and Recreation Advisory Board March 12, 2018 Page 24
- Upshur County Solid Waste Authority March 12, 2018 Page 25-27

9. Meetings:

- 05/01/18 5:30 p.m. Elkins Road PSD
- 05/01/18 4:00 p.m. Hodgesville PSD
- 05/03/18 7:00 p.m. Banks District VFD
- 05/03/18 7:00 p.m. Selbyville VFD
- 04/09/18 12:00 p.m. Upshur County Family Resource Network
- 04/09/18 4:30 p.m. Upshur County Solid Waste Authority
- 04/09/18 5:30 p.m. Buckhannon-Upshur Recreational Park Advisory Board
- 05/07/18 6:00 p.m. Lewis-Upshur Community Corrections Board-Lewis County
- 04/10/18 7:30 p.m. Adrian VFD
- 05/03/18 6:00 p.m. Buckhannon-Upshur Board of Health
- 04/18/18 7:00 a.m. Upshur County Development Authority – Executive Board
- 04/11/18 12:00 p.m. Upshur County Senior Center Board
- 04/12/18 3:00 p.m. Upshur County Conventions & Visitors Bureau
- 04/11/18 6:00 p.m. Upshur County Citizens Corp – CERT
- 04/11/18 7:30 p.m. Warren District VFD
- 04/12/18 10:00 a.m. Adrian PSD
- 04/11/18 3:00 p.m. Tennerton PSD
- 04/12/18 4:00 p.m. Upshur County Safe Sites & Structures Ordinance Board
- 04/12/18 7:30 p.m. Buckhannon VFD
- 04/12/18 4:00 p.m. Buckhannon Upshur Airport Authority
- 04/19/18 6:30 p.m. Upshur County Youth Camp Board – Selbyville
- 04/15/18 6:00 p.m. Washington District VFD

- 04/16/18 12:00 p.m. Buckhannon-Upshur Chamber of Commerce
- 05/09/18 4:00 p.m. Upshur County Public Library Board -- Special Meeting
- 04/17/18 10:00 a.m. Wes-Mon-Ty Resource Conservation & Development Council
- 04/17/18 6:30 p.m. Upshur County Fire Board, Inc.
- 04/17/18 5:00 p.m. UC Enhanced Emergency Telephone Advisory Board
- 04/11/18 7:00 p.m. Ellamore VFD
- 04/18/18 12:00 p.m. Lewis Upshur LEPC --- Upshur location
- 04/19/18 2:00 p.m. Upshur County Farmland Protection Board – CANCELLED
- 05/17/18 2:00 p.m. Upshur County Farmland Protection Board
- 04/25/18 10:00 a.m. James W. Curry Advisory Board
- 04/30/18 6:00 p.m. Upshur County Fire Fighters Association
- 04/11/18 7:00 p.m. Buckhannon River Watershed Association - Board of Directors

10. Appointments Needed or Upcoming:

Tabled Items

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

Next Regular Meeting of the Upshur County Commission
April 19, 2018 --- 9:00 a.m.
Upshur County Courthouse Annex

***There will be a Special Commission Meeting held at the Upshur County Administrative Annex on Tuesday, April 17, 2018 at 9:00 a.m. ***

*There will be a Special Commission Meeting held in the County Clerk area and the Upshur County Administrative Annex on Friday, April 20, 2018 at 9 a.m. & 2 p.m. respectively *

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April 4, 2018

Upshur County Commission
91 West Main Street, Suite 101
Buckhannon, WV 26201

RE: Resignation from the Upshur County Safe Structures and Sites Ordinance Enforcement Agency/Board

Commissioners,

Please accept this letter as my formal resignation from the Upshur County Safe Structures and Sites Ordinance Enforcement Agency/Board, effective immediately. My term expires on June 30, 2018. It has been a great pleasure serving on this Board. If you should have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Edwin Beer', with a stylized, flowing script.

Edwin Beer

UPSHUR COUNTY COMMISSION

Upshur County Administrative Annex
91 West Main Street, Suite 101 • Buckhannon, West Virginia 26201

2

Telephone: (304) 472-0535
Telecopier: (304) 473-2802

TDD Numbers
Business: 472-9550
Emergency: 911

Application Number: 14cycUpshur49
Project Number 14cycUpshur14 CY2017 49
Grant Number: 14cycUpshu2017

1. Cost Comparison:

In an effort to save taxpayer funds, the Commission opted to utilize the talents of the Maintenance Department rather than contracting the work to a third party. Utilizing existing staff saved thousands of dollars and resulted in a renovated Courtroom that exhibits outstanding workmanship. Materials were purchased from vendors the Commission uses on a regular basis and the only areas that required contracts were the two-stage wheelchair lift and the seating.

Most purchases were made through Lowes in Buckhannon, WV, which in the past has proved to offer competitive pricing when compared to Harper Lumber and 84 Lumber, which are other local businesses. With regards to woodworking and paneling, Custom Cabinets has previously been utilized by the Commission to assist with projects that require additions to existing pieces of furniture. They are able to precisely match the rather unique style that is exhibited throughout the Courthouse and Annex. For example, Custom Cabinets recently completed a project in the Family Courtroom/Commission Meeting Room that required preparing and installing two swinging partition doors that match the Judge's bench, which allows for protection and segregation of the Judge from the public. This business has provided impeccable quality of workmanship.

