

Upshur County Commission Meeting Agenda

Agenda packets are available electronically at 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: January 4, 2024
- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• December 21, 2023
- 9:15 a.m. Tasha Carrico, representative from Special Olympics, to discuss upcoming polar plunge event.
- 9:30 a.m. First reading of suggested revisions to the Upshur County Floodplain Ordinance, previously adopted on January 16, 2020. [Page 4](#)

Items for Discussion / Action / Approval:

1. Election of Commission President for the 2024 Calendar Year *
2. Oath of Office for the Commission President *
3. Establish date and time for regular Commission Meetings *
4. Approval of Local Rules for Commission Meetings * [Page 5](#)
5. Approval of registration sign-in sheet in accordance with WV Code §6-9A-3 * [Page 6](#)
6. Discuss agenda format and material *
7. Establish Hours of Operation for the Upshur County Courthouse, Annex and Administrative Annex * [Page 7](#)
8. Approval of 2024 Holiday Schedule and Administrative Closures * [Page 8](#)
9. Affidavit of Commission President, Sheriff and County Clerk Establishing Facsimile Signature *
10. Consider Commissioner Board Appointments: * [Page 9](#)
 - Court Security Advisory Board
 - Lewis-Upshur Community Corrections Board
 - Upshur County Farmland Protection Board
 - Lewis-Upshur Local Emergency Planning Committee
 - Region VI Work Force Investment Board
 - Region VII Planning & Development Council
 - Upshur County 4H Foundation
 - Upshur County Development Authority
 - Upshur County Enhanced Emergency Telephone Board

- Upshur County Extension Service Committee
- Upshur County Fire Board Incorporated
- Upshur County Senior Center Board
- Upshur County Family Resource Network
- Upshur County Youth Council, Incorporated (SYC)
- Corridor H Authority
- Mountain CAP of West Virginia, Incorporated
- Buckhannon-Upshur Airport Authority
- Emergency Food and Shelter Program

11. Approval of Upshur County Commission's mission statement for purposes of meeting grant requirements set by the WV Division of Justice and Community Services. * [Page 10](#)
12. Approval and adoption of the 2024 Standard Mileage Rates- Effective January 1, 2024. * [Pages 11-12](#)
13. Approval of Order Requesting the Appointment of Sheriff J. Michael Coffman as the Administrator of the Estate of Roger Allen Sears. * [Page 13](#)
14. Approval and signature of a 2023-2024 school year Prevention Resource Officer Agreement by and between the Upshur County Board of Education, Upshur County Commission and Upshur County Sheriff's Office for the placement of a Prevention Resource Officer that will rotate among the seven Elementary Schools in Upshur County. * [Pages 14-19](#)
15. Approval of the purchase of a 2021 Jeep Grand Cherokee Laredo from the 26th Judicial Circuit Community Corrections Program for \$12,000. for use in the Upshur County Sheriff's Department. * [Page 20](#)
16. Approval of Requests for Bids and Minimum Vehicle Specifications for one Sport Utility Vehicle for the Upshur County Sheriff's Department. Sealed proposals must be received no later than 4:00 p.m. on January 31, 2024 at the Administrative Annex located at 91 West Main Street, Suite 101. Bids received by the deadline will be publicly opened, reviewed and read aloud by the Commission at 9:15 a.m. on Thursday, February 1, 2024. * [Pages 21-22](#)
17. 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 John S. Jenkins, CPA and WV First QSF Administrator, outlining local government settlement payment requirements for the distribution of the West Virginia opioid settlement funds, which has now begun. [Page 23](#)
2. Correspondence from Patrick Morrissey, WV Attorney General, announcing a partnership between the Attorney General's Office and the WV State Auditor's Office relating to county opioid settlement funds. [Pages 24-44](#)
3. Memorandum from John B. McCuskey, WV State Auditor, outlining guidance and providing a mechanism to transparently track the county opioid settlement funds. [Pages 45-49](#)

4. Public Notices:

a) Newsletters and/or Event Notifications:

- None

b) Agendas and/or Notice of Meetings:

- | | | |
|---------------------------------------|-----------------|---------|
| • City Council of Buckhannon | January 4, 2024 | Page 50 |
| • Elkins Road Public Service District | January 9, 2024 | Page 51 |

c) Meeting Minutes:

- | | | |
|------------------------------------|-------------------|---------|
| • Upshur County Fire Board Meeting | November 14, 2023 | Page 52 |
|------------------------------------|-------------------|---------|

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

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

or go to www.upshurcounty.org and click on the board meetings calendar box on the main page.

5. Appointments Needed or Upcoming:

- None

****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. 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

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 53-54

Next Regular Meeting of the Upshur County Commission

January 11, 2024 --- 9:00 a.m.

Upshur County Courthouse Annex

NOTICE OF PUBLIC HEARING BY THE UPSHUR COUNTY COMMISSION

The Upshur County Commission ("Commission") has scheduled two readings on an amendment to the Upshur County Floodplain Ordinance, excluding the municipality of Buckhannon. The public hearings will be held in the Commission Meeting Chambers located in Room 301 of the Upshur County Courthouse Annex, 38 West Main Street, Buckhannon, West Virginia, 26201.

- First Reading 9:30 am Thursday January 4, 2024
- Second Reading/Adoption 9:30 am Thursday January 18, 2024

Parties in interest may appear before the Upshur County Commission (the "Commission") and may be heard as to whether the following described Ordinance adopted by the Commission shall be revised as recommended.

AN ORDINANCE ESTABLISHING A FLOODPLAIN AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND;

REQUIRING ALL CONTRACTORS, PERSONS, PARTNERSHIPS, BUSINESSES AND CORPORATIONS TO OBTAIN A BUILDING PERMIT FOR ALL OF THE UNINCORPORATED AREAS OF UPSHUR COUNTY FOR ANY AND ALL DEVELOPMENT, SITE PREPARATION, CONSTRUCTION, SUBSTANTIAL IMPROVEMENT OR RELOCATION OF ANY BUILDING OR STRUCTURE;

PROVIDING FOR CERTAIN MINIMUM STANDARDS FOR CONSTRUCTION WITHIN THE FLOODPLAIN AREA AND SETTING FORTH SPECIAL PROCEDURES FOR SUBMISSION AND APPROVAL OF PLANS;

ESTABLISHING PENALTIES FOR ANY PERSON WHO FAILS TO COMPLY WITH THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE.

A copy of the Ordinance is on file for review by interested persons during regular office hours in the office of the County Administrator of Upshur County, West Virginia, 91 West Main Street, Suite 101, Buckhannon, West Virginia.

Published at the direction of the Upshur County Commission on December 20, 2023.

Kristie G. Tenney

Kristie G. Tenney, President

APPROVED

DEC 14 2023

UPSHUR COUNTY COMMISSION


UPSHUR COUNTY COMMISSION
Upshur County Administrative Annex
91 West Main Street, Suite 101 • Buckhannon, West Virginia 26201
Equal Opportunity Employer (EOE)

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

TDD Numbers
Business: 472-9550
Emergency: 911

Local Rules

The Upshur County Commission will meet weekly on Thursdays, beginning at 9:00 am. Meetings will be held in the Commission Meeting Room, Room 301, on the third floor of the Courthouse Annex.

Agenda items and/or meeting presentations/appointments must be received no later than three business days prior to the meeting date by 12:00 pm.

Agendas will be sent to the public via email two business days before the meeting, as per WV State Code §6-9A-3. Agendas will be emailed to those who request an electronic version of the agenda. In order to be added to the email list, please contact the office of the Upshur County Commission at the number listed above. Printed copies of the agenda will be posted on the Courthouse Annex bulletin board in the Chancery Street Alley and on the Administrative Annex bulletin board at the address listed above.

Presentations/Appointments will be scheduled in 15-minute increments, beginning at 9:00 am. If there are multiple speakers present, the Commission reserves the right to limit times of speakers on both sides of an issue. Additional comments will be accepted in written form for review.

Those who are not listed on the official agenda and wish to address the Commission must register within 15 minutes prior to the meeting; however, the Commission will simply hear your comment. The Commission will not make a decision relative to the matter unless the item appears on the official agenda.

