

## 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: November 17, 2022

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance  
Approval of Minutes:  
• November 10, 2022

9:15 a.m. Discuss potential property acquisition  
*Item may lead to Executive Session per WV Code §6-9A-4*

### Items for Discussion / Action / Approval:

1. Review and signature of Order Regarding October 13, 2022 Hearing In Re: The Estate of Naomi G. Given, deceased. \* Pages 4-5
2. Approval of "Request for Proposals" for the Upshur County Community Corrections & Day Report Center Roof Replacement Project. Sealed bids must be received by 4:00 p.m. on Monday, December 12, 2022. Sealed bids received by this deadline will be opened, reviewed and read aloud by the Commission during the regularly scheduled Commission Meeting at 10:00 a.m. on Thursday, December 15, 2022. \* Pages 6-23
3. Approval and signature of Grievance Procedure for Complaints Relating to Suspected or Alleged Discrimination on the Basis of Handicapped Status in Upshur County, WV. \* Page 24
4. Consider appointment to the Upshur County Building Commission. The term is effective immediately through November 10, 2027. The following individual(s) have submitted a letter of interest for this vacant position. \* Page 25
  - a) William Parker
5. 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 Bob Pierson, FEMA Region III Senior Project Engineer, regarding the project scope and proposed Advisory Flood Height data modeling to be performed for Upshur County, WV and Incorporated Areas. Pages 26-29
2. Correspondence from Alex Shubert, Manager of the National Processing Center, regarding the recent Public Protection Classification survey for Selbyville Fd and the Warren District Fpsa, effective February 1, 2023. ISO's Public Protection Classification Program plays an important role in the underwriting process at insurance companies. Pages 30-35
3. Correspondence from Samantha L. Woods, Deputy State Auditor, enclosing a copy of the Report on Applying Agreed-Upon Procedures of the Upshur County Magistrate Court for the period ending December 31, 2021. Report is available for public review in the Upshur County Commission Office. Page 36
4. Lewis-Upshur Animal Control Facility Reports for the months of October, 2022 Pages 37-41
  - Adoption Financial Transactions
  - Cat Report
  - Animal Report
  - Animal Control/Humane Officer Animal Report
5. Public Notices:
  - a) Newsletters and/or Event Notifications:
    - Urgent Notice to Business Owners from Secretary of State's Office Pages 42-43  
Business owners be aware of third-party providers soliciting Annual Report filing services.
  - b) Agendas and/or Notice of Meetings:
 

• Upshur County Convention and Visitor's Bureau	November 9, 2022	Page 44
• Upshur County Family Resource Network	November 14, 2022	Page 45
• Buckhannon-Upshur Airport Authority	November 14, 2022	Page 46
• Community Corrections Board	November 14, 2022	Page 47
• Upshur County Fire Board	November 15, 2022	Page 48
• City Council of Buckhannon	November 17, 2022	Page 49
  - Meeting Minutes:
 

• Tennerton Public Service District	October 12, 2022	Page 50
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  - c) Meetings: **\*CHANGES ARE NOTED IN BOLD TYPE**

Elkins Road PSD	Tue	11/1/2022	5:00 PM
Adrian PSD	Thu	11/3/2022	3:00 PM
Upshur-Buckhannon Board of Health	Thu	11/3/2022	6:00 PM
Banks District Volunteer Fire Department	Thu	11/3/2022	7:00 PM
City Council of Buckhannon	Thu	11/3/2022	7:00 PM
Selbyville VFD	Thu	11/3/2022	7:00 PM
Upshur County Senior Center Board	Tue	11/8/2022	12:00 PM
Hodgesville PSD	Tue	11/8/2022	4:00 PM
Warren District VFD	Tue	11/8/2022	7:00 PM
Adrian VFD	Tue	11/8/2022	7:30 PM
Buckhannon-Upshur Chamber of Commerce	Wed	11/9/2022	12:00 PM