The Request for Proposals for Circuit Courtroom Seating were reviewed and approved during a regularly scheduled Commission Meeting on March 16, 2017. This RFP was advertised in the following manner: (1) as a Class II legal advertisement in the Record Delta on March 22nd and March 29th, (2) as a Class II legal advertisement in the Charleston Gazette on March 24th and March 31st, (3) the specifications were sent to several bench manufacturers, (4) posted on the Upshur County Commission website, (5) posted on the bulletin board at the Upshur County Courthouse and Upshur County Administrative Annex and (6) listed on the Blue Book Building & Construction Network after being submitted to the Contractor's Association of WV. Sealed bids for Circuit Courtroom Seating were opened during the regular Commission Meeting on April 27, 2017. Four bids were received on or before the deadline and one bid was received after the deadline. After bids were opened, the Commission moved to table the award until the bid documents could be carefully reviewed and clarification on a few items could be obtained. During the May 4, 2017 meeting it was noted that Tabatha Perry was still waiting on a response from one

of the companies regarding an initial site inspection. After receiving clarification regarding the initial site inspection from all bidders that submitted by the deadline, the Upshur County Commission awarded the contract to Church Furniture Store (CFS). CFS provided the lowest bid in the amount of \$18,262 which included the benches, installation, and the removal and disposal of the existing benches; however, this price did not include \$500 for the site inspection. The final invoice remitted for the benches totaled \$17,360.40 which was \$1,500 less than the bid amount due to the Maintenance Department removing and disposing of the existing benches. Appropriate Commission Meeting Minutes are attached as "Exhibit A". The contract approved by the Upshur County Commission on May 11, 2017 is attached as "Exhibit B".

The Request for Proposals and bid packet for the Circuit Courtroom witness stand chair lift were reviewed and approved during a regularly scheduled Commission Meeting conducted on May 11, 2017. The Request for Proposals was then advertised in the following manner: (1) as a Class II legal advertisement on May 15th and May 22nd in the Record Delta, (2) posted on the Upshur County Commission website, (3) posted on the bulletin board at the Upshur County Courthouse and Upshur County Administrative Annex and (4) posted on BIDSCOPE the Blue Book Building & Construction Network website. A mandatory pre-bid conference was held on May 25, 2017, at which time a representative from D-C Elevator Company, Inc. attended. One bid was opened and read aloud during the regularly scheduled Commission Meeting held on June 8, 2017. The sole bid was received from D-C Elevator Company, Inc. in the amount of \$66,500. Appropriate Commission Meeting Minutes are attached as "Exhibit A". The contract approved by the Upshur County Commission on June 15, 2017 is attached as "Exhibit B".

For the carpet purchase, estimates were received from Dreamland Carpets, Rick Rice's Floor Store and Capitol Business Interiors. These estimates are attached as "Exhibit C". Dreamland Carpets provided the lowest estimate in the amount of \$7,500 for the purchase of the carpet. None of our local carpet dealers provide installation; installation services must be obtained by the buyer. Installation of the carpet was provided by Jim Lane who was scheduled to be onsite during this time period installing carpet in various other offices within the Courthouse. An estimate received through Rick Rice's quote reflected Mr. Lane's work estimate in the amount of \$3,000; however, due to unforeseen circumstances, the final invoice came in the amount of \$8,475. Carrie Wallace, County Administrator, met with Mr. Lane before providing payment requesting an explanation for the increase in cost and Mr. Lane explained that this project itself took 250 hours due to having to prepare and clean up the worksite on a daily basis because of the Courtroom schedule. Mr. Lane would remove, prepare and install what he could in one day; however, if there was Court scheduled the next day he would have to clean up the entire site just to return within a day or two to start over again. The carpet was also installed in stages with the first area being the gallery, then the pit area designated for the attorneys, the juror box and then finally the witness and Judge's area once the lift installation was completed. The aforementioned, in addition to the fine details such as the small intricate areas within the juror box and installation of the small portion of carpet that extends approximately six inches vertically on each wall, resulted in significant time being expended in this area. He also explained that he originally thought the carpet was placed on concrete; however, he discovered the carpet was placed on plywood which made removal much more difficult.

2. Quality of Workmanship:

We are pleased to report the quality of workmanship of the Maintenance Department staff was superlative and the staff received high praises from the Commission and the Circuit Court Judge's. Luckily, the staff has a wealth of knowledge and experience in a variety of areas, including commercial construction. At the time of contract signing, the Commission was unaware that they would have to provide someone to prepare the site, including demolition and millwork, for the wheelchair lift. Lift-U simply manufactured the custom lift, transported, anchored the lift into the prepped pit, connected the wires and then was finished. The Maintenance Department then built walls surrounding the lift and Custom Cabinets fabricated the doors that recessed into the walls. The doors compliment the Judge's bench and work satisfactorily.

The Commission is very content with the work provided by Church Furniture Store.

The quality of workmanship of the employees of DC Elevator Company and Lift-U were to satisfaction.

3. Quality of Materials Used:

The wheelchair lift is made of high quality and durable materials. The lift passed inspection on February 15, 2018 by Mountain State Elevator Inspections. As stated above, the custom made doors, hardware and changes made to the paneling located on the juror box and Judge's bench complement the existing material and appear to be original. The solid oak benches are of fine quality and were stained to match the benches within the Family and Magistrate Courtrooms. These benches are very durable and will be easy to maintain. The carpet is good quality and is the same type of carpet that is being used to replace worn carpet in other areas of the Courthouse and Annex, as the budget allows. The newly purchased and installed egress exit lighting is also in good working order and provides clear designation as to where to exit in case of an emergency.

The Upshur County Commission is satisfied overall with the quality of materials used.

4. Employee/Courthouse visitor's benefits:

Before commencing this project, the Circuit Courtroom was outdated, lacked wheelchair accessibility and was not in compliance with current ADA standards. The Courtroom now allows for easy maneuvering for those with disabilities and those without. The carpet was removed from the walls, new egress lighting was installed, and a fresh coat of paint refreshed the busy Courtroom which brings in heavy traffic and a variety of audiences. New carpet allows for easy maneuvering and no longer poses a trip hazard. In an effort to help with speech intelligibility for the hearing impaired and to maintain and enhance acoustical performance, the Commission purchased acoustic panels, which are not included in the match, to replace the carpet that lined the walls. New benches allow for wheelchair and companion seating and one of the excess doors were removed, making it easier to identify exits in case of an emergency.