The Commission shall abide by the Open Meeting Laws set forth in WV State Code §6-9A-I.

Robert's Rules of Order are utilized as a guide only. The Commission controls the meeting, management, discussion and input.

Commissioners may participate and vote via conference call if two (2) Commissioners are in attendance

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In accordance with WV Code **§6-9A-3**, those wishing to address the Commission must register below within 15 minutes prior to the meeting. As stated in the Commission's local rules, comments are limited to 15 minutes in length. If your name does not appear on the official agenda that is dispersed prior to the meeting, the Commission will simply hear your comment. They will not make a decision relative to the matter unless the item appears on the official agenda. In order to schedule an appointment on the agenda, please contact either Tabatha Perry or Cindy Hughes at the phone number listed above.

Date: _____

1.	_____	_____
	Printed Name	Signature
2.	_____	_____
	Printed Name	Signature
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	Printed Name	Signature
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	Printed Name	Signature
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8.	_____	_____
	Printed Name	Signature
9.	_____	_____
	Printed Name	Signature
10.	_____	_____
	Printed Name	Signature

COURTHOUSE HOURS

MONDAY – FRIDAY

8:00 AM – 4:00 PM

WITH THE FOLLOWING EXCEPTIONS

2024 LEGAL HOLIDAYS

***COURTHOUSE AND ANNEX CLOSED ON THE FOLLOWING DAYS**

JANUARY 15, 2024 MONDAY - MARTIN LUTHER KING JR.
BIRTHDAY

FEBRUARY 19, 2024 MONDAY - PRESIDENT'S DAY

MAY 14, 2024 TUESDAY - PRIMARY ELECTION DAY

MAY 17, 2024 FRIDAY - **CLOSE AT NOON**

MAY 27, 2024 MONDAY - MEMORIAL DAY

JUNE 20, 2024 THURSDAY - WEST VIRGINIA DAY

JULY 4, 2024 THURSDAY - INDEPENDENCE DAY

SEPTEMBER 2, 2024 MONDAY - LABOR DAY

OCTOBER 14, 2024 MONDAY - COLUMBUS DAY

NOVEMBER 5, 2024 TUESDAY – GENERAL ELECTION DAY

NOVEMBER 11, 2024 MONDAY - VETERANS' DAY

NOVEMBER 28, 2024 THURSDAY - THANKSGIVING DAY

NOVEMBER 29, 2024 FRIDAY - LINCOLN'S DAY

DECEMBER 13, 2023 FRIDAY **CLOSE AT NOON**

DECEMBER 24, 2024 TUESDAY – **CLOSE AT NOON**
CHRISTMAS EVE

DECEMBER 25, 2024 WEDNESDAY - CHRISTMAS DAY

DECEMBER 31, 2024 TUESDAY – **CLOSE AT NOON**
NEW YEAR'S EVE

JANUARY 1, 2025 WEDNESDAY - NEW YEAR'S DAY

***IN ADDITION, THE COURTHOUSE AND ANNEX BUILDINGS WILL BE CLOSED ON OTHER HOLIDAYS AS DECLARED BY THE GOVERNOR RESULTING IN CLOSED COURTS, AS PERMITTED BY SUBSECTION (C), SECTION ONE, ARTICLE TWO, CHAPTER TWO OF THE CODE OF WEST VIRGINIA. ***

2024 Calendar Year Legal Holidays

January 15, 2024	Monday	Martin Luther King Jr. Birthday
February 19, 2024	Monday	President's Day
May 14, 2024	Tuesday	Primary Election Day
May 27, 2024	Monday	Memorial Day
June 20, 2024	Thursday	West Virginia Day
July 4, 2024	Thursday	Independence Day
September 2, 2024	Monday	Labor Day
October 14, 2024	Monday	Columbus Day
November 5, 2024	Tuesday	General Election Day
November 11, 2024	Monday	Veterans' Day
November 28, 2024	Thursday	Thanksgiving Day
November 29, 2024	Friday	Lincoln's Day
December 24, 2024	Tuesday	Christmas Eve (Half-day)
December 25, 2024	Wednesday	Christmas Day
December 31, 2024	Tuesday	New Year's Eve (Half-day)
January 1, 2025	Wednesday	New Year's Day

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The Upshur County Courthouse's hours of operation are Monday-Friday 8:00 a.m. to 4:00 p.m. with the following exceptions:

May 17, 2024	Friday	8:00 a.m. to 12:00 p.m.
December 13, 2024	Friday	8:00 a.m. to 12:00 p.m.

**In addition, the Courthouse and Annex buildings will be closed on other holidays as declared by the Governor resulting in closed courts, as permitted by subsection (c), section one, article two, chapter two of the Code of West Virginia. **

2024 Commission Board Appointments

Commissioner Tenney:

Upshur County Fire Board, Incorporated (monthly)

Upshur County Family Resource Network (monthly)

Mountain CAP of West Virginia, Inc (bi-monthly)

Upshur County Enhanced Emergency Telephone Advisory Board (monthly)

*Buckhannon Upshur Parks & Rec – (monthly)

Region VII Planning & Development Council (quarterly)

Commissioner Bush:

Region VI Workforce Investment Board – LEO (quarterly)

Upshur County Senior Center Board (monthly)

Upshur County Extension Service Committee (annually)

Lewis Upshur Community Corrections Board (monthly)

Emergency Food and Shelter Program – Parish House (annually)

Upshur County Farmland Protection Board (monthly)

Commissioner Nolte:

Upshur County Development Authority (monthly)

Court Security Advisory Board (monthly)

Upshur County Youth Council, Incorporated (SYC) (monthly)

Lewis-Upshur Local Emergency Planning Committee (monthly, alternates Lewis/Upshur)

Upshur County 4H Foundation (up to 3x's per year)

Buckhannon Upshur Airport Authority (monthly)

Corridor H Authority Board (as needed, teleconference is available)

Tabatha Perry:

Chamber of Commerce (monthly)

James W. Curry Advisory Board (monthly March – October) - Secretary

Court Security Advisory Board (monthly) – Secretary

Chamber of Commerce Board of Directors (quarterly)

Convention & Visitors Bureau (monthly)

Upshur County Enhanced Emergency Telephone Advisory Board (monthly) *ex-officio*

Cindy Hughes:

*Safe Sites & Structures (monthly) – Secretary

*Attends, not a member of the Board

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MISSION STATEMENT

The mission of the Upshur County Commission is to provide superior public service and support which enables all county residents the opportunity to improve their quality of life, and enjoy the benefits of a safe, sustainable and progressive community in North Central West Virginia.

Dated: January 4, 2024

Samuel R. Nolte
Commissioner

Douglas K. Bush
Commissioner

Kristie G. Tenney
Commissioner



IRS issues standard mileage rates for 2024; mileage rate increases to 67 cents a mile, up 1.5 cents from 2023

IR-2023-239, Dec. 14, 2023

WASHINGTON — The Internal Revenue Service today issued the 2024 optional standard mileage rates used to calculate the deductible costs of operating an automobile for business, charitable, medical or moving purposes.

Beginning on Jan. 1, 2024, the standard mileage rates for the use of a car (also vans, pickups or panel trucks) will be:

- 67 cents per mile driven for business use, up 1.5 cents from 2023.
- 21 cents per mile driven for medical or moving purposes for qualified active-duty members of the Armed Forces, a decrease of 1 cent from 2023.
- 14 cents per mile driven in service of charitable organizations; the rate is set by statute and remains unchanged from 2023.

These rates apply to electric and hybrid-electric automobiles as well as gasoline and diesel-powered vehicles.

The standard mileage rate for business use is based on an annual study of the fixed and variable costs of operating an automobile. The rate for medical and moving purposes is based on the variable costs.

It is important to note that under the Tax Cuts and Jobs Act, taxpayers cannot claim a miscellaneous itemized deduction for unreimbursed employee travel expenses. Taxpayers also cannot claim a deduction for moving expenses, unless they are members of the Armed Forces on active duty moving under orders to a permanent change of station. For more details see [Moving expenses for members of the armed forces](#).

