

## Upshur County Commission Meeting Agenda

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

- Location: Upshur County Courthouse Annex  
If you prefer to participate by telephone, please dial 1-408-650-3123 Access Code: 272 564 045 to enter the conference call.
- Date of Meeting: April 11, 2024
- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance  
Approval of Minutes:  
• April 4, 2024
- 9:15 a.m. Addie Helmick on behalf of Women’s Aid in Crisis – Presentation of Sexual Assault Awareness Month Proclamation. \* [Page 4](#)
- 9:30 a.m. Jerry Henderson - requesting permission to place a Memorial bench at the Upshur County Youth Camp. \*
- 9:45 a.m. Proclamation declaring the week of April 14<sup>th</sup> through 20<sup>th</sup>, 2024 National Public Safety Telecommunicators Week. \* [Page 5](#)
- 10:00 a.m. Hearing to Consider the Recommendation for Removal of Kimberly Lynn Walls as Executrix for the Estate of Sue S. Walls. \* [Pages 6-7](#)

### Items for Discussion / Action / Approval:

1. Review and approval of an Agreement delineating the use of the County Fire Protection funds between Upshur County and each subrecipient. This funding will be conveyed equally to each of the seven volunteer fire departments within Upshur County per Senate Bill 1021 further designated as WV Code §7-5B-1 & §7-5B-2. \* [Pages 8-11](#)
2. Consider approving a Multi-Jurisdictional Hazard Mitigation Plan presented by Region VII Planning and Development Council. The plan has been in the updating phase since 2023 and now has been approved by FEMA, pending the adoption of the plan by each of the region’s local governments. \* [Pages 12-14](#)
3. Approval of “Request for Proposals” for a Carpet Replacement Project at the Upshur County Public Library. A mandatory pre-bid conference will be held on Tuesday April 30, 2024 at 2:00 pm. Sealed bids must be received no later than 4:00 pm on Wednesday May 8, 2024 at the Administrative Annex located at 91 W. Main Street, Suite 101. Proposals received by the deadline will be publicly opened, reviewed and read aloud by the Commission at 9:15 am on Thursday, May 9, 2024. \* [Pages 15-28](#)
4. Approval and signature of correspondence expressing support for the Upshur County Sheriff’s Department’s request for a community project in the Commerce, Justice, and Science Appropriations Bill. This letter will be used to seek grant funding. [Page 29](#)
5. Approval of resignation of an employee. \*

*Item may lead to Executive Session per WV Code §6-9A-4 (A)*

[Under separate cover](#)

6. Approval of an advertisement for one full-time position of Deputy Circuit Clerk in the Upshur County Circuit Clerk's Office. Applications must be received by the close of business on May 10, 2024 in the Upshur County Circuit Clerk's Office located on the third floor of the Courthouse Annex (Room 304). \* [Page 30](#)
7. 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 Joseph C. Thornton, Director of the Division of Administrative Services on behalf of the Division of Corrections and Rehabilitation, concerning the statutory eligibility requirements for counties to receive funds from the Jail Operation Partial Reimbursement Fund (JOPRF). [Page 31](#)
2. Correspondence from the Department of Homeland Security – Division of Corrections & Rehabilitation providing the WV Regional Jail and Correctional Facility monthly invoices for Upshur County for March, 2024. The invoice reflects 2,034 inmate days X \$65.38 per diem rate totaling \$132,982.92. The February 2024 invoice was \$117,181.12. This amount does not include credits and additional debits made during this period [Page 32](#)
3. Correspondence from Jessica Belt, WVU Medicine, nominating James H. Berry, DO, for the vacant Region 4 representative position for the WV First Foundation. This item will be considered during a future meeting of the local governments. [Page 33](#)
4. Adrian Public Service District Statement of Budget, Income & Equity for 2024-2025. [Page 34](#)
5. Adrian Public Service District – Auditor's Report and Financial statement for years ended June 30, 2023 and June 30, 2022. [Pages 35-42](#)
6. Freedom of Information Act (FOIA) request and fulfillment from Buckhannon Fire Department on behalf of Verisk Insurance Company, regarding a First Due Boundary area. [Page 43](#)
7. Upshur County E911 Communication Reports – March, 2024. [Under separate cover](#)
  - Monthly Department Summary Report
  - Monthly Wrecker Report
  - YTD Wrecker Report
8. Public Notices:
  - a) Newsletters and/or Event Notifications:
    - 2024 Business at Breakfast Workshop April 17, 2024 [Page 44](#)
  - b) Agendas and/or Notice of Meetings:
    - Buckhannon-Upshur Airport Authority April 8, 2024 [Page 45](#)
    - Upshur County Family Resource Network April 8, 2024 [Pages 46-47](#)
    - Special Meeting of the Upshur County Commission April 16, 2024 [Page 48](#)
  - c) Meeting Minutes:
    - Hodgesville Public Service District March 4, 2024 [Pages 49-51](#)
    - Elkins Road Public Service District March 5, 2024 [Pages 52-55](#)

- Adrian Public Service District
- Adrian Public Service District

March 7, 2024

[Page 56](#)

March 20, 2024

[Page 57](#)

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

[www.upshurcounty.org](http://www.upshurcounty.org) -- Upcoming events are listed on the main page.

9. 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](mailto:chughes@upshurcounty.org). Upcoming term expirations are listed in this section of the agenda; however, letters of interest can be submitted at any time. Letters of interest for boards that do not currently have a vacancy will be held until a vacancy occurs. Please note that submitting a letter of interest does not guarantee appointment. \*\*\**

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

Tabled Items

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

April 4, 2024 - Correspondence from Steve Wykoff, Director of Upshur County Division of Homeland Security and Emergency Management, requesting an unused radio tower currently located outside the old jail building be moved to the Emergency Operations Center for use by DHSEM and CERT. The tower would be used for training for the amateur radio and emergency communications program.

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**Next Regular Meeting of the Upshur County Commission**

April 25, 2024 --- 9:00 a.m.

Upshur County Courthouse Annex

There will be a Special Meeting held on April 16, 2024 at 9:00 a.m.

The meeting scheduled for April 18, 2024 has been cancelled.

# Sexual Assault Awareness Month Proclamation April 2024

Sexual Assault Awareness Month calls attention to the fact that sexual violence is widespread and impacts every person in this community.

The goal of SAAM is to raise public awareness about sexual violence and educate communities on how to prevent it.

Rape, sexual assault, and sexual harassment harm our community, and statistics show one in five women and one in 67 men will be raped at some point in their lives (Smith et al., 2017).

Child sexual abuse prevention must be a priority to confront the reality that one in six boys and one in four girls will experience sexual assault before age 18 (Dube et al., 2005).

On campus, one in five women and one in 16 men are sexually assaulted during their time in college (Krebs, Lindquist, Warner, Fisher, & Martin, 2007).

This year's theme is "Drawing Connections: Prevention Demands Equity." The campaign calls on all individuals, communities, organizations, and institutions to change ourselves and the systems surrounding us to build equity and respect.

Individuals can embrace their voices to show their support for survivors, stand up to victim blaming, shut down rape jokes, correct harmful misconceptions, promote everyday consent, and practice healthy communication with kids.

We join advocates and communities across the country in taking action to prevent sexual violence.

April is Sexual Assault Awareness Month  
Each day of the year is an opportunity to create change for the future.

NOW, WHEREAS:

We do hereby proclaim April 2024, Sexual Assault Awareness Month throughout Upshur County.

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**Whereas**, emergencies occur 24 hours per day, 7 days a week, 365 days a year that require Law Enforcement, Fire and Emergency Medical Services; and,

**Whereas**, when an emergency occurs the prompt response of Law Enforcement Officers, Firefighters, Emergency Medical Technicians and Paramedics is critical to the protection of life and preservation of property; and,

**Whereas**, such response would not be possible without Public Safety Telecommunicators who are the first and most critical contact our citizens have with emergency services; and,

**Whereas**, our Law Enforcement Officers, Firefighters, and Emergency Medical Service personnel are dependent upon the quality and accuracy of information obtained from citizens who telephone the Public Safety Telecommunicators working within the Upshur County Emergency 911 Communications Center; and,

**Whereas**, Public Safety Telecommunicators provide the vital link for our Emergency Services personnel by monitoring their activities by radio, providing them with invaluable information and ensuring their safety during the most dangerous times; and,

**Whereas**, Public Safety Telecommunicators of the Upshur County Emergency 911 Communications Center have contributed substantially to the apprehension of criminals, suppression of fires, treatment of patients, overall safety of our community and have been integral in the response to the COVID-19 Pandemic; and,

**Whereas**, Public Safety Telecommunicators of the Upshur County Emergency 911 Communications Center exhibit compassion, understanding and professionalism during the performance of their jobs on a daily basis;

**Now therefore be it Resolved**, that the Upshur County Commission declares the week of April 14 through 20, 2024 to be National Public Safety Telecommunicators Week in Upshur County, in honor of the men and women whose diligence and professionalism keep our County and citizens safe.

*Signed this 14<sup>th</sup> Day April, 2024*

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Samuel R. Nolte, President  
Upshur County Commission

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Kristie G. Tenney, Commissioner

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Douglas K. Bush, Commissioner

In Re: The Estate of Sue S. Walls, deceased

**RECOMMENDATION FOR REMOVAL OF KIMBERLY LYNN WALLS AS  
EXECUTRIX**

Now comes the undersigned Fiduciary Commissioner and recites the following **FACTS**:

1. On July 6, 2021, Kimberly Lynn Walls qualified as the Executrix of the Estate of Sue S. Walls, deceased, without bond.
2. On March 15, 2023, Kimberly Lynn Walls presented the tardy Appraisement for the Estate of Sue S. Walls, deceased, to the Office of the Clerk of the Upshur County Commission.
3. On March 20, 2023, the Estate of Sue S. Walls, deceased, was referred to the undersigned Fiduciary Commissioner.
4. On March 22, 2023, the undersigned Fiduciary Commissioner mailed correspondence to the Executrix, advising her of the procedure to administer the estate and upon receipt of the initial fees, the undersigned Fiduciary Commissioner would file the appraisement.
5. On May 18, 2023, after receiving no response from the Executrix, the undersigned Fiduciary Commissioner mailed correspondence to the Executrix, advising her of the procedure to move forward on the above-referenced estate and reminding her that the Appraisement was still in her office pending instruction per her initial letter.
6. On July 19, 2023, after receiving no response from the Executrix, the undersigned Fiduciary Commissioner mailed correspondence to the Executrix, warning her that the failure to contact her office by August 7, 2023, would result in her removal as Executrix.
7. On August 31, 2023, the Appraisement was filed.
8. On November 2, 2023, the undersigned Fiduciary Commissioner mailed correspondence to the Executrix, advising her of the procedure to close the above-referenced estate.