One of the most creative aspects of this projects allows for jurors confined to a wheelchair to sit within the juror box instead of being “secluded” and requiring him or her to sit outside the space designated for jurors. The space between the juror box and Judge’s bench now allows adequate clearance for a wheelchair to enter the witness stand and juror room; whereas, before there was not enough clearance to do so. The door to the juror room has also been enlarged to allow adequate clearance for a wheelchair. Before, an alternate room would have to be utilized if there was a juror confined to a wheelchair. In addition to these improvements, if a witness utilizes a wheelchair, he or she may now access the witness stand. Being proactive, if a future Judge would need to utilize a wheelchair, he or she will also be able to access the Judge’s bench using the new lift. These improvements have alleviated any inconveniences that may have arisen due to accessibility issues.

5. Timeliness of contractors/materials:

The Maintenance Department staff worked diligently every opportunity they had access to the Courtroom and was required to prepare and clean up the site on a daily basis. Most likely, a contractor would not have had this leniency to work around the busy Court schedule which would have resulted in increased costs and would not have allowed room within the budget to purchase the wheelchair lift that cost much more than anticipated.

The representatives of Church Furniture Store were very accommodating to our schedule and were able to unload and install the benches within two working days.

The representatives from D-C Elevator, Inc. and Lift-U were very knowledgeable and the installation was completed within one day; however, administrative tasks were completed to dissatisfaction. For example, the first installment payment for the wheelchair lift was sent to D-C Elevator Company, Inc. on July 21, 2017. Payment was received and marked accordingly; however, after the Charleston office sent the funds to the corporate office located in Kentucky, they did not forward payment on to Lift-U until mid-September. We were informed this was due to a miscommunication between the two offices and was the result of a recent change of office procedures. Lift-U therefore received payment on September 27th but reluctantly began production of the custom lift on September 20th. This sequence of events resulted in a delay of the installation of the lift.

To date, we are still waiting for D-C Elevator Inc. to submit their Certificate from the Tax Commissioner, as required per WV Code § 11-10-11(d), before issuing the final 10% payment in the amount of \$6,650. This check has been executed since November 30, 2017 and requests have been made to D-C Elevator, Inc. on the following dates *via* either e-mail, in person or telephone: November 17, 2017; December 19, 2017; March 2, 2018; March 28, 2018 and April 9, 2018. Tabatha Perry spoke with a representative in the main office located in Kentucky on March 28th and April 9th with hopes of receiving this documentation before submission of this report. The end product is exceptional; however, the project would have been completed more expediently and



with less hassle if there would have been more communication and efficient internal control with D-C Elevator Co., Inc.

6. Problem areas:

The main issue throughout the project was access to the Circuit Courtroom. With Upshur County having two Circuit Court Judges, initially the Maintenance Department only had 42 non-consecutive days to work within the Courtroom. Vendors were also requested to work around this schedule. Some days it would take more time to get all of the necessary tools and materials on site and prepare the room than the time they had to actually perform labor and demolition.

The other obstacle the Commission was posed with was receiving only one bid for the wheelchair lift. While researching wheelchair lifts, we were informed D-C Elevator is the only dealer in WV that can sell Lift-U products. This sole bid came in over the amount budgeted for this particular item; however, after re-evaluating a breakdown of the grant funding the Commission was able to move forward with purchasing the lift due to the exorbitant amount of money that was saved by utilizing the Maintenance Department instead of an outside contractor. D-C Elevator was very responsive and attentive to our needs until the contract was executed and then the communication and responsiveness began to lack.

Regardless, the CFIA Board graciously provided the Commission with the needed time extensions to get the project completed within a timely manner and for that they are appreciative.

7. County applicants project overview/recommendations:

Of course the Upshur County Commission would have liked to receive a better response to the Request for Bids for a wheelchair lift; however, the project was completed satisfactorily. It is the Upshur County Commission's belief that due diligence was made in obtaining as much interest in the project as possible.

The completed project consisted of the following:

1. Widened doorways into the courtroom and jury room for wheelchair clearance and maneuverability.
2. Replaced all existing door hardware (knobs) with ADA hardware (levers).
3. The juror box has been reconfigured to allow for a wheelchair to enter and sit with fellow jurors as opposed to being secluded outside of the juror area. The Maintenance Department cut into the front of the juror box and reconfigured the current step platform into a removable area that can be concealed within the space under the platform in the second row. When not in use, the removable platform can be positioned in a manner which will still allow space for a juror chair. The exterior paneling of the juror box had a matching latch door installed.
4. Replaced courtroom seating (pews) with new to allow for accessible seating, including companion seats (4 wheelchair designated seats).
5. Removed and replaced floor carpet and base to allow for new ADA seat benches (pews).

6. Replaced current witness stand with a 2-stage accessible lift to provide wheelchair access to witness stand and Judge's bench.
7. Installed exit signs over exit doors with combination egress lighting for life safety of all persons.
8. Removed carpet from three walls and applied patches, drywall, and paint for aesthetic enhancements to better complement improvements in the Circuit Courtroom

8. Statement:

The Upshur County Commission followed all contract stipulations as set forth in the Agreement entered into on December 28, 2016 and contained within the Special Conditions and Assurances. All applicable federal and state laws, rules, regulations and policies were complied with during this project, including the ADA Standards for Accessible Design. The Commission further attempted to receive competitive bids through several different advertising outlets. Duties were commenced on or about January 1, 2017 and continued until April 12, 2018, after receiving two extensions by mutual written agreement.

The completed WV SHPO Information Sheet for Section 106 Review Projects was submitted to the Deputy State Historic Preservation Officer on January 27, 2017. Correspondence from the Deputy State Historic Preservation Officer dated March 3, 2017 determined that the proposed work would adhere to the Secretary of the Interior's Standards for Rehabilitation and would have no adverse effect to the historic characteristics of the building and the district.