Taxpayers always have the option of calculating the actual costs of using their vehicle rather than using the standard mileage rates.

Taxpayers can use the standard mileage rate but generally must opt to use it in the first year the car is available for business use. Then, in later years, they can choose either the standard mileage rate or actual expenses.

Leased vehicles must use the standard mileage rate method for the entire lease period (including renewals) if the

standard mileage rate is chosen.

Notice 2024-08 [PDF](#) contains the optional 2024 standard mileage rates, as well as the maximum automobile cost used to calculate the allowance under a fixed and variable rate (FAVR) plan. In addition, the notice provides the maximum fair market value of employer-provided automobiles first made available to employees for personal use in calendar year 2024 for which employers may use the fleet-average valuation rule in or the vehicle cents-per-mile valuation rule.

Page Last Reviewed or Updated: 14-Dec-2023

STATE OF WEST VIRGINIA:

In the Office of the Clerk of the Upshur County Commission, in vacation of said Commission, January 4, 2024.

It appearing to the Clerk that it has been more than two months since the death of Roger Allen Sears, deceased, an unmarried man with no known issue or family and there being no known Last Will and Testament for Roger Allen Sears, late. Upon the motion of Debra A. Hull, Medical Power of Attorney, does hereby request the appointment of J. Michael Coffman, Sheriff of Upshur County, to serve as the Administrator of the Estate of Roger Allen Sears, deceased. Therefore, in accordance with Chapter 44, Article 1, Section 11 of the West Virginia Code, it is hereby requested that the Sheriff of Upshur County serve as Administrator of the Estate of Roger Allen Sears, late, a resident of Warren District, Upshur County, West Virginia.

TESTE: Carue Smith CLERK

PREVENTION RESOURCE OFFICER AGREEMENT

Between:

- **The Upshur County Board of Education by and through the State Superintendent of Schools as designee of the West Virginia Board of Education,**
- **The Upshur County Sheriff's Office, and**
- **The Upshur County Commission**

For School Year 2023-2024 Prevention Resource Officer

Elementary Schools

This agreement made and entered into this ____ day of _____, 2024 by and between the Upshur County Board of Education by and through the State Superintendent of Schools as designee of the West Virginia Board of Education (hereinafter referred to as "BOARD"), the Upshur County Commission, (hereinafter referred to as "COMMISSION", and the Upshur County Sheriff's Office, hereinafter referred to as "SHERIFF").

WITNESSETH

WHEREAS, the BOARD has established a Prevention Resource Officer Program (hereinafter referred to as "PRO Program"); and

WHEREAS, the BOARD, the COMMISSION and the SHERIFF understand that the Program is established for the purpose of assistance in the prevention of juvenile delinquency through programs specifically developed to respond to those factors and conditions which give rise to delinquency; and

WHEREAS, the BOARD, the COMMISSION and the SHERIFF realize the PRO program is a great benefit to school administration, students and the community as a whole; and

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

SECTION 1. DUTIES AND RESPONSIBILITIES OF THE COMMISSION and SHERIFF

- 1.01 The COMMISSION and SHERIFF shall provide one Deputy Sheriff, assigned as a Prevention Resource Officer, (hereinafter referred to as PRO") to the various elementary schools operated by the BOARD within Upshur County. These schools include (1) Union Elementary, (2) Washington District Elementary, (3) Tennerton Elementary, (4) Rock Cave Elementary, (5) French Creek Elementary, (6) Buckhannon-Academy and (7) Hodgesville Elementary; in no preferential order. The PRO will provide services to each elementary school while taking into consideration the various needs and events specific to each school.
- 1.02 PRO shall abide by the Upshur County Board of Education policies and procedures, as they relate to School Prevention Resource Officers. The PRO shall consult and coordinate instructional activities through the applicable principal. Activities conducted by the PRO, which are part of the regular instruction program of the school, shall be under the direction of the principal. The BOARD shall approve the content of educational programs and instructional materials used by the PRO.
- 1.03 The PRO will provide to student's instruction in various aspects of law enforcement, public safety and education as requested and supervised by the principal and teachers.
- 1.04 The SHERIFF shall be responsible for the control and direction of all aspects of employment of the Deputy Sheriff assigned to the PRO Program. The Deputy Sheriff shall adhere to the Policy and Procedures Manual of the Upshur County Sheriff's Office.
- 1.05 The SHERIFF shall ensure that the exercise of the law enforcement powers by the PRO is in compliance with the authority granted by law.
- 1.06 The PRO will be a full-time employee working 12 calendar months for the BOARD. The PRO will be expected to be available to work the BOARD's approved school calendar, 200-day school term, except for excused absences and emergency situations. In addition, the PRO will work in the summer months to provide services during summer school terms, scheduled summer activities, attend PRO training and assist with safety related planning activities and other such activities as agreed upon by the BOARD and the SHERIFF. When not scheduled to work during the summer, the PRO will utilize accrued compensatory time.
- 1.07 The SHERIFF shall be responsible for all non-salary expenses (excluding benefits billed to the BOARD) related to the PRO position: to include Travel, Law Enforcement Training, Gasoline, Equipment, Uniforms, Telephone, Vehicle and Vehicle Maintenance.
- 1.08 The SHERIFF and the COMMISSION shall hold harmless the BOARD for any

injuries suffered by the Prevention Resource Officer arising under their employment with the PRO program. The COMMISSION shall provide worker's compensation insurance coverage for the Deputy Sheriff at all times.

1.09 The PRO shall not function as a school disciplinarian, or safety officer. It is not the responsibility of the PRO to intervene with the normal disciplinary actions of the school system or to be used as a witness to disciplinary procedures in the school. The PRO will, at all times, be expected to act within the scope of authority granted by law. The PRO will perform duties according to the following:

- a) Perform law enforcement functions within the school setting.
- b) Identify and prevent, through counseling and referral, delinquent behavior, including substance abuse.
- c) Foster a better understanding of the law enforcement function.
- d) Develop a better appreciation of citizen's rights, obligations and responsibilities.
- e) Provide information about crime prevention.
- f) Provide assistance and support for crime victims identified within the school setting.
- g) Promote positive relations between students and law enforcement officers.
- h) Enhance knowledge of the fundamental concepts and structure of law.
- i) Adhere to confidentiality requirements.

1.10. The Deputy Sheriff may be changed during the course of the agreement by the COMMISSION and the SHERIFF as long as a substitute officer has received the required training or mutually agreed upon training in lieu thereof. The PRO shall be on duty at one of the schools delineated within Section 1.01 in adherence to the Board's approved school calendar during regular school hours when students are required to attend and when the required PRO training programs are conducted, unless a police emergency arises, law enforcement requirements prohibit such duty assignment, or when needed for training.

1.11. The PRO will not be required to attend extracurricular activities, which are held beyond his/her regular workday, nor require the PRO to leave his/her jurisdiction, but the PRO shall have the option, if they choose to do so, with the approval of the SHERIFF. The BOARD shall be responsible for all salary related costs (ex. Wages earned, overtime wages, social security, Fedmed, retirement, workers compensation) associated with the PRO attendance at these types of events.

SECTION 2. DUTIES AND RESPONSIBILITIES OF THE BOARD

2.01 The principal of the respective elementary school shall be the on-site contact person for the PRO. The Upshur County Superintendent of Schools shall designate the Prevention Resource Officer Coordinator to serve as the BOARD liaison for the

program.