Upshur County Convention and Visitors Bureau	Wed	11/9/2022	3:00 PM
Tennerton PSD	Wed	11/9/2022	3:00 PM
Buckhannon River Watershed Association	Wed	11/9/2022	6:00 PM
Ellamore VFD	Wed	11/9/2022	7:00 PM
UCDA-Executive Board Meeting	Thu	11/10/2022	7:00 AM
Upshur County Safe Sites & Structures Enforcement Board	Thu	11/10/2022	3:00 PM
Buckhannon VFD	Thu	11/10/2022	7:30 PM
Washington District VFD	Sun	11/13/2022	6:00 PM
Upshur County Family Resource Network	Mon	11/14/2022	12:00 PM
Buckhannon-Upshur Airport Authority	Mon	11/14/2022	4:00 PM
Upshur County Solid Waste Authority	Mon	11/14/2022	4:30 PM
Buckhannon-Upshur Recreational Park Advisory Board	Mon	11/14/2022	5:30 PM
Lewis-Upshur Community Corrections Board-Upshur Co. Location	Mon	11/14/2022	6:00 PM
Upshur County Fire Board, Inc. @Washington District VFD	Tue	11/15/2022	6:30 PM
Lewis Upshur LEPC-Lewis Co. Location	Wed	11/16/2022	12:00 PM
Upshur County Public Library Board	Wed	11/16/2022	4:00 PM
Upshur County Farmland Protection Board	Thu	11/17/2022	6:00 PM
Upshur County Youth Camp Board	Thu	11/17/2022	6:30 PM
Wes-Mon-Ty Resource Conservation & Development Council	Fri	11/18/2022	10:00 AM
UC Enhanced Emergency Telephone Advisory Board	Tue	11/22/2022	3:00 PM
Upshur County Fire Fighters Association	Wed	11/23/2022	7:00 PM

6. Appointments Needed or Upcoming:

- Upshur County Building Commission Expiration (Richard Ralston, II 11/10/2022)

*\*\*\*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 [trperry@upshurcounty.org](mailto:trperry@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)

1. Review and approval of revised Overtime / Compensatory Time Policy within the Upshur County Employee Handbook of Personnel Guidelines dated February 10, 2022. (Tabled 11/3/2022)

**Next Regular Meeting of the Upshur County Commission**  
**December 1, 2022 --- 9:00 a.m.**  
**Upshur County Courthouse Annex**

**\*\*\*The Commission Meeting scheduled for Thursday, November 24, 2022 is CANCELLED\*\*\***

In Re: The Estate of Naomi G. Given, deceased

**ORDER REGARDING OCTOBER 13, 2022 HEARING**

Following the death of Stephen Wickland, counsel for Mary A. Given, on November 6, 2022, the Upshur County Commission **ORDERS** that:

1. By noon on December 14, 2022, Mary A. Given shall tender the following items to Daya Masada Wright and Mr. O'Brien:
  - a. Documentation supporting all eighteen (18) Receipts listed on the First Annual Accounting;
  - b. Documentation supporting all eighteen (18) Disbursements listed on the First Annual Accounting;
  - c. Mr. Wickland's itemized billing invoices for the 10/27/21, 1/13/22, 4/6/22, and 7/6/22 disbursements;
2. By noon on January 2, 2023, Johnny C. Given shall renew or withdraw his request to remove Mary A. Given as Administratrix.
3. By noon on January 2, 2023, Johnny C. Given shall renew or withdraw his objection to the First Annual Accounting.
4. The Commission will rule on the removal of Mary A. Given no later than noon on January 19, 2023.
5. The Commission will rule on the Objection to the First Annual Accounting no later than noon on January 19, 2023.
6. All previous Orders not modified herein shall remain in full force and effect.
7. The Clerk of the Upshur County Commission is directed to send a copy of this Order to all parties of interest.

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

\_\_\_\_\_  
Upshur County Commission President



# **REQUEST FOR PROPOSALS**

**26<sup>th</sup> Judicial Circuit Community Corrections & Day  
Report Center  
Roof Replacement  
November 17, 2022**

**Upshur County Commission**

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

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

Request for Bids ----->	
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WV Request for Statement of Good Standing ----->	
Sample Agreement ----->	

**Invitation for Bids**  
**Roof Replacement**

*Publish: Saturday, November 19<sup>th</sup> and Saturday, November 26<sup>th</sup>, 2022.*

Project Location: Community Corrections & Day Report Center located at 85 West Main Street, Buckhannon, WV 26201.