9. Photographs:

Please refer to the enclosed CD

You may view a video of the lift in motion at <https://www.dcelevator.com/case-studies/upshur-county-courthouse/>

Respectfully Submitted,

Samuel R. Nolte
Upshur County Commission President

WEST VIRGINIA Courthouse Facilities Improvement Authority	14th Cycle - Request for Reimbursement ⑧
RECEIVED	Funds Recipient: Upshur County Commission
	Address: 91 West Main St., Suite 101, Buckhannon, WV 26201
	Application #: 14cycUpshur49
	Grant ID #: 14cycUpshu2017
	FEIN #: 55-6000406
	Funds are hereby requested to cover expenditures FROM: January 1, 2017 TO: April 12, 2018

VENDOR INFORMATION - Please list below all invoices associated with this request for reimbursement. List the vendor name, the date received, the invoice number and the check number in this column. Attach a copy herein of the corresponding vendor invoice(s) marked "paid" and proof of payment for services (copy of county check).

Total Dollar
Amount of
Each Invoice

****Please see attached spreadsheet and supporting documentation**

Total = \$109,163.94

FUNDS RECIPIENT REIMBURSEMENT REQUEST:

This request is in the amount of \$87,331.15

Initials

Date

Pursuant to the authority vested in me, I certify that this request is correct and proper for reimbursement.

Date

Authorized Official

CFIA USE ONLY CERTIFICATION:

I certify that this report presents expenditures of funds for the period covered and for the total project budget to date, made in accordance with the approved application for this funding program.

BY: Melissa K. Smith, Executive Director

TYPED NAME & TITLE
(Authorized Official or Financial Officer Only.)

SIGNATURE

DATE

CLAYTON J. FITZSIMMONS
1609 Warwood Avenue
Wheeling, West Virginia 26003-7110
FitzsimmonsFirm.com



FITZSIMMONS
LAW FIRM PLLC

WV: (304) 277-1700
OH: (740) 695-1702
Toll: (866) 206-7077
Fax: (304) 277-1705

April 4, 2018

Via Email Transmission Only
clwallace@upshurcounty.org

Carrie Wallace, Administrator
Upshur County Commission
91 W. Main Street, Suite 101
Buckhannon, WV 26201

Re: Opioid Epidemic Lawsuit

Dear Carrie:

Please allow this correspondence to serve as an update. Because of certain procedural requirements imposed by West Virginia's Medical Malpractice Act and the Governmental Tort Immunity Act, we are required to obtain screening certificates and/or provide notice to certain defendants prior to filing suit. We have been in the process of obtaining the appropriate screening certificates from our expert witnesses and anticipate serving those in the very near future. Once they are served, we will file our lawsuit 30 days thereafter.

On an unrelated note, I wanted to update you on some changes that have taken place since these lawsuits have been filed. Purdue recently announced that it will stop actively marketing Oxycontin which is a positive sign that these lawsuits are promoting positive societal changes. There have also been settlement discussions in the federal MDL case and the United States government recently announced that it plans to file a similar lawsuit to our and also filed a motion to partake in the settlement negotiations.

If you have any questions or concerns, please feel free to give me a call. We will update you as we get closer to filing suit.

Thanking you, I remain

Very truly yours,

FITZSIMMONS LAW FIRM PLLC

Clayton J. Fitzsimmons
Clayton J. Fitzsimmons

CJF/klc

UPSHUR COUNTY COMMISSION

Upshur County Administrative Annex
91 West Main Street, Suite 101 • Buckhannon, West Virginia 26201

10

Telephone: (304) 472-0535
Telecopier: (304) 473-2802

TDD Numbers
Business: 472-9550
Emergency: 911

April 11, 2018

Thomas Moates
10 Corder Crossing
Buckhannon, WV 26201

via Certified Mail with Return Receipt

Re: Required Action --- Case Number: 041416-01

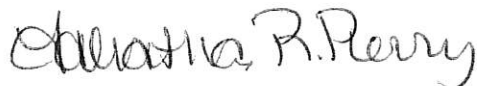
Mr. Moates,

During a regularly scheduled Commission Meeting held on Thursday, April 5, 2018, the Upshur County Commission discussed the status of your property located in Warren Tax District – Tax Map 6C – Parcel Number 4. I informed the Commission of our telephone conversations and your request for an extension. **For the property to be in compliance with the Ordinance, all health and safety hazards must be corrected, including but not limited to the removal and proper disposal of any debris, trash, junk vehicles and/or removal and proper disposal of environmental hazards.**

After careful consideration, the Commission voted to grant you one final extension to bring the property into full compliance with the Ordinance by June 5, 2018. The Commission will review photographs and discuss the status of your property on Thursday, June 7, 2018 at 9:05 a.m. in the Commission Meeting Room, Room 301 of the Courthouse Annex. Enclosed you will find a brochure from the Upshur County Solid Waste Authority outlining “free days” at the City Transfer Station on Mudlick Road. The Commission strongly urges you to take advantage of these days.

If the property is not brought into compliance by June 5, 2018, the Commission will discuss future cleanup options and legal remedies that may be taken.