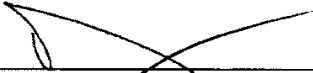
9. On January 23, 2024, the undersigned Fiduciary Commissioner mailed correspondence to the Executrix, requesting an Annual Settlement by February 23, 2024.
10. As of March 1, 2024, the undersigned Fiduciary Commissioner has not heard from the Executrix.
11. Kimberly Lynn Walls should be removed as Executrix for the Estate of Sue S. Walls, deceased, as she has failed to comply with West Virginia Code 44-4-2.
12. Kimberly Lynn Walls should be denied any fee as Executrix pursuant to West Virginia Code 44-4-7.
13. The Sheriff of Upshur County should be appointed as the Executrix of the Estate of Sue S. Walls, deceased, so that the Estate can be finalized.

Therefore, it is hereby **RECOMMENDED** that:

1. Kimberly Lynn Walls be removed as Executrix for Sue S. Walls, deceased, pursuant to West Virginia Code 44-5-5.
2. Kimberly Lynn Walls be denied any fee as Executrix and required to reimburse any fee previously received as Executrix.
3. Kimberly Lynn Walls turn over and all documentation regarding the Estate of Sue S. Walls, deceased, to the Sheriff of Upshur County within ten (10) days of her removal.
4. The Sheriff of Upshur County be appointed as the Administrator of the Estate of Sue S. Walls, deceased.

ENTERED: \_\_\_\_\_

3/1/2024

  
\_\_\_\_\_  
Daya Masada Wright  
Fiduciary Commissioner  
Upshur County, West Virginia

## UPSHUR COUNTY WEST VIRGINIA COUNTY FIRE PROTECTION FUND AGREEMENT

WHEREAS, during the 2023 Extraordinary Session, Senate Bill 1021 amended the Code of West Virginia by adding a new article, designated as W. Va. Code §7-5B-1 & §7-5B-2 and reenacted §33-3-33 of said code; effective upon passage.

WHEREAS, these special revenue funds are to be expended for the exclusive benefit of fire protection or emergency services in the county they are distributed to.

WHEREAS, on November 2, 2023, the County Commission adopted a Resolution creating the County Fire Protection Fund in the County Uniform Chart of Accounts. This Fund # is 41 and designated as the County Fire Protection Fund.

WHEREAS, on or about November 27, 2023, funds in the amount of \$40,073.10 were deposited into the Fund #41 by the State of West Virginia Division of Emergency Management, to be used as described in W. Va. Code §8-15-8a and §8-15-8b.

WHEREAS, on or about January 23, 2024, funds in the amount of \$46,538.95 were deposited into the Fund #41 by the State of West Virginia Division of Emergency Management, to be used as described in W. Va. Code §8-15-8a and §8-15-8b.

WHEREAS, during a regularly scheduled Commission Meeting held on February 29, 2024, the Upshur Commission discussed the disbursement of these funds. By Motion and second, the Commission voted to split the funds equally between the seven volunteer fire departments serving Upshur County and delineated within the current Upshur County Fire Fee Ordinance.

WHEREAS, the total funds to be made available to Subrecipient, ADRIAN VOLUNTEER FIRE DEPARTMENT, under this Agreement is: TWELVE THOUSAND THREE HUNDRED SEVENTY-THREE DOLLARS AND FIFTEEN CENTS (\$12,373.15).

NOW, THEREFORE, in consideration of the foregoing promises, the parties hereto agree that the use of the County Fire Protection funds conveyed to the Subrecipient by the County Commission, is subject to the following award information, conditions, and limitations:

1. Nothing contained in this Agreement is intended to or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The Subrecipient shall at all times remain an "independent contractor" with respect to the services to be performed under this Agreement. The County Commission shall be exempt from payment of all unemployment compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance as the Subrecipient is an independent entity.
2. The Subrecipient shall hold harmless and indemnify the County Commission from any and all claims, actions, suits, charges and judgments whatsoever that arise out of the Subrecipient performance or nonperformance of the services or subject matter called for in this Agreement.

3. The County Commission and the Subrecipient may amend this Agreement at any time, provided that such amendments make specific reference to this Agreement, are executed in writing, and signed by a duly authorized representative of both the County Commission and the Subrecipient. Such amendments shall not invalidate this Agreement, nor relieve or release County Commission or Subrecipient from its obligations under this Agreement.
4. Either party may terminate this Agreement at any time by giving written notice to the other party of such termination and specifying the effective date thereof at least 30 days before the effective date of such termination.

County Commission may also suspend or terminate this Agreement, in whole or in part, if the Subrecipient materially fails to comply with any term of this Agreement, or with any of the rules, regulations, or provisions referred to herein; and the County Commission may declare the Subrecipient ineligible for any further participation in County Commission's award agreements, in addition to other remedies as provided by law. In the event there is probable cause to believe the Subrecipient is in noncompliance with any applicable rules or regulations, County Commission may withhold funding.

5. All funds must be used for costs incurred during the period that begins on or after August 8, 2023 (passage of SB 1021) and ends \_\_\_\_\_ (waiting on date from State).
6. Invoice payment options:

**Option 1.** Direct payment to Subrecipient for invoices already paid to contractor.

- a. Submit an executed w-9.
- b. Itemized invoice showing date services incurred.
- c. Receipts showing date paid and a copy of the cleared check used to pay the invoice.
- d. Short summary stating what the expenditure accomplished and how your agency has benefitted.

**Option 2:** For direct payment to contractor, remit:

- a. Invoice containing name of contractor, mailing address for payment, date services were rendered, itemized description of services provided or materials purchased.
- b. Executed w-9 for the contractor.
- c. Short summary stating ~~what~~ how expenditure complies with W. Va. Code §8-15-8b and benefitted the agency.

7. A signature on this Agreement indicates that the Subrecipient is capable of and agrees to meet the requirements outlined within W. Va. Code, and that all information contained in this Agreement is true and correct:

8. Nothing contained in this Agreement shall be construed to be a waiver by either party of any protections under sovereign immunity of the State of West Virginia or any political subdivision thereof, or any officer or employee thereof, or any other similar provision of law. Nothing contained herein must be construed to be a consent by either party to be sued by third parties in any matter arising out of this Agreement or any other contract.
9. If a court deems any provision of this Agreement void or unenforceable, that provision shall be enforced only to the extent that it is not in violation of law or is not otherwise unenforceable and all other provisions shall remain in full force and effect.
10. This Agreement, and all exhibits annexed hereto or which are incorporated herein by reference, collectively represent the entire agreement of the parties and the same supersedes any and all previous agreements of any kind. Any alterations, variations, changes, modifications, or waivers of provisions of this Agreement shall be valid only if reduced to writing, duly signed by all of the parties hereto, and attached to the original of this Agreement.
11. WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and intend to be legally bound thereby, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Signed by:

\_\_\_\_\_  
Signature of Authorized Official  
on behalf of Adrian VFD, Subrecipient

\_\_\_\_\_  
Title of Authorized Official  
on behalf of Adrian VFD, Subrecipient

Approved by:

\_\_\_\_\_  
Samuel R. Nolte, Commission President

*Appendix A***AFFIDAVIT FOR COUNTY FIRE PROTECTION FUNDS**

I, \_\_\_\_\_, do hereby swear and affirm, that I have reviewed and familiarized myself with W. Va. Code §8-15-8a, §8-15-8b, and §33-3-33; attached and incorporated herein. I affirm the below:

- The below-referenced department is eligible to receive funding under the eligibility guidelines delineated in W. Va. Code §8-15-8a.
- Should the below-referenced agency become ineligible to receive funding, the respective fire chief will notify the Upshur County Commission in writing, within 30 calendar days.
- Expenditures made with these funds are for allowable purposes as defined in W. Va. Code §8-15-8b.
- The below-referenced department complies with or is in progress to become in compliance with the provisions outlined in W. Va. Code §33-3-33.

\_\_\_\_\_  
Printed Name, Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



21 East Main Street, Suite 102 | PO Box 849  
Buckhannon, WV 26201

April 1, 2024

Upshur County Commission  
Samuel R. Nolte  
91 West Main Street, Suite 101  
Buckhannon, WV 26201

**RE: Region VII Multi-Jurisdictional Hazard Mitigation Plan**

Dear Commissioner Nolte:

As you probably know, Region VII PDC has been updating its Multi-Jurisdictional Hazard Mitigation Plan over the last year. We recently completed the plan and provided a copy to FEMA for their review and approval. This week, we received approval from FEMA, pending adoption of the plan by each of our local governments.

In order to finalize the review and approval of the multi-jurisdictional hazard mitigation plan, we need the Upshur County Commission to formally adopt the plan at their next regularly scheduled meeting. To make it easier, we have attached a draft of a resolution for your use. Please approve and sign the resolution and provide us with an executed copy as soon as you possibly can.

If you should have any questions or comments regarding this matter, please feel free to contact us.

Thanks



Shane Whitehair  
Executive Director

Enclosure

**REGION VII PLANNING & DEVELOPMENT COUNCIL**

www.regionvii.com | O: 304.472.6564 | F: 304.472.6590

*Proudly Serving Barbour, Braxton, Gilmer, Lewis, Randolph, Tucker, and Upshur Counties*

**UPSHUR COUNTY COMMISSION**

A RESOLUTION OF UPSHUR COUNTY COMMISSION ADOPTING THE REGION VII PLANNING AND DEVELOPMENT COUNCIL HAZARD MITIGATION PLAN, UPDATED 2023.

WHEREAS the Commission recognizes the threat that natural hazards pose to people and property within Upshur County; and

WHEREAS the county has prepared a multi-hazard mitigation plan, hereby known as the Region VII PDC Hazard Mitigation Plan, updated 2023, in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and

WHEREAS the mitigation plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the county from the impacts of future hazards and disasters; and

WHEREAS adoption by the Commission demonstrates its commitment to hazard mitigation and achieving the goals outlined in the Region VII PDC Mitigation Plan, updated 2023.