- 2.02. Payments to the COMMISSION from the BOARD shall be made in quarterly installments upon submission of quarterly invoices by the COMMISSION and certification by the principal or his/her designee that the services were rendered. The quarterly payment shall be based on the annual salary expense and benefits for the time worked by the PRO on behalf of the BOARD during the quarter. The BOARD will be responsible for the full amount of benefits that are fixed as to their annual amount, including but not limited to, items such as health, dental, vision and life insurance, other post-employment benefit liability charges, health care reimbursement account charges, and health care retirement subsidies (if applicable); benefits that vary with the rate of pay such as FICA and Workers Compensation will be prorated between the BOARD's share and the SHERIFF's share of the calculated cost. Overtime will be the responsibility of the BOARD only when it relates to activities of the officer in performance of duties defined under the PRO agreement. The annual salary is \$48,198 plus benefits referenced above. Compensatory time may be accrued upon the execution of the Compensatory Time Agreement. All other overtime is the responsibility of the SHERIFF and the COMMISSION. The BOARD's approved school calendar including legal school holidays, will be the basis for calculating the amount of reimbursement due to the COMMISSION. On days when school is closed or curtailed due to inclement weather or other conditions, the school principal and the SHERIFF will mutually agree as to work assignment for the PRO and the resultant portion of the officer's time to be billed to the BOARD. As mutually agreed, to by the school principal and the SHERIFF, the PRO may need to work in the school for other needed tasks.
- 2.03. All payments due and owing to the COMMISSION and/or the SHERIFF by the BOARD shall be made out of the appropriate local account of the Upshur County Board of Education and shall not be a liability of the State Superintendent of Schools and/or the West Virginia Board of Education.

SECTION 3. TERM OF AGREEMENT

- 3.01 This agreement shall be made for a twelve (12) month term beginning the 1st day of January 2024, through the 30th day of December, 2024.
- 3.02 This agreement shall continue in effect until the duration of the term as described in paragraph 3.01 or until terminated by either of the parties in accordance with the term listed in Section 4.01 below.

SECTION 4. TERMINATION

- 4.01 Either party may terminate this agreement by serving written notice upon the other party at least thirty (30) days in advance of such termination. In the event that the

BOARD terminates this agreement and/or does not renew an agreement for the PRO position for an upcoming fiscal year, the BOARD shall be responsible for all costs associated with the closing of the PRO officer position as set forth within this agreement. Such cost shall include, but not be limited to, unused accrued vacation and compensatory time and any unemployment compensation due to a reduction in force in the law enforcement area of the COMMISSION and SHERIFF as a result of the closing of the PRO position.

SECTION 5. INVALID PROVISION

5.01 Should any part of this Agreement be declared invalid by a court of law, such decision shall not affect the validity of any remaining portion which shall remain in full force and effect as if the invalid portion was never a part of this Agreement, materially affect any other rights or obligations of the parties hereunder, the parties hereto will negotiate in good faith to amend this Agreement in a manner satisfactory to the parties.

SECTION 6. ASSIGNMENT

6.01 Neither party to the Agreement shall, directly or indirectly, assign or purport to assign this Agreement, or any of its rights or obligations, in whole or in part, to any third party without the prior written consent of the other party.

SECTION 7. NO WAIVER

7.01 The failure of either party to enforce at any time any of the provisions, rights, or elections shall in no way effect the validity of this Agreement. The failure to exercise, by either party, any of its rights herein contained, shall not preclude or prejudice it from exercising the same or any other right it may have under this Agreement, irrespective of any previous action or proceeding taken by it hereunder.

SECTION 8. COMPLETE AGREEMENT

8.01 This Agreement is the complete Agreement of the parties; may be amended or modified only in writing; and supersedes, cancels, and terminates any and all prior agreements or understandings of the parties, whether written or oral, concerning the subject matter hereof.

SECTION 9. CHOICE OF LAW

9.01 This Agreement shall be governed by and construed and interpreted according to the laws of the State of West Virginia. It shall be binding upon and inure to the benefit

of the successors of the BOARD, the COMMISSION and the SHERIFF,

SECTION 10. NOTICES

10.01 All notices or other communications required or permitted by this Agreement shall be in writing and deemed effectively delivered upon mailing by certified mail, return receipt requested, or delivered personally to the following persons and addresses unless otherwise specified herein:

Upshur County Superintendent of Schools	Date
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Upshur County Commission (Signature and Title of Commission Officer)	Date
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Upshur County Sheriff (Signature and Title of Sheriff)	Date
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26th Judicial Circuit Community Corrections

Upshur County Office
85 West Main Street
Buckhannon, WV 26201
Phone - (304)-472-8548
Fax - (304)-472-8735

Lewis County Office
211 Court Avenue
Weston, WV 26452
Phone - (304)-269-8152 or
(304)-269-8674
Fax - (304)-269-8698

Email - 26judicialccc@gmail.com

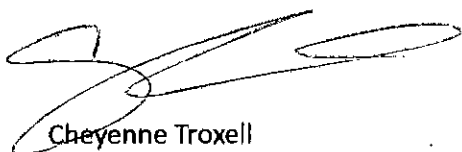
December 20, 2023

Upshur County Sheriff's Department/Commission
38 W. Main Street
Buckhannon, WV 26201

To whom it may concern;

On December 18, 2023 the Lewis/Upshur Community Corrections board voted and unanimously approved to sell the white 2021 Jeep Grand Cherokee Laredo to the Upshur County Sheriff's Office/County Commission for \$12,000.00. The VIN for this vehicle is 1C4RJFAG7MC531526. This vehicle is being sold as is and Community Corrections is not liable for anything once it is sold. Please remit a check for the amount of \$12,000.00 payable to the Sheriff of Upshur County for the Lewis/Upshur Community Corrections Program. If you have any questions feel free to contact me.

Thank you,



Cheyenne Troxell
Program Director

Request for Bids

Police Vehicle – 1 New Sports Utility Vehicle

The Office of the Upshur County Commission is requesting sealed bid proposals for the above-referenced purchase for the Upshur County Sheriff's Department. Minimum specifications for bid are available upon request to chughes@upshurcounty.org. Bid must specify the anticipated vehicle delivery date.

The Upshur County Commission reserves the right to award the bid for the vehicle based upon certain criteria, including but not limited to, the submitted bid price, estimated delivery date, proximity to the Upshur County Courthouse, references and/or any other factors determined to be in the best interest for the purchase of the vehicle. The Commission reserves the right to purchase additional units, of the same model year and specifications, throughout the fiscal year (July 1 – June 30). By submitting a bid, the successful vendor agrees to hold the bid price for future purchases during the fiscal year.

**Any and all sealed bids must be received no later than 4 p.m. on
January 31, 2024 at the following address:**

Office of the Upshur County Commission
Sealed Bid – Sheriff's vehicle
91 W Main Street, Suite 101
Buckhannon, WV 26201

Sealed bids received by the above deadline will be opened, reviewed, and read aloud by the Upshur County Commission at 9:15 a.m. on Thursday, February 1, 2024.

The Upshur County Commission reserves the right to reject any and all bids, in whole or in part, and waive any informality during the bidding process.

Publish: 1/10 and 1/17/2024

SHERIFF'S DEPARTMENT VEHICLE MINIMUM SPECIFICATIONS

Sports Utility Vehicle

- Black exterior
- AWD V-8 Hemi (360 HP/390 Lb-Ft Torque)
- Vinyl Rear Seat
- Skid Plate Group
- Deactivate Rear Doors/Windows
- 6" Left LED Spotlight
- Red & White Dome Light
- Power Driver Seat
- Column Shifter
- Black Steel "Police" Wheels
- 8.4" Touch Screen Radio
- Backup Camera
- 220-Amp Alternator
- 650 CCA Maintenance-free battery
- "Secure Park" Ignition Override
- Independent Front/Rear Suspension
- Vehicle System Interface Module
- Trailer Tow Group w/ Full Size Spare
- Blind Spot & Rear Cross Path Detection
- 8-Speed TorqueFlite Transmission
- Cruise Control
- 3 Zone Climate Control
- Power Locks & Windows
- Traction Control
- Stability Control
- Bluetooth
- Backup Sensors
- Keyless Entry
- Front/Seat/Side Airbags
- 4 Key Fobs
- Engine Idle/Hour Meter
- 24.6 Gallon Fuel Tank
- Vinyl Floor
- Automatic Headlights

WV First Qualified Settlement Fund
3510 MacCorkle Ave SE
Charleston, WV 25304

Re: **WV Opioid Settlement and Qualified Settlement Fund – Local Government Settlement Payment Requirements**

I am pleased to inform you that distribution of the West Virginia opioid settlement obtained in the consolidated litigation before the West Virginia Mass Litigation Panel has now begun. As you will recall, the agreement reached between all the West Virginia governmental entities, which is called the West Virginia First Memorandum of Understanding ("MOU"), requires that 24.5% of net settlement dollars will be distributed directly to county and city local governments within West Virginia. The amount each county/city is to receive is calculated by applying your community's percentage share listed on Amended Exhibit C to the MOU to the total dollars available at the time of each local government distribution.