Sincerely,



Tabatha R. Perry
Assistant County Administrator

Enclosure: Brochure

An Equal Opportunity Employer

(11)

UPSHUR COUNTY COMMISSION
Upshur County Administrative Annex
91 West Main Street, Suite 101 • Buckhannon, West Virginia 26201

Telephone: (304) 472-0535
Telecopier: (304) 473-2802

TDD Numbers
Business: 472-9550
Emergency: 911

April 11, 2018

Todd Spencer Walter Gould
3988 Little Sand Run Road
Buckhannon, WV 26201

via Certified Mail with Return Receipt

Re: Required Action --- Case Number: 041317-02

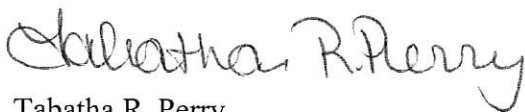
Mr. Gould,

As you are aware, during a regularly scheduled Commission Meeting held on Thursday, April 5, 2018, the Upshur County Commission discussed the status of your property located in Washington Tax District – Tax Map 7J – Parcel Number 11. After reviewing photographs and discussing the various actions you have taken to improve the condition of your property, the Commission determined that the property has not been brought into full compliance with the Safe Structures and Sites Ordinance. **For the property to be in compliance with the Ordinance the following must be completed: (1) all health and safety hazards must be corrected, including but not limited to the removal and proper disposal of any debris, trash, junk vehicles and/or removal and proper disposal of environmental hazards and (2) all openings of any dwellings or other buildings which would cause said structures to be unsafe, dangerous or detrimental to the public safety or welfare must be closed.**

After careful consideration, the Commission voted to grant you one final extension to bring the property into full compliance with the Ordinance by June 5, 2018. The Commission will review photographs and discuss the status of your property on Thursday, June 7, 2018 at 9:15 a.m. in the Commission Meeting Room, Room 301 of the Courthouse Annex. Enclosed you will find a brochure from the Upshur County Solid Waste Authority outlining “free days” at the City Transfer Station on Mudlick Road. The Commission strongly urges you to take advantage of these days.

If the property is not brought into compliance by June 5, 2018, the Commission will discuss future cleanup options and legal remedies that may be taken.

Best regards,



Tabatha R. Perry
Assistant County Administrator

Enclosure: Brochure

UPSHUR COUNTY COMMISSION

Upshur County Administrative Annex
91 West Main Street, Suite 101 • Buckhannon, West Virginia 26201

12

Telephone: (304) 472-0535
Telecopier: (304) 473-2802

TDD Numbers
Business: 472-9550
Emergency: 911

April 11, 2018

Frank Kelley
4010 Little Sand Run Road
Buckhannon, WV 26201

via Certified Mail with Return Receipt

Re: Required Action --- Case Number: 051117-01

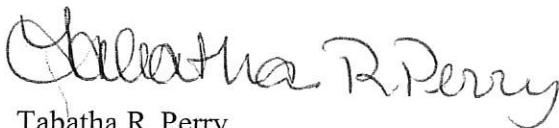
Mr. Kelley,

During a regularly scheduled Commission Meeting held on Thursday, April 5, 2018, the Upshur County Commission discussed the status of your property located in Washington Tax District – Tax Map 7J – Parcel Number 11.1. After reviewing photographs of the current condition of your property, the Commission determined that the property has not been brought into full compliance with the Safe Structures and Sites Ordinance. **For the property to be in compliance with the Ordinance the following must be completed: (1) all health and safety hazards must be corrected, including but not limited to the removal and proper disposal of any debris, trash, junk vehicles and/or removal and proper disposal of environmental hazards and (2) all openings of any dwellings or other buildings which would cause said structures to be unsafe, dangerous or detrimental to the public safety or welfare must be closed.**

The Commission has voted to grant you one final extension to bring the property into full compliance by June 5, 2018. Furthermore, the Commission will review photographs and discuss the status of your property on Thursday, June 7, 2018 at 9:30 a.m. in the Commission Meeting Room, Room 301 of the Courthouse Annex. Enclosed you will find a brochure from the Upshur County Solid Waste Authority outlining “free days” at the City Transfer Station on Mudlick Road. The Commission strongly urges you to take advantage of these days.

If the property is not brought into compliance by June 5, 2018, the Commission will discuss future cleanup options and legal remedies that may be taken.

Best regards,



Tabatha R. Perry
Assistant County Administrator

Enclosure: Brochure

An Equal Opportunity Employer

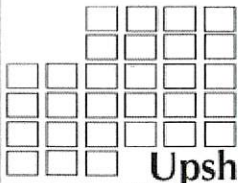
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Upshur County

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Family Resource Network

P.O. Box 2115
Buckhannon, WV 26201

Telephone (304) 473-1051
Fax (304) 473-0945

Email: upshurfrn@yahoo.com

General Membership Meeting

April 9, 2018
12:00 PM

Stockert Youth Center

Agenda Topics

- Greeting and Invocation
- Introductions around the room
- Director's report including Intermountain Collaborative, Safe at Home, meetings
- Speakers: Addie Helmick and Bobbi Cox, Women's Aid in Crisis
- Information Sharing
- Closing

Next meeting Monday, May 14, 2018 at 12:00 pm at Stockert Youth Center



Notice of Meeting

Buckhannon-Upshur Parks and Recreation Advisory Board

Location: Upshur County Administrative Annex, 91 West Main St. Suite 101
Date: April 9, 2018
Time: 5:30 PM

Agenda

1. Call meeting to order.
2. Approve March 12, 2018 minutes
3. Public comment
4. Discuss Community Float Progress
5. Discuss objectives and goals (1 yr. vs. next 5 yrs.) of the Board
6. Discuss Budget Hearing
7. Adjournment

Next Meeting: 5:30 PM, April 9, 2018 at Upshur County Administrative Annex

UPSHUR COUNTY SENIOR CENTER



TO: Upshur County Senior Center Board of Directors

FROM: Billy Marsh/LouEllen Blake

MEETING: Senior Center Board of Directors

DATE: April 11, 2018

TIME: noon

PLACE: Board Room

Lunch: 11:30 in Nutrition Site

Minutes Attached

AGENDA

**Call to Order
Roll Call**

Approval of Minutes

Previous Business

**Parking Lot and Computer Grants –Carrie Wallace County Administrator
Hiring of Executive Director**

New Business

**Donations-Hite and Atlantic Pipeline
Volunteers**

**Country Roads request for key
Edward Jones request for programming
Directors Report
In home care report**

Misc./other Business

UPSHUR COUNTY SAFE STRUCTURES AND SITES
ENFORCEMENT BOARD

Meeting Agenda
Thursday,
April 12, 2018
4:00 p.m.