NOW THEREFORE, BE IT RESOLVED THAT:

The Upshur County Commission, Buckhannon, WV formally adopts the Region VII Planning and Development Council Hazard Mitigation Plan, updated 2023. While the content related to the county may require revisions to meet the plan approval requirements, changes occurring after adoption will not require the Commission to re-adopt any further iterations of the plan. Subsequent plan updates following the approval period for this plan will require separate adoption resolutions.

**ADOPTED by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ against (with \_\_\_\_\_ abstaining), this \_\_\_\_\_ day of \_\_\_\_\_, 2024.**

SIGNED: \_\_\_\_\_

Samuel R. Nolte  
President, Upshur County Commission

\_\_\_\_\_  
Tabatha Perry  
Witness

## Why is it important to adopt your hazard mitigation plan?

You've done the hard work, now it's time to adopt! To be eligible for certain FEMA grant funding programs, all participating jurisdictions and special districts need to adopt the plan within one year of FEMA approval.

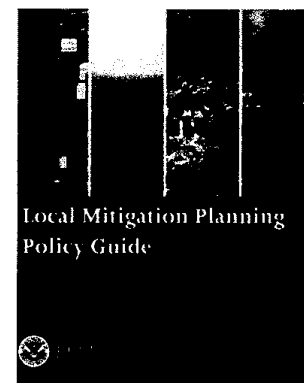
**How do you adopt? It's easy!** Documentation may be sent in the form of meeting minutes, resolutions, or signed letters. Documentation must show that the participant has officially adopted the plan. A sample adoption resolution is available in Appendix B of FEMA's [Local Mitigation Planning Policy Guide](#).

**What if you do not adopt within one year?** Participants that adopt the plan more than one year after Approval Pending Adoption status has been issued must either:

- Validate that their information in the plan remains current with respect to both the risk assessment (no recent hazard events; no changes in development) and their mitigation strategy (no changes needed), or
- Make the needed updates before submitting adoption documentation to FEMA.



**FEMA**



Don't delay, adopt today! Visit section F2.A of FEMA's [Local Mitigation Planning Policy Guide](#) to learn more.

**Request for Proposals (RFP)  
For  
Upshur County Public Library - Carpet  
Replacement Project**

**April 11, 2024**

Upshur County Commission

91 West Main Street, Suite 101  
Buckhannon, WV 26201  
304-472-0535

[www.upshurcounty.org](http://www.upshurcounty.org)

**REQUEST FOR PROPOSALS**  
**UPSHUR COUNTY PUBLIC LIBRARY - CARPET REPLACEMENT PROJECT**

The Upshur County Commission, West Virginia (herein referred to as the “Commission”) is requesting bids for (1) the removal and disposal of worn carpet, wall baseboard trim, and debris and (2) the installation of new carpet and wall baseboard trim throughout the Upshur County Public Library located at 1150 Route 20 South Rd., Buckhannon, WV. A mandatory pre-bid meeting will be conducted at 2 p.m. on Tuesday, April 30, 2024, at the work-site location.

The format for submittals and information regarding the scope of work is available from the Upshur County Commission Office, 91 West Main Street, Suite 101, Buckhannon, WV 26201, or online at [www.upshurcounty.org](http://www.upshurcounty.org). The original and three (3) copies of the completed proposals from interested businesses should be enclosed in a sealed envelope marked **“Upshur County Public Library - Carpet Replacement Project”**. Proposals must be submitted to the Upshur County Commission Office, 91 West Main Street, Suite 101, **no later than 4:00 PM on Wednesday, May 8th, 2024**. Failure to provide the required information as requested in the RFP for Upshur County’s review may result in disqualification.

Proposals received by this deadline will be opened, reviewed and read aloud by the Upshur County Commission at 9:15 a.m. on Thursday, May 9, 2024, in the County Commission Meeting Room, 38 W. Main Street, Room 301, Buckhannon, WV, 26201.

The Upshur County Commission does not discriminate based on actual or perceived race, color, national origin, sex, religion, age or disability for the provision of services.

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

*Publish: 4/17/2024 and 4/24/2024 Record Delta*

## **I. INTRODUCTION:**

Proposals are being requested from companies/professional carpet installers to (1) remove and dispose of worn carpet, wall baseboard trim, and debris and (2) provide and install new carpet and wall baseboard trim at the Upshur County Public Library located at 1150 Route 20 South Rd. Buckhannon, WV. Only written responses to this RFP shall be considered. All materials submitted shall become part of the proposal.

## **II. SCOPE OF WORK**

### **A. GENERAL**

The Commission is requesting site-specific bids for the removal and disposal of worn carpet, wall baseboard trim, and debris. New carpet squares and wall baseboard trim will be installed throughout the designated area(s) located at 1150 Route 20 South Rd. Buckhannon, WV.

A mandatory pre-bid meeting will be conducted at 2 p.m. on Tuesday, April 30, 2024, at the Upshur County Public Library. Attendance is mandatory in order to submit a bid proposal.

### **1. GUIDELINES AND REQUIREMENTS**

- a. The company/professional installer shall provide all tools, equipment, materials, and labor to complete this project; which includes the removal of old carpet, old wall baseboard trim and debris and gluing new carpet squares and wall baseboard trim to the existing floor.
- b. The company/professional installer will be responsible for the complete disassembly and disposal of carpet, trim and debris that is removed from the worksite.
- c. The selected bidder will be responsible for coordinating and obtaining all applicable dumpsters/trailers/etc. to complete the project.
- d. The company/professional installer will be responsible for moving/removing the library's shelving and furniture during the project. Some shelving will not be moved. The Commission's designee will identify shelving units that do not need to be moved and where it is acceptable to mold the carpet installation around the structures.
- e. The company chosen will be responsible for repairing any sub-floor imperfections and/or doing feather patching to create a seamless, smooth sub-floor base.
- f. The professional installer will provide a minimum of (3) carpet assortments or dream board choices. Each of the (3) assortments will contain a minimum of (2) complimentary color/design schemes. The product will be carpet squares.
  - a. The carpet options must have a Texture Appearance Retention Rating (TARR) of 3.5 or higher, a SEVERE classification.

- b. The carpet will be made of 100% solution dyed nylon with a nylon type 6,6 being preferred.
- c. Each carpet assortment option will meet a Class I (ASTM), American Society for Testing and Materials, criterion to meet fire code requirements.
- d. The gauge, stitch rate and pile will be acceptable for use in a commercial setting.
- g. The professional installer will provide a minimum of (3) color choices of wall baseboard trim. The wall baseboard trim will be made of no less than 4-inch vinyl trim/molding.
- h. A Low-VOC (Volatile Organic Compound) will be used to adhere the carpet squares to the sub-floor base.
- i. The company will be responsible for coordinating with the Library Director a demolition/removal and installation schedule that is conducive to the library needs. This may include working after operating hours, and/or on weekends to complete the job. This decision will be at the discretion of the Commission and/or designee.
- j. Company/professional installer will be responsible for barricading and posting the work area as necessary to protect the public at all times until the project is completed and accepted by the Commission.
- k. The project will begin after July 5, 2024 and will be completed by September 30, 2024, unless otherwise agreed upon in writing by both parties.
- l. Contractor shall follow all applicable OSHA requirements for this project.
- m. This project is not subject to the Davis-Bacon Act requirements for prevailing wage rates.

## **2. ADDITIONAL INFORMATION:**

- a. The estimated carpeted square footage total is 11,750 square feet.
- b. The estimated linear feet for the wall baseboard trim is 360 linear feet.
- c. Bidders will be permitted to calculate their own measurements of the project area immediately following the pre-bid meeting.

## **III. PROPOSAL FORMAT:**

A. Proposals must be prepared and submitted in the following format:

A two-envelope system will be used. Envelope No. 1 must have the following information presented on the front: Name and address of the bidder and "Upshur County Public Library - Carpet Replacement Project". Envelope No. 1 will be opened first and the bid opening requirement items checked for compliance. Envelope No. 1 shall contain all required documentation listed below except the Price Proposal. If the contents of Envelope No. 1 are found to be in order, sealed Envelope No. 2, which shall be placed in Envelope No. 1, will then be opened, and will be publicly read aloud. If the documents are not in order from Envelope No. 1, then Envelope No. 2 will not be opened and the bid will be considered non-responsive. Envelope No. 2 shall be labeled "Price Proposal" and contain only the price proposal document. The lowest responsive, responsible bidder shall be the bidder who has completed all the requirements of the bid opening requirements set forth below and has the lowest total bid.

- Identification

Name of company, including phone number, fax number, mailing and electronic addresses and lead installer that would be assigned to the project.

- Qualifications and Experience of the Firm

- a. A summary of the installer's qualifications and capabilities.
- b. Past project experience including summaries of at least three (3) relevant projects and scopes of work, as well as client contact information.
- c. Proposal must identify those work elements to be subcontracted and the firm/individual subcontractor. All subcontractors shall be included in the applicant's statement of qualifications.
- d. Description of the approach that will be used to complete the tasks described in this scope of work.

B. Miscellaneous Requirements:

All proposals must provide written proof that:

- The Company is licensed to conduct business in the State of West Virginia. The proposal must include the company's license number on their bid. The successful bidder will be required to furnish a copy of their company's business license before issuance of the contract.
- The selected Company must show proof of current worker's compensation coverage or payroll information which will show that coverage is not required.
- Fully executed Non-Collusion Certificate - Attachment A.

C. Bid Guarantee:

Each bidder shall deposit with the bid, a guarantee for not less than ten percent (10%) of the aggregate amount of the base bid. In place of a Bid Bond, the vendor may provide certified checks, cashier's checks, or irrevocable letters of credit. Any certified check, cashier's check, or irrevocable letter of credit provided instead of a bond must be of the same amount and delivered on the same schedule as the bond it replaces. Personal or business checks are not acceptable.

- D. All technical proposals should include any conclusions, remarks, and/or supplemental information that is pertinent to this request. Submitters are also required to provide written information regarding their inability to conform to any of the technical requirements listed above. Failure to do so will result in disqualification of the proposal.

**IV. PRICE PROPOSAL (in a separate sealed Envelope No. 2 marked "Price Proposal"):**

- A. At a minimum, your Price Proposal shall include the following:
1. A lump-sum price quotation.
  2. Any conclusions, remarks and/or supplemental information pertinent to this request.

**V. TERM OF CONTRACT:**

- A. The contract will commence upon award by the Commission.
- B. The contract will have a construction time limit of ninety (90) calendar days with liquidated damages of one thousand dollars (\$1,000) per day thereafter.
- C. If the Company awarded the bid subsequently fails to comply with the specifications, it will be given thirty (30) calendar days' notice to render satisfactory service. If at the expiration of such thirty (30) calendar days' notice, the unsatisfactory conditions have not been corrected, the Commission reserves the right to terminate the contract.