It is anticipated that you will receive future annual payments from the West Virginia Qualified Settlement Fund as additional settlement dollars are received and distributions are approved by the court.

As stated in the MOU, there are important limitations as to how each West Virginia County or city may spend this distribution and all other future distributions. While counties and cities have some discretion to decide how opioid settlement monies are spent, all opioid funds must be used in a manner consistent with the MOU's definition of an "Approved Purpose." An "Approved Purpose" includes those specific items specified in Exhibit A to the MOU. I strongly suggest that you review these requirements and categories before approving any specific use of settlement monies. For your convenience, a copy of the MOU and its exhibits is available at the following link:

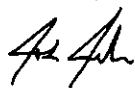
<https://wvago.sharefile.com/share/view/sd8902760f1544a3e839abb14f46eef9b>

It is important that each county and city maintains detailed records of how your opioid settlement dollars are spent. Section (C)(13) of the MOU requires each local government to submit an annual financial report to the West Virginia First Foundation no later than April 30 of each year specifying the amount and purposes it spent on opioid abatement during the prior fiscal year.

Given the recordkeeping and reporting requirements, each county and city is strongly encouraged to create a separate bank account to receive opioid settlement dollars and record expenses. Doing so will greatly improve your ability to easily perform the accounting and auditing necessary to ensure that the funds have been utilized in compliance with the MOU.

Your attorney or the WV Attorney General's Office are available to answer questions you have regarding the MOU or the expenditures of opioid settlement funds.

Sincerely,



John S Jenkins CPA
WV First QSF Administrator



PATRICK MORRISEY
ATTORNEY GENERAL

PHYSICAL ADDRESS:
1900 Kanawha Blvd., East
State Capitol Complex
Building 6, Suite 401
Charleston, WV 25305

MAILING ADDRESS:
P.O. Box 1789
Charleston, WV 25326-1789

E-Mail: consumer@wvago.gov
<http://www.wvago.gov>

**STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL**

Consumer Protection
and Antitrust Division
(304) 558-8986
Consumer Hotline
1-800-368-8808
Preneed Funeral Services
(304) 558-8986
Senior Protection Hotline
(304) 558-1155
Facsimile (304) 558-0184

December 20, 2023

Kristie Tenney, President
Upshur County Commission
91 W. Main Street, Suite 101
Buckhannon, WV 26201

RE: Partnership of the Offices of the West Virginia Attorney General and
West Virginia Auditor relating to city and county opioid settlement funds

Dear Ms. Tenney:

Today Auditor J.B. McCuskey and I are announcing a partnership between the Attorney General's Office and the West Virginia State Auditor's Office, wherein the State Auditor will supplement our efforts to ensure that the money obtained through the settlements in the opioid litigation is being used for its intended purposes.

As part of the West Virginia First Memorandum of Understanding, a quarter of the settlement dollars will be distributed directly to local governments around the state. I am pleased to partner with the State Auditor's Office to bring its proven track record of transparency, accountability, and service to local governments to amplify the collaborative effort between the Attorney General's Office and local governments around the state.

With the court's approval of the first distribution of settlement money from the opioid litigations, you may soon be receiving a portion of the money as set forth in the Memorandum of Understanding. This letter is intended to provide some initial basic information and guidance on best practices that may be helpful for you as you begin the process of receiving and spending these funds.

Pursuant to the Memorandum of Understanding, the local governments have broad discretion to decide which approved uses are best to spend their share of the settlement money. This new partnership with the State Auditor's Office will help ensure that not only the terms of the settlement are met but also provide additional resources for local governments as they put these monies to use combating the terrible drug crisis.

First, due to the yearly reporting requirement and restrictions on use of abatement funds, each city and county should create a separate account to receive the funds. Doing so will greatly improve your ability to easily perform the accounting and auditing necessary to ensure that the funds have been utilized in compliance with the MOU.

Second, you should familiarize yourself with the Approved Purposes in the MOU. A copy of the Approved Purposes list is enclosed with this letter. These Approved Purposes are the only purposes that this money may fund. Some uses require resolutions to authorize the spending.

Third, you should evaluate your community's specific needs and determine a plan consistent with the Approved Purposes to utilize this money, and the money that will be disbursed in the future, to best address those needs. You may also want to talk with subdivisions in your region to pool resources. A copy of the Regional Map is enclosed for reference.

Finally, part of the settlement with Teva included units of naloxone (Narcan). The first shipment of product was received at the University of Charleston School of Pharmacy on September 12, 2023; a copy of the June 2023 letter explaining how to request product is also enclosed with this letter.

We have an opportunity to fight back against the drug crisis like never before. I am excited to have the Auditor joining our efforts to ensure we help the greatest number of West Virginians possible.

Sincerely yours,

A handwritten signature in blue ink that reads "Patrick Morrisey". The signature is written in a cursive, flowing style.

Patrick Morrisey
Attorney General

**APPROVED USES
OPIOID SETTLEMENT FUNDS**

**Exhibit A to West Virginia First Memorandum of Understanding
Schedule A – Core Strategies
Schedule B – Approved Uses**

EXHIBIT A

SCHEDULE A - CORE STRATEGIES

The Parties shall choose from among the abatement strategies listed in Schedule B. However, priority shall be given to the following core abatement strategies ("**Core Strategies**").¹

A. NALOXONE OR OTHER FDA-APPROVED DRUG TO REVERSE OPIOID OVERDOSES

1. Expand training for first responders, schools, community support groups and families; and
2. Increase distribution to individuals who are uninsured or whose insurance does not cover the needed services.

B. MEDICATION-ASSISTED TREATMENT ("MAT") DISTRIBUTION AND OTHER OPIOID-RELATED TREATMENT

1. Increase distribution of MAT to individuals who are uninsured or whose insurance does not cover the needed service;
2. Provide education to school-based and youth-focused programs that discourage or prevent misuse;
3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
4. Treatment and Recovery Support Services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and recovery housing that allow or integrate medication and with other support services.

C. PREGNANT & POSTPARTUM WOMEN

1. Expand Screening, Brief Intervention, and Referral to Treatment ("SBIRT") services to non-Medicaid eligible or uninsured pregnant women;
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women and co-occurring Opioid Use Disorder ("OUD") and other substance Use Disorder ("SUD")/Mental Health disorders for uninsured individuals for up to 12 months postpartum; and

As used in this Schedule A, words like "expand," "fund," "provide" or the like shall not indicate a preference for new or existing programs. Priorities will be established by the Opioid Abatement Foundation.

3. Provide comprehensive wrap-around services to individuals with Opioid Use Disorder (OUD) including housing, transportation, job placement/training, and childcare.

D. EXPANDING TREATMENT FOR NEONATAL ABSTINENCE SYNDROME

1. Expand comprehensive evidence-based treatment and recovery support for NAS babies;
2. Expand services for better continuation of care with infant-need dyad; and
3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

E. EXPANSION OF WARM HAND-OFF PROGRAMS AND RECOVERY SERVICES

1. Expand services such as on-call teams to begin MAT in hospital emergency departments;
2. Expand warm hand-off services to transition to recovery services;
3. Broaden scope of recovery services to include co-occurring SUD or mental health conditions;
4. Provide comprehensive wrap-around services to individuals in recovery including housing, transportation, job placement/training, and childcare; and
5. Hire additional social workers or other behavioral health workers to facilitate expansion above.

F. TREATMENT FOR INCARCERATED POPULATION

1. Provide evidence-based treatment and recovery support including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
2. Increase funding for jails to provide treatment to inmates with OUD.

G. PREVENTION PROGRAMS

1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
2. Funding for evidence-based prevention programs in schools;

3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the 2016 CDC guidelines, including providers at hospitals (academic detailing);
4. Funding for community drug disposal programs; and
5. Funding and training for first responders to participate in pre-arrest diversion programs, post-overdose response teams, or similar strategies that connect at-risk individuals to behavioral health services and supports.