- I. Call meeting to order
- II. Recognition of Guests
- III. Public Comment
- IV. Approval of previous meeting(s) minutes
 - March 8, 2018
- V. Report and/or action on Pending Cases
 - 012017-01 and 012017-02 (George) – Discuss outcome of Chris Garrett’s contact with the Director of Public Health in Charleston
 - 020917-01 (Wojnovich) – sold at tax sale, property owner has 18 months to redeem – waiting until the end of the 18 month period to see if the new owner brings the property into compliance
 - 110917-01 (DeMastes) – Review photographs of property
 - 121407-01 (Rowan) – Review photographs of property
 - 030818-01 (Cogar) – Review photographs of property from initial inspection
 - 030818-02 (Linger) -- Review photographs of property from initial inspection
- VI. Consider requests to establish new cases
 - 2 new complaints
- VII. Discuss Board Member vacancy
- VIII. Adjournment

The next Safe Structures & Sites Board Meeting will be held Thursday, May 10, 2018 at the Upshur County Administrative Annex, 91 West Main St., Suite 101.

Buckhannon-Upshur Chamber of Commerce
Meeting Agenda
April 16, 2018

Welcome and Introductions

Pledge of Allegiance

Treasurer's Report

Review of Minutes

Old Business:

- Annual Dinner
 - Thank you for your support!

New Business:

- City Candidate Forum
 - April 23, 2018 @ 7pm
 - WVWC Chapel

Reports from Collaborative Organizations and Standing Committees:

West Virginia Strawberry Festival – Debra Hupp
Economic Development Authority – Rob Hinton
Southern Upshur Business Association (SUBA) - Glen Hawkins
Upshur County Convention and Visitor's Bureau (CVB) - Laura Meadows
Create Buckhannon – C.J. Rylands
City of Buckhannon – Amby Jenkins
County Commission – Carrie Wallace
Mountain Cap of WV- Kathy McMurray
Upshur Arts Alliance- Jane Helmick
St. Joes- Lisa Wharton
WVWC- Bob Skinner

Speaker- WVSF

Announcements

Closing Prayer- Adjourn

Next Meeting- May 21st

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Notice of Meeting

for

Upshur County Fire Board, Incorporated

(Statutory Corporation per Chapter 7 Article 17 of the WV Code)

Location: Upshur County Administrative Annex, Suite 101, 91 W. Main Street
Date: Tuesday, April 17, 2018
Time: 6:30 p.m.

AGENDA

Call Meeting to Order

Approval of Minutes---March 20, 2018

Public Questions/Comment Period

Distribution of checks (\$9,000.00 each) to VFD Chiefs for 2nd Disbursement 2017

Report from Fire Fee Clerk on Collections and/or Operational Procedures

- Cumulative report

Financial Matters/Items

- Bank Statement---Checking Account Balance as of 03/31/2018---\$146,533.16
- Disbursement from Chief Tax Deputy for March---TBD prior to meeting

Payment of Bills/Invoices

- Software Systems---Invoice # 31452---Maintenance Charge March---\$269.00
- Upshur County Commission---Quarterly Postage Reimbursement, January to March---\$283.69
- Upshur County Commission---Quarterly Payroll Reimbursement, January to March ---\$5,480.80

Review and Approval of Corrective Tickets and Exonerations

Review and acceptance of WVCORP 2018-2019 Coverage Proposal in the amount of \$1,743.00

Other Items/Matters to Consider

Date of Next Meeting---May 15, 2018---Adjournment

(21)

Upshur Citizen Corp Council Minutes January 10, 2018 Meeting
Upshur Co. OEM Office. Buckhannon, WV 26201

Present: Bill Duranti, Susan Duranti Shannon Whited, Phyllis Sembello, Jim Farry

Approved
Leave: Brad Montgomery

Unexcused: Tom Hinchman

Minute of Silence and Pledge of Allegiance

Meeting: Called to order at 6:00 PM by Jim Farry, Meeting minutes were read for the month of November, 2017. (No meeting in December, 2017) A motion was made and seconded to approve the minutes.

Treasure: As of today (Jan. 10, 2018) the account balance is \$2531.84. This is \$750 from the County Commission and \$1781.84 from our earnings being previously held by the LEPC. No change in the balance. A motion was made and seconded to approve the Treasure's.

Status of
Funding: Shannon reported that she isn't aware of any additional expenses at this time.

Update on
Training: Bill reported on the email received from Steve Wykoff (attached) stating that the new grant writer for the City/County was going to include the training option for a CERT Program Manager if there were anyone interested in attending. It was discussed among the Council and decided that we didn't have anyone to attend at this time. Bill will contact Steve to see how this grant writer position works with CCC/CERT grant writer. Shannon reported that we are still moving forward with a training session this coming spring. Jim noted that another weather training session might be of interest. He will check with Charleston to see what is available. Also the Red Cross might have a class of interest Shannon will check with Alan Coberly, the Director for this area to see what might be possible.

Update on
Equipment: No new report on the CERT equipment.

Grants: No new report.

Information
Sharing: A discussion was held in regards to the empty Council seats that need filled. An open house of some kind was discussed with all currently trained CERT members to see if any of them might be interested. It would also be good to have the open house for members to come to discuss any questions they might have. Shannon will check with the County Commission to see if we can purchase food for the open house.