**VI. COMPENSATION TO THE CONTRACTOR:**

Invoices must be submitted to:

Upshur County Commission  
91 West Main Street, Suite 101  
Buckhannon, WV 26201  
[tperry@upshurcounty.org](mailto:tperry@upshurcounty.org)

Payment will be made within thirty (30) days of receipt and approval.

**VII. INSURANCE REQUIREMENTS:**

**Professional Liability** – The successful Bidder must show evidence of professional liability insurance coverage in the amount of one million (\$1,000,000) dollars, with a minimum coverage of one million (\$1,000,000) dollars per occurrence and one million (\$1,000,000) dollars aggregate and must include coverage for errors, omissions, and negligent acts, prior to execution of a contract

with the Upshur County Commission.

**VIII. SELECTION PROCESS:**

- A. The Upshur County Commission shall not be liable for any costs not included in the proposal, not contracted for subsequently, or with regards to preparation of your proposal.
- B. The Commission intends to open and review each firm's proposal to determine a firm's qualifications, experience, and technical approach to the services. If the proposal is submitted in the required format, then the price will be considered.

**IX. PROPOSALS AND AWARD SCHEDULE:**

- A. Proposals received before the deadline will be treated as confidential, until receipt of all proposals and opening of the same. Proposals received after the deadline will not be considered in the evaluation process and will be returned unopened.
- B. It is expected that the contract award will be made within thirty (30) calendar days after the opening of proposals. The contract will be awarded to the Company whose proposal, conforming to this request, will be the most advantageous to Upshur County.
- C. Proposals must give the full name and address of the proposer and the person signing the proposal shall indicate his or her title and/or authority to bind the firm in a contract.
- D. Upshur County reserves the right to request clarification of information submitted and to request additional information of one or more applicants.
- E. Simultaneously with the delivery of the executed contract, the Contractor shall furnish a performance bond or bonds as security for faithful performance of the contract and for the payment of all persons performing labor on the project. The surety on such bond or bonds shall be from a duly authorized surety company satisfactory to the Owner.

**X. TERMS AND CONDITIONS:**

- A. The Commission reserves the right to reject any or all proposals or to award the contract to the next recommended Company if the successful Company fails to execute an agreement within ten (10) calendar days after being notified of the award of this proposal.
- B. The selected Company shall be required to enter into a contract agreement with the County Commission. Any agreement or contract resulting from the acceptance of the proposal shall be made on forms approved by the Upshur County Commission and shall contain, at a minimum, applicable provisions of this request for proposal. The Commission reserves the right to reject any agreement that does not conform to this request for proposal.
- C. Selected Company shall not assign any interest in the contract and shall not transfer any interest in the same without prior written consent of the Upshur County Commission.

- D. Companies shall give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification why such materials, upon request, should not be disclosed by the County Commission under the West Virginia Freedom of Information Act.
- F. The County Commission reserves the right to reject any and/or all proposals, to waive technicalities, and to take whatever action is in the best interest of the County.
- G. By submitting a proposal, the Company agrees that it is satisfied, as a result of its own investigations of the conditions set forth in this request, and that it fully understands the obligations set forth therein.
- H. The Company shall abide by and comply with the true intent of the RFP and its Scope of Work and shall not take advantage of any unintentional error, ambiguity or omission, but shall fully complete every part as contemplated by the true intent and meaning of the scope of services described herein. Clarifications may be requested and dealt with prior to the submission deadline.
- I. The Company hereby represents and warrants:
  - 1. That it is now, or will be by the time its Proposal is opened, qualified to do business in the State of West Virginia and that it will take such action as, from time-to-time hereafter, may be necessary to remain so qualified;
  - 2. That it is not in arrears with respect to the payment of any monies due and owing the State, or any department or agency thereof, including, but not limited to, the payment of taxes and employee benefits, and that it shall not fall into arrears during the term of the contract; that it shall comply with all federal, State, and local laws, ordinances, and legally enforceable rules and regulations applicable to its activities and obligations under the contract;
  - 3. That it shall procure, at its expense, all licenses, insurance, and governmental approvals, if any, necessary to the performance of its obligations under the contract;
  - 4. That the facts and matters set forth hereafter in the contract and made a part hereof are true and correct.
- J. The contractual obligation of Upshur County under the contemplated contract is contingent upon the availability of appropriated funds from which payment for this contract can be made.

#### **XI. INTERPRETATIONS, DISCREPANCIES, OMISSIONS:**

Should any Company find discrepancies in, or omissions from, the documents or be in doubt of their meaning, they should at once request in writing an interpretation from the Upshur County Commission. All necessary interpretations will be issued to all Companies in the form of addenda to the specifications, and such addenda shall become part of the contract documents. Failure of any Company to receive any such addendum or interpretation shall not relieve such Consultant from any obligation under their proposal as submitted.

**LIST OF APPENDICES**

Attachment A -- Price Proposal

Attachment B -- Non-Collusion Certification

Attachment C -- Drug Free Workplace Conformance Affidavit

Attachment D -- West Virginia Request for Statement of Good Standing

**ATTACHMENT A  
PRICE PROPOSAL**

**INSTRUCTIONS**

This sheet must be placed in Envelope No. 2 and labeled accordingly.

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

Bid Title: Upshur County Public Library – Carpet Installation Project

Bid Due Date & Time: no later than 4 p.m. on May 8, 2024

Bid Opening Date & Time: 9:15 a.m. on May 9, 2024

We have received all documents related to the above-referenced project. We have examined all documents, and have had the opportunity to examine the location of the project. We hereby propose to furnish all labor, materials, equipment, and incidentals and to perform all operations necessary and required for the successful completion of the project.

<b>Item</b>	<b>Price (\$)</b>
Unit prices for materials:	
Carpet and related material (glue, etc.): _____	
Wall Baseboard Trim and related materials: _____	
Other: _____	
Rental fees / dumpster fees (if applicable): _____	
Labor: _____	
Allowances: _____	
Other: _____	
<b>Subtotal:</b>	

<b>Total:</b>	

Contractor Name & Address: \_\_\_\_\_

By: \_\_\_\_\_  
(Authorized Signature) (Date)

Title: \_\_\_\_\_

West Virginia Contractor's Number: \_\_\_\_\_

**ATTACHMENT B  
NON-COLLUSION CERTIFICATE**

I HEREBY CERTIFY I am the \_\_\_\_\_  
(Title)  
and the duly authorized representative of the firm of \_\_\_\_\_

\_\_\_\_\_ whose address is \_\_\_\_\_

AND THAT NEITHER I nor, to the best of my knowledge, information and belief, the above firm nor any of its other representatives I here represent have:

- (a) Agreed, conspired, connived or colluded to produce a deceptive show of competition in the compilation of the bid or offer being submitted herewith;
- (b) Not in any manner, directly or indirectly, entered into any agreement, participated in any collusion to fix the bid price or price proposal of the bidder or offeror herein or any competitor, or competitive bidding in connection with the Contract for which the within bid or offer is submitted; and that no member of the Upshur County Commission, West Virginia, administrative or supervisory personnel or other employees of Upshur County have any interest in the bidding company except as follows: (complete if applicable)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed or Typed Name

WV-73

Approved / Revised 08/01/15



**State of West Virginia  
DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT  
West Virginia Code §21-1D-5**

**STATE OF WEST VIRGINIA,**

**COUNTY OF \_\_\_\_\_, TO-WIT:**

I, \_\_\_\_\_, after being first duly sworn, depose and state as follows:

1. I am an employee of \_\_\_\_\_; and,  
(Company Name)
2. I do hereby attest that \_\_\_\_\_  
(Company Name)

maintains a written plan for a drug-free workplace policy and that such plan and policy are in compliance with **West Virginia Code §21-1D**.

The above statements are sworn to under the penalty of perjury.

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

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

Title: \_\_\_\_\_

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

Date: \_\_\_\_\_

Taken, subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

By Commission expires \_\_\_\_\_

(Seal)

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

**THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.**

Rev. August 1, 2015

**GSR-01**

Rev.09/2020

**West Virginia****Request for Statement of Good Standing**West Virginia  
State Tax  
Department

Taxpayer Identification Number \_\_\_\_\_ Identification Type \_\_\_\_\_

Name of Business/Individual \_\_\_\_\_

Location Address \_\_\_\_\_

Mailing Address \_\_\_\_\_  
Street City State Zip**PURPOSE FOR REQUEST (CHECK ONE):**☐ ABCA ☐ DMV ☐ DOH ☐ SOS ☐ Bank Loan ☐ Other (specify below) \_\_\_\_\_

I understand that in the event that this business is not in good standing with the Tax Department I will be notified in writing as to what tax returns or tax payments are considered not filed or paid and who to contact with any questions regarding that situation.

By signing this Request for Statement of Good Standing, I certify under penalty of perjury that I am the taxpayer or the taxpayer's authorized representative and am entitled to receive the result of this request.

If you are a CPA or Attorney completing this Request for Statement of Good Standing for a business of which you are not a principle, a principle of the business must ALSO sign this request as the taxpayer.

If you are authorizing release of information for someone who is not a CPA or Attorney, this form must be notarized.

Taxpayer Signature Title Date

Print Name Phone E-mail

CPA/Attorney Signature Title Date

Print Name Phone E-mail

Signature of person other than taxpayer, CPA, or attorney (Form must be notarized). Title Date

Print Name Phone E-mail

State of West Virginia

County of \_\_\_\_\_, to-wit,

This day appeared before me, the undersigned notary public \_\_\_\_\_, who acknowledge under oath the signature above.

\_\_\_\_\_, Notary public

\_\_\_\_\_, Date

My commission expires: \_\_\_\_\_

**Send this request to:**West Virginia State Tax Department  
ATTN: TPS – Support Unit  
PO Box 885  
Charleston, WV 25323-0885**Phone Numbers:**(304) 558-3333  
(800) 982-8297  
Follow Prompts for  
Statement of Good Standing Requests.

## UPSHUR COUNTY COMMISSION

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

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

TDD Numbers  
Business: 472-9550  
Emergency: 911

April 8, 2024

The Honorable Joe Manchin  
US Senate  
SH 306  
Washington, DC 20510

The Honorable Shelley Moore Capito  
U.S. Senate  
SR 172  
Washington, DC 20510

Dear Senators Manchin and Capito:

I request your full support for the Upshur County Sheriff's Department's Fiscal Year 2025 request for a community project in the Commerce, Justice, and Science Appropriations Bill.