H. EVIDENCE-BASED DATA COLLECTION AND RESEARCH ANALYZING THE EFFECTIVENESS OF THE ABATEMENT STRATEGIES WITHIN THE STATE.

I. LAW ENFORCEMENT

1. Funding for law enforcement efforts to curtail the sale, distribution, promotion or use of opioids and other drugs to reduce the oversupply of licit and illicit opioids, including regional jail fees.

J. RESEARCH

Research to ameliorate the opioid epidemic and to identify new tools to reduce and address opioid addiction. Holistically seek to address the problem from a supply, demand, and educational perspective. Ensure tools exist to provide law enforcement with appropriate enforcement to address needs.

SCHEDULE B - APPROVED USES

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:²

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

1. Support treatment of Opioid Use Disorder (OUD) and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (MAT) approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (ASAM) continuum of care for OUD and any co-occurring SUB/MH conditions.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (OTPs) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support intervention, treatment, and recovery services, offered by qualified professionals and service providers, including but not limited to faith-based organizations or peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Treatment of trauma for individuals with OUD (e.g., violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (e.g., surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.
8. Training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach

² As used in this Schedule B, words like "expand," "fund," "provide" or the like shall not indicate a preference for new or existing programs. Priorities will be established by the Opioid Abatement Foundation.

specialists, including telementoring to assist community-based providers in rural or underserved areas.

9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
10. Fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.

Scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SLTD or mental health conditions, including but not limited to training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.

11. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (DATA 2000) to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
12. Dissemination of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service-Opioids web-based training curriculum and motivational interviewing.
13. Development and dissemination of new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication-Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, case management, and connections to community-based services.
3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.

4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.
5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage and support non-profits, faith-based communities, and community coalitions to support, house, and train people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
11. Training and development of procedures for government staff to appropriately interact with and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED
(CONNECTIONS TO CARE)

Provide connections to care for people who have - or are at risk of developing - OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OLT treatment.
2. Fund Screening, Brief Intervention and Referral to Treatment (SBIRT) programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as on-call teams to begin MAT in hospital emergency departments.
6. Training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.
8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.

11. Expand warm hand-off services to transition to recovery services.
12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.
14. Support assistance programs for health care providers with OUD.
15. Engage and support non-profits and the faith-based community as a system to support outreach for treatment.
16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. ADDRESS THE NEEDS OF CRIMINAL-JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
 - a. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (PAARI);
 - b. Active outreach strategies such as the Drug Abuse Response Team (DART) model;
 - c. "Naloxone Plus" strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 - d. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (LEAD) model;
 - e. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or

- f. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.
4. Provide evidence-informed treatment, including MAT, recovery support, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison, have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (CTI), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal-justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome (NAS), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women — or women who could become pregnant — who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.

2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
3. Training for obstetricians or other healthcare personnel that work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; expand long-term treatment and services for medical monitoring of NAS babies and their families.
5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with Neonatal Abstinence Syndrome get referred to appropriate services and receive a plan of safe care.
6. Child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
7. Enhanced family supports and childcare services for parents with OUD and any co-occurring SUD/MH conditions.
8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including but not limited to parent skills training.
10. Support for Children's Services — Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Fund medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain

from the U.S. Centers for Disease Control and Prevention, or other recognized Best Practice guidelines, including providers at hospitals (academic detailing).

2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Support enhancements or improvements to Prescription Drug Monitoring Programs (PDMPs), including but not limited to improvements that:
 - a. Increase the number of prescribers using PDMPs;
 - b. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or
 - c. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
7. Increase electronic prescribing to prevent diversion or forgery.
8. Educate Dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Fund media campaigns to prevent opioid misuse.
2. Corrective advertising or affirmative public education campaigns based on evidence.
3. Public education relating to drug disposal.

4. Drug take-back disposal or destruction programs.
5. Fund community anti-drug coalitions that engage in drug prevention efforts.
6. Support community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction — including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA).
7. Engage and support non-profits and faith-based communities as systems to support prevention.
8. Fund evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER OPIOID-RELATED INJURIES

Support efforts to prevent or reduce overdose deaths or other opioid-related injuries through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increase availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, and community outreach workers, persons being released from jail or prison, or other members of the general public.

2. Public health entities providing free naloxone to anyone in the community.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enable school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expand, improve, or develop data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.
8. Educate first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Expand access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
10. Support mobile units that offer or provide referrals to treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
11. Support screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in Section C, D and H relating to first responders, support the following:

1. Educate law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing negative outcomes related to the opioid epidemic, and areas and populations with the greatest needs for treatment intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid- or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.
3. Invest in infrastructure or staffing at government, law enforcement, or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of reducing the oversupply of opioids, preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Provide funding for staff training or networking programs and services to improve the capability of government, law enforcement, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (e.g., health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
4. Research on novel prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (e.g. Hawaii HOPE and Dakota 24/7).
7. Epidemiological surveillance of OUD-related behaviors in critical populations including individuals entering the criminal justice system, including but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (ADAM) system.
8. Qualitative and quantitative research regarding public health risks within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.

M. LAW ENFORCEMENT

Ensure appropriate resources for law enforcement to engage in enforcement and possess adequate equipment, tools, and manpower to address complexity of the opioid problem.

EXHIBIT B.

OPIOID REGIONAL MAP

Region 1

Brooke, Hancock, Ohio
Marshall and Wetzel Counties

Region 2

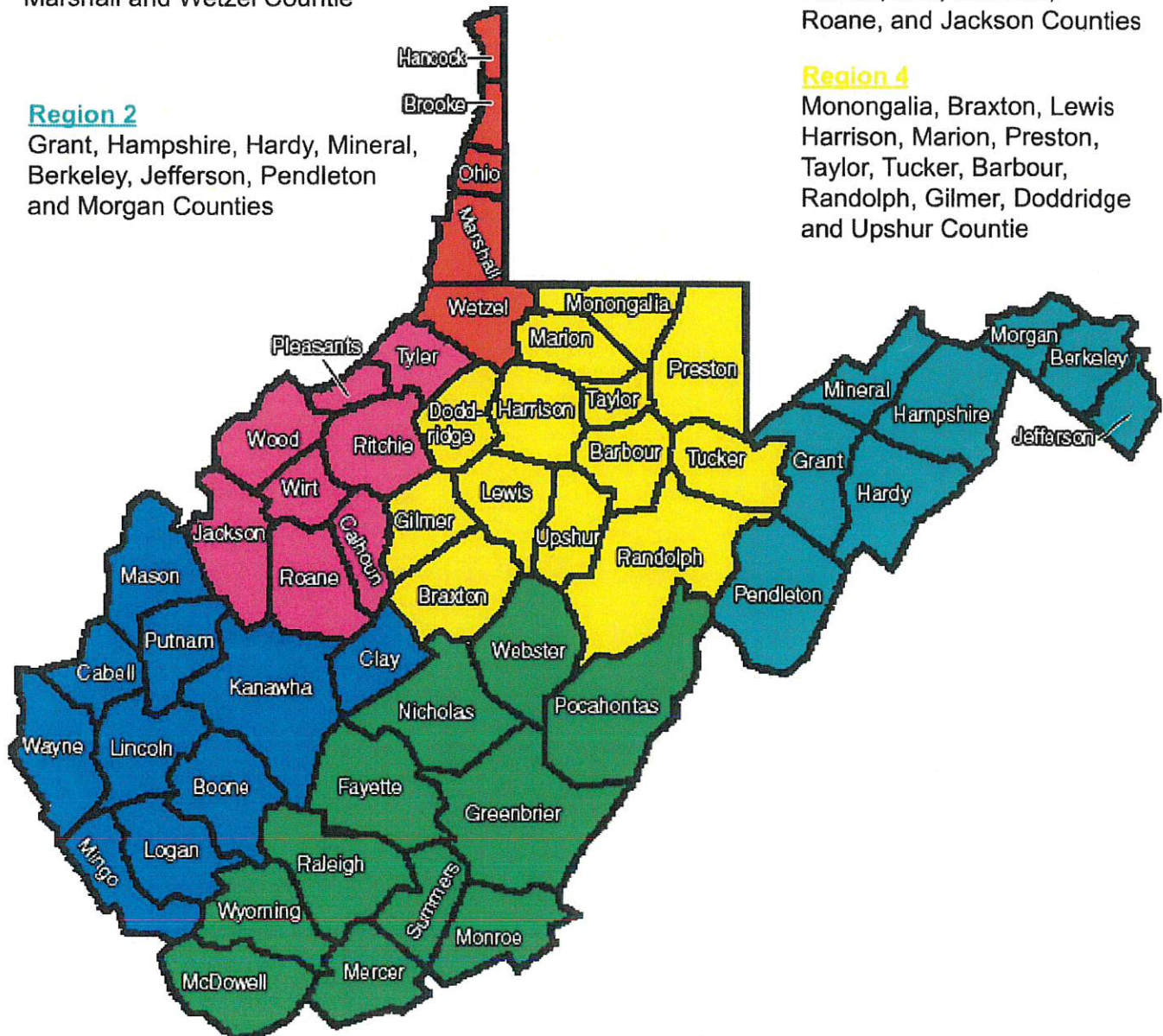
Grant, Hampshire, Hardy, Mineral,
Berkeley, Jefferson, Pendleton
and Morgan Counties