Meeting: Training update: Future CERT classes:

Next Meeting
Date: February 14, 2018

Adjourned: 6:30 PM

Approved As Read:

Signed 3-14-18 Date S Duranti Respectfully Submitted By: Susan Duranti, Secretary

Elkins Road Public Service District
Board of Directors' Regular Meeting
March 6, 2018



The regular monthly meeting of the Elkins Road Public Service District (ERPSD) Board of Directors was held on Tuesday, March 6, 2018.

Chair, Carey Wagner, called the meeting to order at 5:30 p.m. and led the group in the Pledge of Allegiance.

Members Present were: Chair-Carey Wagner, Secretary-Larry Heater and Board Member-Sonny Matthews

Staff Present were: Office Manager-Carolyn Douglas, Billing Clerk-Sharon Burr, System Operator-Dave Wamsley

Unless otherwise stated all motions passed by vote 3-0.

Recognize that five (5) customers were present.

APPROVAL OF MINUTES

Minutes of February 6, 2018 Regular Monthly Meeting were presented for approval. **Sonny Matthews moved to approve the minutes of the meetings as presented. Larry Heater seconded the motion. Motion carried**

APPROVAL OF FINANCIAL REPORTS/BILLS TO DATE

Carey Wagner presented the Financial Report. **Sonny Matthews made a motion to approve financial report and pay the bills to date. Larry Heater seconded the motion. Motion carried**

COPY OF MINUTES TO CITY OF BUCKHANNON

We received an email from Teresa Summers saying that at the City of Buckhannon Water Board Meeting held 2/8/18, they made a motion to request a copy of the minutes from all PSD's be sent to them from now on. **Sonny Matthews made a motion to comply with their request. Seconded by Larry Heater. Motion carried**

PHASE III EXTENSION PROJECT

Greg Belcher sent a reply to Carey Wagner's email asking for an update on our Phase III progress. He replied that not much has changed from their end during the past few weeks. He also stated that there is not much we can be doing now but in the next few weeks they would try to get us a customer list to start signing up potential customers and also work on any easements needed for this phase.

Region VII sent a request for payment of invoice for CTG from SCBG. **Sonny Matthews made a motion for approval to pay. Larry Heater seconded the motion. Motion carried**

Elkins Road Public Service District
Board of Directors' Regular Meeting
March 6, 2018

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MAINTENANCE

Dave Wamsley, System Operator, presented his Maintenance Report for February. Discussion followed on the fact that our daily water usage has started coming down but we still need to be looking for water leaks as it is not where it should be. Dave also brought up the fact that the PSD Truck has been losing a lot of oil and antifreeze lately.

MISCELLANEOUS

Rhett Dusenbury with Congressman Alex Mooney's office once again attended our meeting to ask if there was anything he could do to assist us in receiving our much needed funding to complete our Phase III Project. Carey Wagner gave him a copy of the proposed Phase III Extension plans.

There being no further business, **the meeting adjourned on motion made by Sonny Matthews and seconded by Larry Heater.** Meeting adjourned at 6:10 p.m.

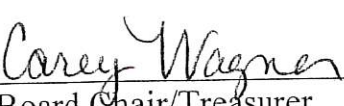
The next regular monthly meeting will be held on Tuesday, April 3, 2018 at 5:30 p.m.


Respectfully submitted:


ERPSD Board of Directors Secretary, Larry J Heater//CD

Attachments: Agenda
Sign In Sheet
Financial Report

Approved By:


Board Chair/Treasurer
Carey Wagner


Secretary
Larry Heater


Board Member
Sonny Matthews

Note: Recorded Meeting

Buckhannon-Upshur Parks and Recreation Advisory Board Minutes
03/12/18

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Attending: J.J Ford, Hannah Lively, Josh Hinchman, Callie Cronin-Sams, Tappan Squires

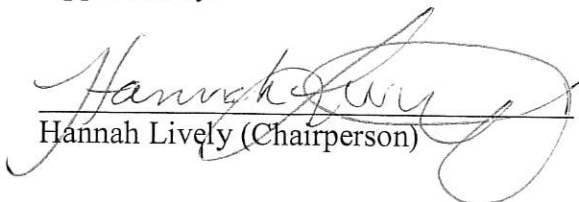
Absent: Buck Edwards, Katie Loudin

Guests: Tabatha Perry

The meeting was held at the Upshur County Administrative Annex

1. The meeting was called to order at 5:35 p.m.
 2. The 2/12/18 meeting minutes were approved on motion by JJ Ford and seconded by Josh Hinchman.
 3. Public Comment
 - a. Lifeguarding class is offered this weekend and next.
 - b. WVWC is offering a recertification class.
 - c. One application has been received for a pool director position.
 4. Discuss objective and goals (1 yr. vs. next 5 yrs.) of the Board
 - a. J.J discussed sign placement and there was a concern about vandalism and/or theft. He will inquire with Lowes.
 - b. We are looking at a date to have a "community float" on July 28th, 2018. (Rain date- Aug. 5, 2018) 9 am-3pm. Participants will park at the Riverwalk, shuttle to Hampton from 9-10a, then boat. We will reach out to vendors who may want to work the event. We can reach out to the festival Friday list serve. Callie will reach out to C.J Ryland. Tabatha find out insurance coverage for this event. The committee decided: kids float FREE under 12. Adults pay \$10 for shuttle service. Non-motorized watercraft will be permitted.
 - c. Josh mentioned making water way signs for water trails.
 - d. The basketball court project is going to be pursued. Table this conversation until budget hearing.
 - e. Splash pad figures will be disclosed soon.
 - f. Josh will follow up with availability of land around the high school.
 5. Creation of Riverwalk Extension Working Group
 - a. Callie reported Laura Meadows is working on this. The idea is open access to other areas for pedestrian travel. Parks and Recreation will volunteer as a resource for the group.
 6. Adjournment- The next meeting will be held on April 9th at 5:30 at 91 W. Main Street office.
- With no further business, the Board adjourned at 7:00.