As the effects of drugs and drug-related crimes continue to weigh heavily on our community's law enforcement capabilities, this request would greatly improve the technology used to combat this expanding threat and improve officer safety. These needed upgrades to our agency's capabilities will improve the safety of the community we serve while increasing the efficiency of the limited workforce in our rural jurisdiction. Due to budgetary constraints, these are upgrades that our current county budget cannot otherwise provide. This request makes vital investments in reporting and accountability software, license plate reader technology, drug enforcement infrastructure, and less-than-lethal use of force technologies.

I urge you to support this vital project, and please feel free to contact me with any questions.

Sincerely,

Samuel R. Nolte  
Commission President

*An Equal Opportunity Employer*



### FULL-TIME CLERK

The Upshur County Circuit Clerk's Office is accepting applications for a full-time deputy clerk position. The position offers excellent health care benefits. Duties include the ability to effectively handle requests from the public, handling numerous telephone requests or inquiries for records that may or may not be confidential in nature, normal office correspondence, filing, and other duties as assigned. Applicants must have at least a high school diploma or equivalent. Typing skills and computer experience are required. Applications must be received by the close of business on May 10, 2024. Interested individuals may pick up an application at the Upshur County Circuit Clerk's Office located on the third floor of the Court House Annex (Room 304), between 8:00 a.m. and 4:00 p.m. Monday thru Friday or download an application at the Upshur County Circuit Clerk's website @ [www.upshurcounty.org/ctclerk/index.html](http://www.upshurcounty.org/ctclerk/index.html). Please return or mail the application to the following:

Brian P. Gaudet, Circuit Clerk  
38 W. Main Street, Room 304  
Upshur County Court House Annex  
Buckhannon, WV 26201

Please do not make telephone inquiries about this position. Applicants will be subject to a background investigation. Employment with Upshur County is available to all qualified applicants without regard to race, creed, color, national origin, sex, age, or handicap. Upshur County has established a drug free and tobacco free work environment.

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Please run as a display ad in the help wanted section of The Record Delta on April 17, 2024, April 24, 2024, and May 1, 2024. I would also like to run this ad on the My Buckhannon Website for two consecutive weeks. Send bill to Upshur County Commission, Upshur County Court House Annex, Room 301, 38 W. Main Street, Buckhannon, WV 26201.

Upshur County Commission



MARK A. SORSAIA  
CABINET SECRETARY

State of West Virginia  
Department of Homeland Security  
Division of Administrative Services  
1124 Smith Street  
Charleston, WV 25301  
(304) 558-2350



JOSEPH C. THORNTON  
DIRECTOR

April 4, 2024

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

Dear Commission,

The Division of Administrative Services provides accounts receivable services to the Division of Corrections and Rehabilitation. These services include preparing the monthly invoices for counties and municipalities for persons lodged in a regional jail. I am writing to you today on behalf of the Division of Corrections and Rehabilitation concerning the statutory eligibility requirements for counties and municipalities to receive funds from the Jail Operations Partial Reimbursement Fund ("JOPRF").

As you should know, funds from the JOPRF are typically disbursed to counties and municipalities shortly after the end of each fiscal year pursuant to West Virginia Code §15A-3-17. The pertinent language in the statute governing eligibility for payments from the JOPRF states: ***"Provided, That only counties and municipalities that, on July 1 of each year, are not more than 90 days delinquent in payments for moneys to incarcerate its offenders are eligible to receive this reimbursement: Provided, however, That the pro rata share formula shall not include the counties or municipalities which are not entitled to reimbursement pursuant to this section."***

A copy of your most recent regional jail statement is enclosed with this letter. Anytime you have a question about your jail statement, outstanding balances, or payments you can contact Angela Nitardy, Accounts Receivable Manager, at the Division of Administrative Services by calling (304) 352-0218 or by emailing her at [Angela.D.Nitardy@wv.gov](mailto:Angela.D.Nitardy@wv.gov).

Thank you for your time and consideration in this matter. The Division of Corrections and Rehabilitation values its relationships with the state's counties and municipalities and appreciates the efforts undertaken to remain current in these per diem payments. Please do not hesitate to contact me if you have additional questions or concerns, and all available assistance will be provided in the pursuit of achieving our mutual goals and obligations.

Sincerely,

Joseph C. Thornton, Director

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF HOMELAND SECURITY**  
**DIVISION OF CORRECTIONS & REHABILITATION**



**WILLIAM K MARSHALL III**  
**COMMISSIONER**

**MARK A SORSAIA**  
**CABINET SECRETARY**

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Office of the Commissioner  
1409 Greenbrier Street  
Charleston, WV 25311  
304-558-2036 -- Telephone  
304-558-5367 -- Fax

OVERAGE RATE UPSHUR COUNTY  
38 WEST MAIN STREET, ROOM 302  
BUCKHANNON, WV 26201

**Invoice Number: 3124442E**

**Invoice Date: 4/3/2024 10:56:10 AM**

**Month of Service: March, 2024**

Pursuant to the provisions of W.Va. Code §15A-3-16, the Division of Corrections and Rehabilitation hereby provides you with a monthly statement of charges and costs of inmate maintenance and operational costs for Overage Rate Upshur County for the month of March, 2024. The costs per day for inmate maintenance and operation is in accordance with the provisions of W.Va. Code §15A-3-16.

Detailed information, including names of inmates and the number of days of inmate maintenance, to support the invoice is attached.

Month: March

Number of Inmate Days: 2,034

Per Diem Rate: \$65.38

Amount Due: March, 2024

**\$132,982.92**

This invoice amount is due and payable upon receipt.

Please Remit Payment to:  
WV Regional Jail and Correctional Facility Authority  
PO Box 40258  
Charleston, WV 25364



DEPARTMENT OF BEHAVIORAL MEDICINE AND PSYCHIATRY

April 2, 2024

Dear County Commissioner:

I would like to nominate James H. Berry, DO for the vacant Region 4 representative position for the WV First Foundation. Dr. Berry currently serves as Professor and Chair of the Department of Behavioral Medicine and Psychiatry at West Virginia University School of Medicine's Rockefeller Neuroscience Institute and the Director of Addictions. He brings with him a wealth of experience, being board certified in both General Psychiatry and Addiction Psychiatry. His extensive expertise, dedication, and remarkable contributions make him ideal for this role.

Throughout his career, Dr. Berry has been at the forefront of addressing the addiction crisis in Appalachia. He and his colleagues at WVU developed innovative community-based treatment models that have garnered national recognition. Further, they are actively engaged in groundbreaking neuromodulation research related to substance use disorders through WVU's Rockefeller Neuroscience Institute, including the nation's first trial of Deep Brain Stimulation for opioid use disorder.

Dr. Berry has been a dedicated clinician and educator in West Virginia since the early days of the addiction epidemic. He is the proud recipient of The Addiction Policy Forum's Pillar of Excellence Award for Addiction Treatment, WVDHHR's inaugural Medical Provider Award for Advancement of Quality Addiction Care, and WVU School of Medicine's Distinguished Teacher Award.

Statewide, he serves as a member of the West Virginia Governor's Advisory Council on Substance Use Disorders and the Medical Cannabis Advisory Board. His influence extends beyond the state of West Virginia, as he actively contributes to national initiatives and serves on various advisory boards, demonstrating his dedication to advancing addiction care on a broader scale.

Dr. Berry's advocacy efforts have brought attention to the plight of individuals facing mental illness and addiction, leading to impactful engagements with local, state, and national media outlets. His audiences range from local town hall meetings to the United States Senate. His work and opinions have led to interviews with media sources such as *Psychology Today* and *The Doctors* television show. He and his patients were featured in the PBS NOVA documentary: *Addiction* that exposed a national audience to the science behind addiction and the humanity of those who suffer.

In view of his impressive work and unwavering commitment to advancing addiction care, Dr. Berry's expertise will undeniably contribute to the success of the WV First Foundation's mission. Thank you for considering Dr. James Berry to represent Region 4 in this important initiative to further the addiction care within West Virginia.

Sincerely,

Jessica Belt  
AVP Behavioral Medicine and Psychiatry  
WVU Medicine  
Rockefeller Neuroscience Institute

Form RD 442-2  
(Rev. 9-97)

Position 3

FORM APPROVED  
OMB NO. 0575-0015

UNITED STATES DEPARTMENT OF AGRICULTURE  
**STATEMENT OF BUDGET, INCOME AND EQUITY**

Schedule I

Name Adrian Public Service District

Address PO Box 87  
French Creek, WV 26201

(1) OPERATING INCOME	PRIOR YEAR <u>Actual</u> (2)	ANNUAL BUDGET		For the _____ Months Ended _____	
		BEG <u>07-01-2024</u>	END <u>06-30-2025</u> (3)	CURRENT YEAR	
				<u>Actual Data</u>	
				Current Quarter (4)	Year To Date (5)
					Actual YTD. (Over) Under Budget Col. 3 - 5 = 6 (6)
1. <u>Water Sales</u>		2,058,905			2,058,905
2. _____					0
3. _____					0
4. _____					0
5. <u>Miscellaneous</u>					0
6. <u>Less: Allowances and Deductions</u>					0
7. <u>Total Operating Income</u> (Add lines 1 through 6)	0	2,058,905	0	0	2,058,905
<u>OPERATING EXPENSES</u>					
8. <u>Purchased Water</u>		325,864			325,864
9. <u>Payroll Expense</u>		282,095			282,095
10. <u>Pension &amp; Ben</u>		196,273			196,273
11. <u>Operation Supp</u>		133,499			133,499
12. <u>Fuel for Power</u>		64,788			64,788
13. <u>Transportation</u>		37,587			37,587
14. <u>Other Expenses</u>		120,738			120,738
15. <u>Interest</u>		294,414			294,414
16. <u>Depreciation</u>		264,743			264,743
17. <u>Total Operating Expense</u> (Add Lines 8 through 16)	0	1,720,001	0	0	1,720,001
18. <u>NET OPERATING INCOME (LOSS)</u> (Line 7 less 17)	0	338,904	0	0	338,904
<u>NONOPERATING INCOME</u>					
19. <u>Interest</u>		19,436			19,436
20. _____					0
21. <u>Total Nonoperating Income</u> (Add 19 and 20)	0	19,436	0	0	19,436
22. <u>NET INCOME (LOSS)</u> (Add lines 18 and 21)	0	358,340	0	0	358,340
23. <u>Equity Beginning of Period</u>		8,717,859			8,717,859
24. _____					0
25. _____					0
26. <u>Equity End of Period</u> (Add lines 22 through 25)	0	9,076,199	0	0	9,076,199

Budget and Annual Report Approved by Governing Body

Quarterly Reports Certified Correct

Kelly Z. Arnold 4-4-24  
Secretary Date

Carol A. Spenser  
Appropriate Official Date

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0013. The time required to complete this information collection is estimated to average 2-1 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

**ADRIAN PUBLIC SERVICE DISTRICT**  
**INDEPENDENT AUDITOR'S REPORT AND**  
**RELATED FINANCIAL STATEMENTS**  
  
**FOR THE YEARS ENDED**  
**JUNE 30, 2023 AND JUNE 30, 2022**  
*RFP #23-232 (Upshur County)*

**ADRIAN PUBLIC SERVICE DISTRICT  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)  
FOR THE YEAR ENDED JUNE 30, 2023**

**Cause:** The District did not establish rates high enough to meet all general obligations of the system.

**Effect:** The violation caused the District to incur a net loss in the current year and to be in violation of the state code.