Region 3

Wood, Tyler, Pleasants,
Ritchie, Wirt, Calhoun,
Roane, and Jackson Counties

Region 4

Monongalia, Braxton, Lewis
Harrison, Marion, Preston,
Taylor, Tucker, Barbour,
Randolph, Gilmer, Doddridge
and Upshur Counties



Region 5

Cabell, Clay, Boone, Kanawha,
Lincoln, Logan, Putnam, Mason,
Mingo, and Wayne Counties

Region 6

Fayette, Monroe, Raleigh, Summers,
Nicholas, Webster, Greenbrier,
Pocahontas, Mercer, Wyoming, and
McDowell Counties

PATRICK MORRISEY
ATTORNEY GENERAL

PHYSICAL ADDRESS:
1900 Kanawha Blvd., East
State Capitol Complex
Building 6, Suite 401
Charleston, WV 25305

MAILING ADDRESS:
P.O. Box 1789
Charleston, WV 25326-1789

E-Mail: consumer@wvago.gov
<http://www.wvago.gov>



**STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL**

Consumer Protection
and Antitrust Division
(304) 558-8986
Consumer Hotline
1-800-368-8808
Preneed Funeral Services
(304) 558-8986
Senior Protection Hotline
(304) 558-1155
Fax: (304) 558-0184

June 12, 2023

Dear Local Government:

I write to you today to make you aware of an important component of the State's settlement with opioid manufacturer Teva. The settlement with Teva included both a monetary and a product component. The product, naloxone, known widely under the brand name Narcan, is a nasal spray opioid overdose reversal drug that can and does save lives.

Naloxone is an opioid receptor antagonist, meaning it binds to opioid receptors in the brain and reverses or blocks the effects of opioids for a short period of time. Once administered, this medicine can help restore breathing and consciousness in an individual who has overdosed and give first responders time to get the individual into emergency care.

Persons who can dispense naloxone include registered pharmacists and prescribers within the scope of practice. Thanks to a statewide standing order issued by West Virginia's DHHR, organizations like local governments can also distribute naloxone. For local governments, the most common method of distribution is through an agent of the local government, such as local health departments or law enforcement agencies.

The Teva settlement provides that the State can receive up to 25,000 two-dose naloxone kits per year for ten years at no cost. These kits will soon be made available to communities across the state. It is anticipated that the naloxone distribution program will be administered by the West Virginia First Foundation once the Foundation is operational. In the interim, however, West Virginia communities can access this life saving drug now through a partnership my office formed with the University of Charleston School of Pharmacy ("UC").

Upon request, UC will distribute naloxone kits to local governments and other permitted organizations, subject to important training, documentation and distribution requirements. An online portal for placing orders is in development. For the time being, local governments can place orders for naloxone kits by sending an email to naloxone@ucwv.edu. Importantly, agreements for the handling and distribution of naloxone must be completed before a first-time request can be honored. Mandatory education and training is required for all individuals who will distribute or administer naloxone. UC will work with local governments to facilitate the required training.

Specific questions about the process to obtain naloxone kits through the UC partnership should be directed to Lindsay Acree, Pharmacist-in-Charge, University of Charleston School of Pharmacy via phone at 304-357-4379 or via email at lindsayacree@ucwv.edu. Any additional questions should be directed to Ann Haight, Abby Cunningham, or Vaughn Sizemore in our Consumer Protection Division, 304-558-8986.

Having these kits available for use will provide life-saving treatment for an individual suffering from substance abuse addiction and this intervention may allow the individual to seek treatment and recovery. I am glad we can provide this product through the settlement we reached with Teva.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Morris", with a stylized flourish at the end.



State of West Virginia
John B. McCuskey
State Auditor

Office of the State Auditor
State Capitol, Building 1, Suite W-100
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Toll Free: (877) 982-9148
Telephone: (304) 558-2251
Fax: (304) 558-5200
www.wvsao.gov

Memorandum

To: County Commissioners
County Administrators
Mayors
City and Town Councilors
City Managers

From: John B. McCuskey
West Virginia State Auditor

Date: 12/21/2023

RE: Opioid Settlement Funds Assistance

Our cities and counties in West Virginia are in line to receive money through the historic West Virginia First Foundation, established by West Virginia Attorney General Patrick Morrisey. This opioid settlement money is intended to help communities across West Virginia respond, overcome and rebuild from the devastating impacts of the opioid crisis. I am proud to partner with the Attorney General's Office to provide our counties and towns guidance and a mechanism to transparently track the funds.

This partnership will build upon the strong relationship forged between our local governments and the Auditor's Office, and follow the model established during the COVID pandemic for tracking CARES and ARPA funds. Our local governments did an amazing job at ensuring those once in a lifetime dollars went to projects that would impact communities for generations to come and I was so proud to work with so many of you throughout that process.

Now, we look to the next challenge, using the West Virginia First Foundation to make a positive impact in our local communities. Our first tool is a tracking spreadsheet to allow you to record and report on opioid expenses by category. We hope you find this tool helpful when reporting to

the West Virginia First Foundation and any other stakeholders or community partners with an interest in the data. The tracking spreadsheet allows you to visualize and report expenses pertaining to both the core abatement strategies and allowable uses of funds detailed in Schedules A and B from the West Virginia First Foundation Memorandum of Understanding.

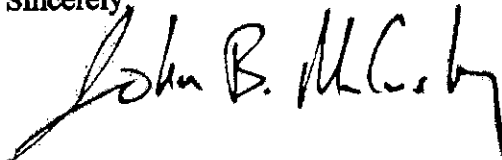
Secondly, our Local Government Services Division has prepared some best practices, controls and requirements pertaining to recordkeeping and disbursement of opioid settlement funds. We believe this information can allow you to make informed decisions regarding the expenditure of funds while remaining in compliance with State laws and requirements on the expenditure of public monies.

Lastly, our office stands ready to assist you with any specific questions about the accountability and transparency of opioid settlement funds. We are providing contact information should you need to contact us via phone or e-mail.

As always, I invite your input and collaboration as we work together to make informed decisions about the use of these funds. Your insights and expertise are invaluable in ensuring that West Virginia's communities can heal together.

Thank you for your commitment to your communities and the people of West Virginia.

Sincerely,

A handwritten signature in black ink, appearing to read "John B. McCuskey". The signature is fluid and cursive, with a long horizontal stroke at the end.

John B. McCuskey
West Virginia State Auditor

WVSAO Opioid Tracking Workbook

What this tracking workbook is:

This tracking system is an Excel document for counties and municipalities to track the funds received from the West Virginia opioid settlement. The workbook can help local governments track expenses, report, and classify expenses by allowable categories.

What does this tracking workbook record?