Approved by:


Hannah Lively (Chairperson)


J.J. Ford (Vice-Chairperson)



Upshur County Solid Waste Authority
Board of Directors Meeting
MINUTES
March 12, 2018

Chair Joyce Harris-Thacker called the meeting to order in the Conference Room of the UCSWA (located at 380 Mudlick Road, Suite 102, Buckhannon, WV 26201) at 4:30 PM on March 12, 2018.

Present at the meeting were: Joyce Harris-Thacker, Jacqueline (Jackie) McDaniels, Mary Gower, G. Paul Richter, James S. "Jay" Hollen, III and Director Burl Smith. There were three guests; Jeff Wamsley, supervisor of the City of Buckhannon Waste Collection Department; Callie Sams, information specialist for the City of Buckhannon; and, JP Phillips, Manager for Mountain State Waste.

Minutes of the February 12, 2018 meeting had previously been sent to the members and were part of the Agenda packet. A motion to accept the minutes by Paul and second by Mary. Motion carried. The minutes were signed by the Director and Chair.

The Financial Report was presented by the Treasurer, Jay. Register Reports for the four bank accounts with First Community Bank covering February, 2018 were presented. The ending balances for the accounts are as follows:

• REAP Account	\$ 1,237.58
• SWMB Account	\$ 6,600.00
• Money Mkt Account	\$ 19,532.02
• Operating Account	\$ 11,878.36

A motion to accept by Paul and seconded by Mary. Motion carried.

Director's Report:

Burl Smith presented a written copy of the Director's Report for the Period of February 13, 2018, to March 12, 2018, a copy of which is attached as part of the minutes. Additionally, Burl noted that some items he had been working on will be covered under Old and New Business.

Recognition of Guests:

- Callie Sams reported on the "Celebrate Spring and Community Unity Day" at Jawbone Park for 4:30 PM on March 20th. Burl will prepare a handout to be used at that event noting the "Celebration of Recycling" event to be held on April 20-21.
- Jeff Wamsley explained the February, City of Buckhannon Recycling Report and also informed the Board of the 96 gallon residential bin plans currently being implemented.
- JP Phillips informed the Board concerning House Resolution 98 which initiates a study on removing regulation of solid waste facilities and intrastate transportation of solid waste from the WV Public Service Commission. JP noted that there can be many unintended consequences of de-regulation and he requested the UCSWA keep abreast of this and any proposed future legislation.



Old Business:

- **FY 2018 SWMB Grant, Direct Mailing Discussion** – Burl noted that Ralston Press is now having the brochure printed and that the mailing will be the last week of March which is prior to our next board meeting.
- **April Make-It-Shine Discussion** – The date for the County to sign the proclamation making April “Make It Shine” month is March 29th at 9:05 AM. Signing by the City is to follow at 10:00 AM. The presentation to Buckhannon Rotary will be March 27th at noon. The billboard on Route 33 is in progress and Burl will coordinate with the City to use the digital sign on Route 20. Jackie will conduct the poster contest at the BU Middle School and judging will take place at the next UCSWA Board meeting.
- **FY 2017 Audit Papers** – The audit results notification letter and audit were presented to the Board for review. The only item of note is the same recurring item of “segregation of duties”.

New Business:

- **FY 2019 SWMB Grant Application**—Notification of the application was received last week and Burl has begun on the application. He asked the Board for input on requests to be included in the application which must be addressed at the April Board meeting in order to meet the April 30th deadline. Burl will email the Board members the items included in the application prior the board meeting.
- **Office Computer**—Burl had Jay check the computer which is working very slowly. Jay reported that the 2002 version of Windows XP was outdated and the computer is not capable of handling the newer operating system. He reported that upgrading the desktop computer/monitor and software would cost between \$750 and \$1000. A motion by Jackie for Jay and Burl to select and purchase the required computer and software. Second by Paul. Motion carried.

Board Member Items: None

With no further business, the meeting adjourned at 5:30 PM.

Respectfully Submitted,

Burl J. Smith, Director
March 12, 2018

(Original Signature Copy to be maintained in the UCSWA Office)

Joyce Harris-Thacker, Chair

The Director's Report is attached on Page 3 of 3.

UPSHUR COUNTY SOLID WASTE AUTHORITY

DIRECTOR'S REPORT---Burl Smith

Period from February 13, 2018 to March 12, 2018

Activities include:

- Prepared and distributed by email the minutes of the 2/12/18 meeting.
- Checked upshurswa@yahoo.com email daily.
- Checked mail at Post Office 2 or more times per week.
- Received and deposited SWMB Assessment check (\$1607.15) on 3/1/18.
- No Upshur County Magistrate Court checks during this time period.
- Received monthly bank statements on the four accounts and reconciled balances. Everything is okay for February, 2018. I printed Register Reports for the bank accounts showing current month transactions for the Operating and Money Market accounts and all transactions for REAP and SWMB accounts.
- Prepared checks for payment of bills.
- Cleaned office.
- Prepared Agenda and meeting package for the 3/12/18 meeting. Posted Agenda on the office window and emailed to various agencies, press, etc., one week before the meeting.
- Pickup of litter at Crossroads Recycling Center was done one time this month.
- Scheduled the Rachel's Challenge event at BU High School for May 9th.
- Worked on presentation to Buckhannon Rotary of April Make It Shine for Tuesday, March 27th.
- Received acceptance of the Semi-annual Report for the SWMB FY 2018 Grant.
- Worked with Lamar advertising for the billboard on Route 33 for April 1018. Gave go ahead for the project.
- Continued work on the EDDM mailing to take place for the month of April promotion of Make It Shine. This is to be paid by SWMB Grant funds.
- Received final FY 2017 Audit from auditor. Placed copy of audit in each board members notebook and put copy of audit findings in agenda packet. Received invoice for auditor and State auditor and prepared checks for payment.

Thanks---Burl