The Upshur County Commission is seeking bids for the furnishing of labor, materials and performance of all work set forth in the Request for Proposals. Bid proposals shall include materials, labor, equipment, insurance, taxes, bonds, fees, testing and similar construction related expenses for a complete roof replacement. A scope of work will be provided online at <http://www.upshurcounty.org>. Questions can be directed to Cheyenne Troxell or Rodney Rolenson at (304) 472-9548.

The complete proposal must be submitted in a sealed package marked “26<sup>th</sup> Judicial Circuit Community Corrections Facility – Roof Replacement” and received at the Upshur County Administrative Annex by 4:00 p.m. on Monday, December 12, 2022. In order to be considered, prospective firms must submit one (1) original proposal and one (1) additional copy in the required format to: Upshur County Commission, c/o Cindy Hughes, 91 W Main St, Suite 101, Buckhannon, WV 26201. Proposals received by this deadline will be opened, reviewed, and read aloud by the Upshur County Commission at 10:00 a.m. on Thursday, December 15, 2022.

All bidders are required to have a valid West Virginia Contractor’s License per Section §21-11-11 of the W.Va. Code. Successful bidder will be required to furnish all documentation listed before work may commence.

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



### **Selection Schedule**

November 19, 2022	RFP document available from Owner
December 12, 2022	Proposals received by Owner no later than 4 p.m.
December 15, 2022	Opening of the sealed bids and anticipated selection of contractor

### **Description of Project**

The 26<sup>th</sup> Judicial Circuit Community Correction Facility has been at the current location in Upshur County for approximately one year. The building is showing obvious roof deterioration with water leaking into the interior of the building in a couple areas. Shingles are also missing from an exterior point of view making the likelihood of further damage an immediate concern. The roof replacement is high priority to prevent extensive interior damage before winter and the onset of snow and ice.

### **Scope of Work**

The Upshur County Commission is soliciting proposals from qualified and experienced contractors to furnish labor, materials and performance of all recommendations set forth in the below scope of work. The project must be completed by April 30, 2023. The Commission has received the below recommendations for the roof replacement:

1. After being inspected and tested for the presence of asbestos by a WV licensed asbestos inspector all transition and flashing metal, existing shingles, drip edges, gutters and downspouts will be removed and properly disposed of.
2. The removal, disposal and replacement of any water damaged sheathing on the roof.
3. Remove and dispose of any old vent boots on the roof.
4. Install underlayment on entire roof that is made of polypropylene material with limited lifetime warranty.
5. Install laminated architectural roof shingles with 130 mph wind resistance with limited lifetime warranty; color chosen by owner. Using a 6-nail application process, install starter shingles in eaves and rakes, also containing algae resistance and limited lifetime warranty.
6. Install new drip edge on entire roof; color chosen by owner.
7. Install new seamless gutters and downspouts on entire proximity of roof; color chosen by owner.

8. Install new vent boots on the roof.

This project is not subject to Prevailing Wage Rates.

This Request for Proposal (RFP) provides site background information and describes required information to enable qualified contractors to prepare and submit responsive proposals consistent with the required proposal format. The purpose of this specification is to solicit complete and comprehensive proposals from qualified and experienced contractors for the provision of the requested scope of services. Responsive proposals in the required format will enable the Upshur County Commission the ability to select a contractor to provide the requested services. To be considered responsive, sealed proposals must be submitted to the Upshur County Commission at the place and time specified herein and must provide all of the required information relative to content and format specified herein.

#### **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 lieu of the Bid Bond and Performance 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 in lieu 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.

#### **Security for Faithful Performance**

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. The Performance Bid Bond Guarantee may be exempt if the bid for the contract is less than \$25,000, per the West Virginia Little Miller Act found within the West Virginia State Code, Chapter 5, Article 22, Chapter 38.

#### **Non-Discrimination in Contracts**

The Upshur County Commission prohibits the discrimination of any person based upon actual or perceived race, color, national origin, sex, religion or age. This project is subject to all non-discrimination requirements under federal and state law.