This tracking workbook can help local governments and municipalities record the expenditure of funds from the opioid settlement. Users of the tracking workbook will be able to easily match expenses to the different categories and approved uses that have been approved by West Virginia First Foundation's Memorandum of Understanding. The Excel sheet can track information such as recipients of payments, categories, and additional information useful to the local government.

How can the workbook help local governments track opioid settlement expenses?

This provides local governments and municipalities easy access to see how the funds are being spent on their intended uses and can be used to their fullest potential to assist communities in the recovery process from the opioid epidemic. Utilizing this sheet will assist with the required reporting of the use of funds and provide in-depth data on how funds were used based on the West Virginia First Memorandum of Understanding approved uses.

Where it will be located?

You can find this tracking sheet at our website, www.wvsao.gov. Click the Local Government tile for the download near the bottom of the page.

For questions on the excel tracking sheet please contact:

budgetanalysis@wvsao.gov or 304-558-2251

West Virginia State Auditor's Office Contact Information for Municipalities & Counties:

LGS@wvsao.gov

Shellie Humphrey 304-627-2415 Ext 0304

Tiffany Hess 304-627-2415 Ext 0305

County Guidance Regarding Accounting for Opioid Settlement Funds

To account for the revenues that the counties expect to receive from the opioid lawsuits through the WV Attorney General's office, we have created a new fund in the County Uniform Chart of Accounts.

Fund 40 – Opioid Settlement

Your County Commission must also open up a new bank account to accompany this fund. Both the creation of the fund and opening of the bank account must be approved by the County Commission in a public meeting.

The bank account should be interest-bearing, and any interest earned will remain in the fund and be subject to the same restrictions as the other revenues in the fund. This fund is a governmental fund and therefore the account requires 3 signatures – President of the County Commission, County Clerk, and Sheriff. Invoices will be processed the same as invoices for all other county governmental funds. The County Clerk will write the checks, and the Sheriff will be responsible for the receipts and maintaining the bank accounts.

To record these revenues, you will use account #324 "Other Grants". The expenditure accounts utilized will be based on the decisions made by the County Commission when these funds are used. Counties should refer to the County Uniform Chart of Accounts when making these decisions.

There will be reporting requirements to the WV First Foundation. Those requirements are to be issued by the foundation at a future date.

Let us know if we can be of further service to you.

Municipal Guidance Regarding Accounting for Opioid Settlement Funds

To account for the revenues that municipalities expect to receive from the opioid lawsuits through the WV Attorney General's office, we have created a new fund in the Municipal Uniform Chart of Accounts.

Fund 026 – Opioid Settlement

Your Municipal Council must also open up a new bank account to accompany this fund. Both the creation of the fund and opening of the bank account must be approved by the Council in a public meeting.

The bank account should be interest-bearing, and any interest earned will remain in the fund and be subject to the same restrictions as the other revenues in the fund. This fund is a governmental fund and therefore the account requires 2 signatures. Invoices must be approved by council in a public meeting, as they are with invoices for all other municipal governmental funds.

To record these revenues, you will use account #367 "Other Grants". The expenditure accounts utilized will be based on the decisions made by the Council when these funds are used. Municipalities should refer to the Municipal Uniform Chart of Accounts when making these decisions.

There will be reporting requirements to the WV First Foundation. Those requirements are to be issued by the foundation at a future date.

Let us know if we can be of further service to you.

Municipal Guidance Regarding Accounting for Opioid Settlement Funds When the Municipal Share is Less Than \$500.00

These funds will be "distributed to the county in which the Local Government lies to allow practical application of the abatement remedy;" therefore, you will not need to create the new fund or open a bank account for this purpose.

City Council of Buckhannon – 7:00 pm in Council Chambers
Meeting Agenda for Thursday, January 4, 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 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

B. Recognized Guests

- B.1 Tasha Carrico- Special Olympics Upshur County

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 Notice of Special Joint Working Session of the Buckhannon Planning Commission & City Council on 01/11/24 7pm to discuss Future Collaboration regarding Planning Priorities

E. Consent Agenda

- E.1 Approval of Minutes -Regular Meeting 12/7/23, 12/21/23
- 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 Approval to Accept Bid Opening Results- Gateway West Phase II Street Light Pole Assemblies & Globes
- F.2 Approval Resolution 2024-01 Participation in WV Board of Treasury Investments
- F.3 Authorization to open a separate bank account to receive and disburse Opioid Settlement Funds as required by the WV State Auditor's Office
- F.4 Approval Resolution 2024-02 General Fund Budget Revision #3 FY 2023/2024
- F.5 Buckhannon Fire Department-Regional Peer Support Group Development
- F.6 Approval for use of third-party vendor registered with the State of WV ABC Commission to serve alcohol during specific activities at the Colonial Arts Center

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 12/29/2023

Cindy Hughes

From: elkinsrdpsd@frontier.com
Sent: Wednesday, December 27, 2023 12:39 PM
To: Tabatha Perry; Cindy Hughes; Greg Belcher; Cary Smith; Shane Whitehair; Stacey McDaniel; Atlas Hydrovac
Cc: Carey Wagner; Wendell Grose; David Burr
Subject: JANUARY MEETING NOTICE

The Elkins Road PSD will hold its regular monthly meeting on January 9, 2024 at 5:00 p.m. at the office located at 133 Fallen Road in Buckhannon.

Thanks,

Carolyn Douglas
Office Manager
Elkins Road PSD
133 Fallen Road
Buckhannon, WV 26201
Website: elkinsroadpsd.com
(304) 472-3008

**Upshur County Fire Board Meeting
November 14, 2023**

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

Members Absent: Steven Linger

Others Present: Tyvonne Gibson, Bruce Tomblyn, John Bosley, Bev Bosley, Chuck Rutherford, John Malcolm, Mackenzie Michael, David Perrine, and Justin Boggs; 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 October 17, 2023, were approved on motion by Donna Matthews and second by Sid Huffman.

The Fire Fee Clerk reported the 2023 fees are at 80 percent collected. A financial statement consisting of the cash basis analysis for last year, cumulative report, and check register was provided to the County Commission. The withholdings for the tax deputy incentive was reduced from 11% to 9% for a savings to the Board of \$49.35. The Fire Fee Clerk received an email from the County Commission's Office regarding a complaint for the Ellamore VFD. The message was forwarded to the VFD and they responded the issue would be resolved by the weekend.

The checking account balance as of 10/31/2023 was \$101,530.89. The disbursement from the Chief Tax Deputy was \$14,070.65 for the month of October.

The following invoices were reviewed and approved upon motion by Rick Harlow and second by Jesse Davidson: Software Systems---monthly maintenance---Invoice # 37959---\$237.00; Upshur County Commission---reimbursement---payroll---July-September---\$6,149.92; and Ralston Press---Class One Legal Advertisement---Annual Financial Report---\$108.14.

After review, and on motion by Rick Harlow and second by Donna Mathews, the audit report was approved.

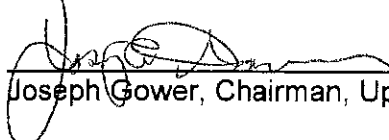
Tyvonne Gibson reported the Fire Association will not meet again until January.

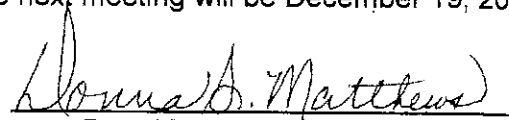
Kristie Tenney advised the Legal opinion on using Fire Fee for manpower needs more details, e.g.; mileage, pay per call, etc. Tyvonne will get more specific details.

The remaining Financial Report was tabled until the next meeting. The Board would like to invite the VFD's Treasurer and the CPA to attend the next meeting to answer questions. The Fire Fee Clerk will invite them to the meeting.

There were no corrective tickets this month. The Board approved 4 Exoneration Requests.

There being no further business, the meeting adjourned. The next meeting will be December 19, 2023, at the Ellamore VFD.


Joseph Gower, Chairman, Upshur County Fire Board


Donna A. Matthews
Board Member

**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 Upshur County

Print Kristie G. Tenney
Title President Upshur County Commission

Signature _____
On behalf of the City Buckhannon

Print _____

Title _____