**Identification of Repeat Findings, if Applicable:** This condition was reported in the prior year's audit as finding #2022-003.

**Recommendation:** The District officials are directed to review this statute and comply with the provisions set forth therein.

**Views of Responsible Officials and Planned Corrective Action:** The District will review its rates and determine the need for a rate increase.

**C. FINDINGS AND QUESTIONED COSTS – MAJOR FEDERAL AWARD PROGRAMS AUDIT**

None noted

**ADRIAN PUBLIC SERVICE DISTRICT  
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
FOR THE YEAR ENDED JUNE 30, 2023**

<u>Award Name</u>	<u>Federal Assistance Listing Number (AL)</u>	<u>Pass Through Identification Number</u>	<u>Total Federal Expenditures</u>
<b>U.S. Department of Agriculture</b>			
Water and Waste Disposal Systems for Rural Communities - Loan	10.760	N/A	\$ 4,711,677
Water and Waste Disposal Systems for Rural Communities - Loan	10.760	N/A	84,000
Water and Waste Disposal Systems for Rural Communities - Grant	10.760	N/A	2,127,087
Total Water and Waste Disposal Systems for Rural Communities			<u>6,922,764</u>
Total Federal Expenditures AL #10.760			<u>6,922,764</u>
<b>Total U.S. Department of Agriculture</b>			<u><u>\$ 6,922,764</u></u>
<b>U.S. Department of the Treasury</b>			
<i>Passed through the Upshur County Commission</i>			
Coronavirus State and Local Fiscal Recovery Funds (CSLFRF)	21.027	N/A	\$ 265,541
<i>Passed through the State of West Virginia</i>			
Coronavirus State and Local Fiscal Recovery Funds (CSLFRF)	21.027	N/A	<u>6,670</u>
Total Federal Expenditures AL #21.027			<u>272,211</u>
<b>Total U.S. Department of the Treasury</b>			<u><u>\$ 272,211</u></u>
<b>TOTAL FEDERAL EXPENDITURES</b>			<u><u>\$ 7,194,975</u></u>

See accompanying notes to required supplementary information and independent auditor's report.

**ADRIAN PUBLIC SERVICE DISTRICT  
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
FOR THE YEARS ENDED JUNE 30, 2023**

**NOTE A. BASIS OF PRESENTATION**

The accompanying schedule of Expenditures of Federal Awards (the Schedule) includes the federal award activities for Adrian Public Service District under programs of the federal government for the year ended June 30, 2023. The information in this schedule is presented in accordance with the requirements of Title 2 *U.S. Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principle, and Audit Requirements for Federal Awards* (Uniform Guidance). Because the Schedule presents only a selected portion of the operations of the Adrian Public Service District, it is not intended to and does not present the financial position, changes in net position, or cash flows of Adrian Public Service District.

**NOTE B. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

Expenditures reported on this schedule are reported on the accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance and OMB Circular A-87, *Cost Principles for State, Local, and Indian Tribe Governments*, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

**NOTE C. LOANS OUTSTANDING**

The District had the following loan balances outstanding at June 30, 2023. Loans outstanding at the beginning of the year and loans made during the year are included as federal expenditures presented in this schedule.

<u>Program Title</u>	<u>Federal Assistance Listing Number (AL)</u>	<u>Outstanding Amount</u>
Water and Waste Disposal Systems for Rural Communities	10.760	\$ 4,900,000
Water and Waste Disposal Systems for Rural Communities	10.760	84,000

**NOTE D. INDIRECT COST RATE**

Adrian Public Service District has elected not to use the 10% *de minimus* indirect cost rate allowed under the Uniform Guidance.

**NOTE E. PASS-THROUGH TO SUBRECIPIENTS**

There were no awards passed through to subrecipients.

**NOTE F. ASSISTANCE LISTING (CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA))**

Assistance Listing (AL) has replaced the Catalog of Federal Domestic Assistance (CFDA) for identifying federal programs.

See independent auditor's report.

# Adrian Public Service District

P.O. Box 87/8506 Route 20 South Rd  
French Creek, WV 26201

phone (304) 924-6107/fax (304) 924-5818

*adrlunpsd@outlook.com*

Board of Directors  
**Paul A. Spencer, Chairman**  
**Carolyn S. Douglas, Vice Chairman**  
**Kelly W. Arnold, Secretary/Treasurer**



March 23, 2024

## CORRECTIVE ACTION PLAN

United States Department of Agriculture

Adrian Public Service District respectfully submits the following corrective action plan for the year ended June 30, 2023.

Name and address of Independent public accounting firm: Tetrick & Bartlett, PLLC, P.O. Box 1916, Clarksburg, WV 26302-1916.

Audit period: July 1, 2022 through June 30, 2023.

The findings from the June 30, 2023 schedule of findings and questioned costs are discussed below. The findings are numbered consistently with the numbers assigned in the schedule. Section A of the schedule, Summary of Audit Results, does not include findings and is not addressed.

### B. Findings – Financial Statement Audit

#### #2023-001 Segregation of Duties

**Recommendation:** Responsibilities of approval, execution, recording and custody be distributed among individuals to the degree possible. We recommend that management and the Board of Directors should remain involved in the financial affairs of the District to provide oversight and independent review functions and to continue exercising due diligence and professional skepticism in relation to the District's financial operations.

**Action Taken:** To the extent possible, the District has segregated its duties. Any further segregation of duties would not be economically feasible.

#### #2023-002 Debt Service Coverage

**Recommendation:** The District should seek a rate increase to cure this technical default.

**Action Taken:** The District will review its rates and determine the need for a rate increase.

This institution is an equal opportunity provider and employer.

United States Department of Agriculture

Page 2

**#2023-003 Insufficient Rates**

**Recommendation:** The District officials are directed to review this statute and comply with the provisions set forth therein.

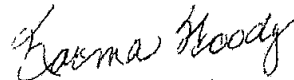
**Action Taken:** The District will review its rates and determine the need for a rate increase.

**C. Findings and Questioned Costs – Major Federal Award Programs Audit**

None noted

If the United States Department of Agriculture has questions regarding this plan, please contact Norma Woody, Manager at (304) 924-6107.

Sincerely yours,

A handwritten signature in black ink that reads "Norma Woody". The signature is written in a cursive, flowing style.

Norma Woody, Manager  
Adrian Public Service District

# Adrian Public Service District

P.O. Box 87/8506 Route 20 South Rd  
French Creek, WV 26201

phone (304) 924-6107/fax (304) 924-5818  
*adrianquid@outlook.com*

Board of Directors  
Paul A. Spencer, Chairman  
Carolyn S. Douglas, Vice Chairman  
Kelly W. Arnold, Secretary/Treasurer



## SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS FOR THE YEAR ENDED JUNE 30, 2023

### A. Findings – Financial Statement Audit

#### Reference Number:

#### #2022-001 Segregation of Duties

**Condition:** Responsibility for approving, executing and recording transactions and custody of the resulting asset arising from the transaction should be assigned to different individuals.

**Recommendation:** Responsibilities of approval, execution, recording and custody be distributed among individuals to the degree possible. We recommend that management and the Board of Directors provide oversight and independent review functions and to continue exercising due diligence and professional skepticism in relation to the District's financial operations.

**Current Status:** This condition is reported in the current year's audit as finding #2023-001. To the extent possible, the District has segregated its duties. Any further segregation of duties would not be economically feasible.

#### #2022-002 Debt Service Coverage – Water Fund

**Condition:** The bond covenant requires 115% debt service coverage. The District's current coverage is 114.12%.

**Recommendation:** The District should seek a rate increase to cure this technical default.

**Current Status:** This condition is reported in the current year's audit as finding #2023-002.

#### #2022-003 Insufficient Rates

**Condition:** It was noted during this audit that the rates the District charges for water service are not sufficient to provide adequate debt service coverage.

**Recommendation:** The District officials are directed to review this statute and comply with the provisions set forth therein.

**Current Status:** This condition is reported in the current year's audit as finding #2023-003.

This institution is an equal opportunity provider and employer.

**ADRIAN PUBLIC SERVICE DISTRICT  
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS (CONTINUED)  
FOR THE YEAR ENDED JUNE 30, 2023**

**#2022-004 Cash Working Capital Reserve Requirement**

**Condition:** It was noted during our audit that the District needed a cash working capital reserve of \$105,226. The District currently has a cash working capital reserve of \$93,878.

**Recommendation:** The District should seek a rate increase to cure the working capital shortfall.

**Current Status:** This condition was corrected and is not reported in the current year's audit.

**B. Findings and Questioned Costs – Major Federal Award Programs Audit**

None noted – prior year single audit not required

## FOIA ENTRY DETAILS

**Agency:** Upshur County Commission

**Organization:** Verisk

**First Name:** Robin

**Middle Name:**

**Last Name:** Mood

**Request Date:** 04/03/2024

**Completion Date:** 04/05/2024

**Entry Date:** 04/05/2024

**Fee:** \$0

## Request Items

**Subject**

First Due Boundary Area File

**Details**

Request from Buckhannon Fire Department to assist with providing a First Due Boundary area to their insurance company, Verisk.

**Resolution**

Granted

**Response**[Back to Dashboard](#)[Edit](#)[+ Create New](#)

# 2024 BUSINESS AT BREAKFAST



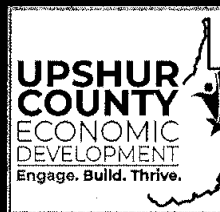
Come to our business workshop  
and learn the importance of  
understanding your financials.

**Tim James**  
*Financial Expert*

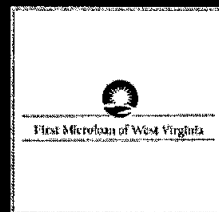
## SPONSORED BY:



**SBDC**



**UCDA**



**First Microloan  
of WV**



**Problem  
Solver's**

## Key Discussions & Insights

- ✓ Financial Statement
- ✓ Credit Do's & Don'ts
- ✓ What Lender's Look For
- ✓ Alternative Financing

SCAN HERE  
TO  
REGISTER  
NOW:



**April 17th, 2024 at 7:30 A.M.  
at The Outpost & Event Center**



More information  
**304-472-1757**



Or email:  
**brandon@upshurda.com**



## ***Buckhannon-Upshur Airport Authority Agenda***

***W22- Upshur Regional Airport Terminal Building, 644 Airport Road, Buckhannon, WV 26201 as well as Virtually via Telephony or ZOOM <sup>1</sup>***

***Monday, April 8, 2024 at 4:00 pm***

- 
- A. Call to order
  - B. Recognized guests and public comment period
  - C. Officer/Committee/Consultant Reports:
    - President's Report – Michael Ruffing
    - Secretary's Report – Brian Huffman, Secretary
    - Engineering Reports – Chapman Technical Group
    - Airport Manager's Report-Jennifer Powers
      - Approval of WV Corp Self Insurance Renewal Proposal for the period of July 1, 2024-June 30, 2025; \$13,492.00
      - Approval of three year renewal of DBT Transportation Support and Maintenance Agreement for Data Services-NADIN for the period of April 9, 2024-April 8, 2027; \$3,300.00 total to be billed monthly at \$91.66
      - DMTF General Revenue supplemental grant agreement UP00212024 for \$5,488.30 has been received. Those funds will be available July 1, 2024
      - Health Net central air repair/replace estimates
      - Request to clear area between Winjean Trucking and Airport Access Road
      - Training funds available through WV Tourism (update)
    - Operations Report-Jamie Wilt
      - REIL update
  - D. Consent Agenda:
    - Approval of Minutes
    - Approval of Airport Manager's Report
    - Authorization for payment of the bills
  - E. Items Removed from the Consent Agenda for discussion and vote:
  - F. Old Business:
    - Hangar space requests/applications/updates
    - Bylaw updates
  - G. New Business:
  - H. Board Member Comments and Announcements
  - I. Adjournment

---

<sup>1</sup>Per WV Code 6-9A-2(5) "Meeting" means the convening of a governing body of a public agency for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter which results in an official action. Meetings may be held by telephone conference or other electronic means.

Fw: UCFRN April Meeting Monday, April 8th!

From: UCFRN Info <ucfrn@yahoo.com>

Sent: Fri, Apr 5, 2024 at 10:56 pm

To:

Hello all,

On Monday, April 8th, we will have our monthly UCFRN General Meeting at 12pm. The Zoom information for the meeting can be found below:

\*This month, Kelsey Metz from Graciously Giving Through Christ Foster Closet will be our speaker.\*

Immediately following the general meeting will be the monthly meeting for PIP. (Look for a separate email and separate link for the PIP meeting following this.) We will be discussing the Community Baby Shower happening in two short weeks!

Our goal is to have everyone out in time so we can all have the opportunity to witness the eclipse that will be happening!

We look forward to "seeing" you all!

Below is the UCFRN Meeting Zoom Info:

~~~~~

Lori Ulderich Harvey, UCFRN is inviting you to a scheduled Zoom meeting.

Topic: UCFRN General Membership Meeting

Time: Nov 13, 2023 12:00 PM Eastern Time (US and Canada)

Every month on the Second Monday

Apr 8, 2024 12:00 PM

May 13, 2024 12:00 PM

Jun 10, 2024 12:00 PM

Please download and import the following iCalendar (.ics) files to your calendar system.

Monthly: <https://us02web.zoom.us/join/86560408776>  
<https://us02web.zoom.us/join/86560408776>  
<https://us02web.zoom.us/join/86560408776>

Join Zoom Meeting

<https://us02web.zoom.us/j/86560408776>

Meeting ID: 865 6040 8776

---

One tap mobile

+13017158592,,86560408776# US (Washington DC)

+13052241968,,86560408776# US

---

Dial by your location

• +1 301 715 8592 US (Washington DC)

• +1 305 224 1968 US

• +1 309 205 3325 US

• +1 312 626 6799 US (Chicago)

• +1 646 558 8656 US (New York)

• +1 646 931 3860 US

• +1 507 473 4847 US

• +1 564 217 2000 US

• +1 669 444 9171 US

• +1 669 900 9128 US (San Jose)

• +1 689 278 1000 US

• +1 719 359 4580 US

• +1 253 205 0468 US

• +1 253 215 8782 US (Tacoma)

• +1 346 248 7799 US (Houston)

• +1 360 209 5623 US

• +1 386 347 5053 US

Meeting ID: 865 6040 8776

Find your local number: <https://us02web.zoom.us/j/86560408776>

~~~~~

Elisha Taylor

WVWC Service Scholar

Upshur County FRN

PO Box 2115/79 E. Main Street

Buckhannon, WV 26201

304.473.1051

## Upshur County Commission Special Meeting Agenda

Location of Meeting: Upshur County Administrative Annex

Located at: 91 W. Main Street, Suite 101, Buckhannon, WV 26201  
If you prefer to participate by telephone, please dial 1-872-240-3412 Access  
Code: 614 149 301 to enter the conference call

Date of Meeting: Tuesday, April 16, 2024

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

### Items for Discussion / Action / Approval:

1. Lay the Levy for FY 2025 \*
2. 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. Notice of Approval of the Levy Estimate (Budget) for the fiscal year beginning July 1, 2024 from the WV State Auditor. \*

Next Regular Meeting of the Upshur County Commission  
April 25, 2024 --- 9:00 a.m.  
Upshur County Courthouse Annex

**HODGESVILLE PUBLIC SERVICE DISTRICT****MONTHLY MEETING MINUTES****March 4<sup>th</sup> 2024/4pm**

The Hodgesville Public Service District monthly meeting was held at the district office located at 188 Fayette St., Buckhannon, WV, on the above date and time.

In attendance:

Robert Wright-Chairman

Roger Ward-Secretary

Howard Cutright-Member

Terry Gould-Manager

Barbara Curry-UBS, Inc.

Guests: Carrie Wallace and Lisa Karickhoff of Region VII and Eric Sherrard and Zack Musgrove of Thrasher Engineering.

The minutes of the previous meeting held February 6<sup>th</sup> 2024 were read and approved.

Terry Gould gave the financial report for the month. A motion was made by Robert Wright and seconded by Roger Ward to approve and pay the bills.

A motion to approve the credit memos was made by Howard Cutright and seconded by Roger Ward.

The Board reviewed the customer shut off list and amount collected for the previous month.

Maintenance completed by Ringers, Inc. included the following:

\*19 Mayflower Drive No Leak Found

\*549 Buckhannon Mountain Rd Leak on customer side

New Meter Replacement 71 Hackers Creek Rd.

Other matters discussed included the following:

Murphy Station Project and the Water System Improvement Project was discussed and Status Sheet is attached and made part of these minutes. Robert Wright made a motion and Roger Ward seconded the Pay Requisition for the Murphy Station Project.

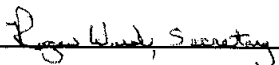
Carrie Wallace suggested that Hodgesville's Project acct be put in an interest bearing acct and not change the bank acct # as checks have been ordered by Region VII. Barbara Curry will talk to Karen Knabenshue of First Comm Bank.

A discussion was also held in regard to Hodgesville bidding our maintenance work. Carrie Wallace to send some examples of documents to proceed with this matter.

Terry Signed the Stormwater Prevention Plan.

The Abia Whiston Project was discussed and Thrasher has some work to to on that.

There being no further business to discuss the meeting adjourned at 4:55pm

 \_\_\_\_\_

Roger Ward, Secretary



ARCHITECTURE  
ENGINEERING  
FIELD SERVICES

**HODGESVILLE PSD  
PROJECT STATUS & UPDATES  
(010-1094)**

**March 5th, 2024**

**Critical Needs Project:**

- **Murphy Station Road Water Line Extension – Critical Needs**
  - Construction completed.
    - Substantial Walkthrough completed.
    - Change Order #1 will be for the tee off to Auvil Road
      - Change order will be for \$1,200, which will still be under the contract price.
  - Pay Application #3 has been submitted for review.

**Water System Improvements Project:**

- **General:**
  - Preliminary Design is Complete.
    - DOH has completed field review.
      - One comment needs to be addressed on Three Lick Road and then we can receive approval.
    - Plans and Specs have been submitted to the DEP for review.
      - Comments have been received from DEP and addressed.
      - Anticipate approval this month.
  - Contract #2 Property Acquisition
    - ROW Agent has talked with property owner at Route 33 Booster Station to discuss property acquisition.
      - ROW Agent expects no conflicts.
    - ROW Agent has made contact with Ward Canfield and the Daugherty's on the Tank Site Acquisitions
      - No conflicts anticipated with Ward Canfield
      - Daughtry's have not agreed to sign.
        - Meeting scheduled Thursday, March 7<sup>th</sup>, at 1:30 PM with the ROW Agent, Thrasher, and Daugherty's to discuss options.
  - Two quotes received for PRV.
    - Cla-Val quote was \$44,035.
    - GA Industries Quote was \$51,400.
    - Awaiting quote from Ross Valve
      - Expected to receive quote within next couple of weeks.
    - Price does not include Vault.
  - Categorical Exclusion Received for Environmental Review.
  - Signature needed for submission of Stormwater Pollution Prevention Plan and Groundwater Protection Plan
  - Team Project Calls have been initiated.

Elkins Road Public Service District  
Board of Directors' Regular Meeting  
March 5, 2024

The regular monthly meeting of the Elkins Road Public Service District (ERPSD) Board of Directors was held on Monday, March 5, 2024.

Chair, Carey Wagner, called the meeting to order at 5:00 p.m. and led the group in the Pledge of Allegiance.

Members Present were: Chair-Carey Wagner, Secretary-David Burr and Board Member-Wendell Grose

Staff Present were: Office Manager-Carolyn Douglas; Billing Clerk-Linzy Wilson; System Operator-David Wamsley

Phone in participants: None

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

Recognize that four (4) customers were present.

**APPROVAL OF MINUTES**

Minutes of February 6, 2024 Regular Monthly Meeting were presented for approval. David Burr made a motion to approve the minutes. Wendell Grose seconded. Motion carried

**APPROVAL OF FINANCIAL REPORTS/BILLS TO DATE**

Carey Wagner presented the Financial Report. David Burr made a motion to approve the financial report and pay the bills to date. Seconded by Wendell Grose. Motion carried

**STACEY MCDANIEL – REGION VII**

Stacey McDaniel and Shane Whitehair from Region VII attended the meeting. Stacey McDaniel gave a preview of all that had been accomplished with the GIS of our system. It was very impressive and she has done a lot of work. It was discussed on how to best proceed in gathering the balance of the information to be included.

**GREG BELCHER-CHAPMAN TECHNICAL GROUP**

Greg Belcher phoned in to say that he would have a contract ready for the Board to approve and sign at the April meeting for the ARPA funds projects.

Elkins Road Public Service District  
Board of Directors' Regular Meeting  
March 5, 2024

PHASE III EXTENSION PROJECT

Nothing to discuss or approve with Phase III.

MAINTENANCE

Dave Wamsley gave the February Maintenance Report. Water loss is down substantially and we hope it stays that way. Mowing schedule was discussed and plans made to take care of it.

NOTES: Computers, Building and Mower

Wendell Grose made a motion for Dave Burr to go ahead and purchase the mower. Seconded by Carey Wagner. Motion carried

Carey Wagner made a motion for Dave Burr to go ahead and purchase the building. Seconded by Wendell Grose. Motion carried

Carolyn Douglas is to call Micrologic and get quotes on computers.

There being no further business, the meeting adjourned on motion made by David Burr and seconded by Wendell Grose. Meeting adjourned at 6:45 p.m.

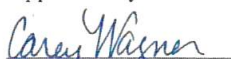
The next meeting will be held on Tuesday, April 2, 2024 at 5:00 p.m.


Respectfully submitted:


ERPSD Board of Directors Secretary, David Burr//CD

Attachments: Agenda  
Sign In Sheet

Approved By:

  
Board Chair/Treasurer  
Carey Wagner

  
Secretary  
David A. Burr

  
Board Member  
Wendell R. Grose

## ELKINS ROAD PUBLIC SERVICE DISTRICT Agenda

<b>Meeting</b>	Regular Monthly Meeting	<b>Start Time</b>	5:00 PM
<b>Date</b>	Tuesday, March 5, 2024	<b>Place</b>	P.S.D. Office 133 Fallen Road, Buckhannon

---

Meeting Called to Order by Chairperson 5:00 PM  
 Pledge of Allegiance  
 Roll Call: Introduce Board of Directors  
 Chair/Treasurer-Carey Wagner, Secretary-David Burr, Board Member-Wendell Grose  
 Introduce Office Staff - Office Manager, Carolyn Douglas; Billing Clerk - Linzy Wilson;  
 System Operator-David Wamsley  
 Recognize Current Customers  
 Approval of Minutes -February 6, 2024 Regular Monthly Meeting Vote  
 Treasurer Report/Payment of Bills for March/bal of February Invoices Vote

### ITEMS FOR DISCUSSION

**Stacey McDaniel- Region VII**  
GIS Update

**Greg Belcher - Chapman Technical Group**  
ARPA Fund Contract Discussion

**Phase III Extension Project Update** Vote  
 Project Underruns & Proposed Use  
 Change Orders  
 GIS of System -Agreement Signed 4/4/23  
 Progress Reports & Discussion

**Maintenance Report**  
 Maintenance Issues  
 Mowing

**Date & Time of April 2024 Meeting** - Tuesday, April 2, 2024 @ 5:00 pm

**Adjournment** Vote

*Anyone wishing to address the Board that is not on the agenda will be addressed at the end of the meeting or as time permits in between other items on agenda. Please ask to be added so we can be sure to address you. Thank you for your patience!!!! ☺)*

**NOTES:** Computers  
 Bldg  
 Mower

[illegible]

**Adrian Public Service District**  
**March 7, 2024**  
Monthly Board Meeting

Present from Adrian PSD: *Paul Spencer, Chairman; Carolyn Douglas, Vice Chairman ; Kelly Arnold, Sec./Treas.; Eric Brunn, Chief Water Operator; Norma Woody, Manager and Alicia Wright, Assistant Manager.*

All motions were unanimous unless otherwise noted.

The meeting was called to order at 3:00 pm by Paul Spencer, Chairman.

Minutes of the **February 1, 2024 Board meeting** were read. Paul made a motion to approve the minutes and Kelly seconded. Motion carried.

Minutes of the **February 21, 2024 Special meeting** were read. Paul made a motion to approve the minutes and Kelly seconded. Motion carried.

Invoices were presented. A motion was made to pay by Paul, seconded by Carolyn. Motion carried.

**Old Business**

- None

**New Business**

- None

**Items for Discussion/Action/Approval**

- Norma advised the board members of WV Communities Risk Pool (WVCorp) claim filings due to Hinkleville pressure issue. WVCorp is already in process of satisfying claims.
- Norma updates the board on WVCorp mediation results.
- Norma requested approval for Alicia/Norma to attend the Managing Your Employees to Avoid Legal Conflict Course in Charleston on April 30, 2024. Paul made a motion to approve, and Carolyn seconded the motion. Motion carried.

**Maintenance Report**

- Temporary roof repairs to Carter and Horseshoe Bend Booster Stations. Alton Booster Station needs repaired.
- Replaced 45 feet of waterline and 2 valves under Route 20 feeding Adrian Schoolhouse Road.
- Repaired leak on Route 20 and fixed valve at Adrian Hill.
- Installed two services.
- Repaired two services at top of Adrian Hill and Jake Hurst Body Shop in Hinkleville.
- Started pumping water Helvetia Tank. Found two breaks and vault valve and entire T Section leaking in vault.
- Propane tanks are all set. Awaiting fencing before installation of Generator at Metzner Hollow for security reasons.
- No power drop at Pickens Tank Site yet.
- CITCO repaired Telemetry issues at Hinkleville Booster Station.

**Office Report**

- **Tetrick and Bartlett completed 2022-2023 WV State Audit.** Findings were Segregation of Duties and Debt Coverage/Insufficient Rates, which will be resolved with **19-A rate increase in process with Public Service Commission.** PSC Audit already performed and staff recommendation is with Adjudication Law Judge for final order approval. Step 1 rates will be applied upon approval and Step 2 rates will be applied upon substantial completion of project.

**Adjournment**

The meeting adjourned at 4:00 pm.

The next board meeting will be **April 4, 2024 at 3:00 pm.**

The next project meeting will be **March 20, 2024 at 3:00 pm.**

Board of Directors

*Paul Spencer*  
Paul Spencer, Chairman

*Carolyn Douglas*  
Carolyn Douglas, Vice Chairman

*Kelly Arnold*  
Kelly Arnold, Sec., Treas.

**Adrian Public Service District**

**March 20, 2024**

Phase VIII Project Meeting

Present from Adrian PSD: *Carolyn Douglas, Vice Chairman; Paul Spencer, Chairman; Eric Brunn, Chief Water Operator and Norma Woody, Manager.*

Visitors: *Trey Hornor, P.E. President Hornor Brothers Engineering  
Carry Wallace, Program Coordinator, Region VII  
Stacy Karickhoff, Area Specialist/Rural Development/USDA*

All motions were unanimous unless otherwise noted.

The meeting was called to order at 3:00 pm by Chairman, Paul Spencer.

**Items for Discussion/Action/Approval**

- Trey Hornor, Hornor Brothers Engineering reviewed progress and status of construction (**94.2% complete as of February 29, 2024**). Indian Camp complete, Get Out Rd complete, Frenchton Rd complete, Freemans Rd complete, Little Trace Run Rd complete, Holly Grove Rd complete, Alexander Rd complete, Route 20 complete, Eden Rd/Gaines complete, Metzner Hollow Rd complete, Karlen Rd complete, Helvetia to Pickens complete, Metzner Hollow pump station installed, Helvetia pump station installed, Pickens Tank and Helvetia Tank installed. Upgraded booster pump stations at Hinkleville, Hoovertown and Carter. All lines complete to Pickens. Health Clinic Booster Station installed and operational. Waterline tested and filled Helvetia Tank. Power installed at Pickens Tank, Helvetia Tank and Metzner Booster Station. March 26th scheduled for power to Pickens Tank and CITCO completion hopeful by end of April.
- **Contract 1-Pro Contracting reached Substantial Completion on December 8, 2023. One year warranty begins on December 8, 2023.**
- Norma requested approval of **Resolution No. 15 of the Phase VIII water extension project**. Paul made a motion to approve, and Carolyn seconded the motion. Motion carried.
- Norma requested approval of **Adverse Weather Day calculation sheets for Phase VIII water extension project**. Contract 1 (0 days); Contract 2 (9 days) January & (9 days) February; Contract 3 (1 day) January & (5 days) February. Carolyn made the motion to approve, and Paul seconded the motion. Motion carried.


**Adjournment**


The meeting adjourned at 4:00 pm.

Next board meeting will be **April 4, 2024 at 3:00 pm**. Next  
project meeting will be **April 17, 2024 at 3:00 pm**.

Board of Directors

  
Paul Spencer, Chairman

  
Carolyn Douglas, Vice Chairman

  
Kelly Arnold, Sec., Treas.



UPSHUR COUNTY  
DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT  
181 PALLOTTINE DRIVE, BUCKHANNON, WV 26201  
PHONE: (304) 472-4983 FAX: (304) 472-6539

Date: March 28, 2024

To: Upshur County Commission

From: Steve Wykoff, Director  
Upshur County DHSEM

Re: Radio tower currently located at old jail

Honorable commissioners,

There is an unused radio tower currently located outside the old jail building. As demolition work will be starting soon in that area, I am requesting the tower be moved to the EOC for use by DHSEM and CERT if there are no plans for it otherwise. This tower would be beneficial for the amateur radio / emergency communications program we have started under the CERT program.

Respectfully submitted,