### **Proposal Format**

Proposals must be prepared and submitted in the following format:

- **Identification**  
  
Name of company, including phone number, fax number, and mailing and electronic addresses and lead contractor that would be assigned to the project.
- **Qualifications and Experience of the Firm**
  - a. A brief summary of the contractor'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.
- **Preliminary Project Schedule**
  - a. Provide a proposed timeline for the commencement, duration and completion of this project while adhering to the mandatory completion date of April 30, 2023.
- **Fee Schedule**
  - a. Basis of Bid Pricing Sheet, attached.
  - b. Include standard billing rates and any unlisted project requirement components. Must include a written listing of all assumptions used to prepare price quotations. **If possible, identify suggested products to be used: include manufacturer's product name, make or model number and physical properties, appearance, and other characteristics of the specified product.**
- Contractor shall furnish any and all requested and/or required documentation, including but not limited to the following:
  - Business License
  - Contractor's License
  - Certificate of Insurance - at least \$1,000,000 liability limit with Upshur County Commission named as an additional insured
  - Certificate of Coverage of Workers' Compensation or Approved Waiver

- Bid bond in the amount of ten percent (10%) of the proposal. The bond shall be issued by an insurance company licensed to do business in West Virginia or in the form of a certified check, cashier's check or irrevocable letter of credit. Upon award of the contract, the bid bond will be returned and a performance bond must be obtained and filed with the Upshur County Commission.
- Affidavit of Non-Collusion
- Proof that all municipal business and occupation taxes levied or accrued against the contractor have been paid and a certificate of good standing from the Tax Commissioner are required before the final payment will be made, pursuant to WV Code §11-10-11(d).
- Any additional documentation as required by the Owner

The selected contractor will be required to enter into an agreement with the Upshur County Commission which will include the requirements of this RFP as well as other requirements. By submitting a proposal, the bidder agrees to all of the terms in this RFP.

The selected contractor will ensure that all work is conducted in accordance with federal, state and local laws and regulations.

#### **Submission**

Interested firms shall submit one original and one copy of their proposal in a sealed envelope to:

Upshur County Commission  
c/o Cindy Hughes  
26<sup>th</sup> Judicial Circuit Community Corrections Facility – Roof Replacement  
91 W Main Street, Suite 101  
Buckhannon, WV 26201

Proposals must be received no later than 4:00 p.m. on Monday, December 12, 2022.

Submittals that are not received at the designated address on or before the specified deadline will not be accepted. Neither facsimile nor electronic transmissions will be accepted.

#### **Evaluation Criteria**

All proposals which are deemed fully responsive to this RFP will be evaluated. To be deemed fully responsive, proposals must be submitted to the Upshur County Commission in the format specified and prior to the deadline at the address specified above. After receipt, proposals will be reviewed for responsiveness on Thursday, December 15, 2022 during the regularly scheduled Commission Meeting

held in the Commission Meeting Room located at 38 West Main Street, Room 301, Buckhannon, WV 26201.

Per the WV Fairness in Competitive Bidding Act, the Contract will be awarded to the lowest qualified responsible bidder meeting the required specifications. If the Bid Pricing Sheet contains alternates/add-ons, the Contract will be awarded based on the grand total of the base bid and any alternates/add-ons selected.

The Upshur County Commission reserves the right to reject any and all proposals.

### **Additional Information**

This solicitation for proposals is not a contract nor commitment of any kind.

The Upshur County Commission is not liable for costs nor expenses incurred in the preparation of the bidder's proposal. Notwithstanding any other provision herein, the Upshur County Commission reserves the right in its sole discretion to waive minor technical deficiencies in the proposals.

No verbal or written information which is obtained other than through this RFP or its addenda shall be binding on Upshur County Commission.

The Upshur County Commission may request clarification and additional information from any proposer.

The Commission may require up to 30 days after opening the proposals to award the contract.

Questions regarding this RFP may be directed to Cindy Hughes, Assistant County Administrator at [cmhughes@upshurcounty.org](mailto:cmhughes@upshurcounty.org) or (304) 472-0535 ext. 3 or Cheyenne Troxell / Rodney Rolenson, at (304) 472-9548.

### **Bid Pricing Sheet**

Bidder will complete work in accordance with the bidding documents for the following bid price:

Item	Price (\$)
Base Bid: roof replacement (includes removal	

and disposal of existing roofing material and replacement of all items contained within the scope of work with all new material selected by owner.	
Asbestos removal and disposal – if applicable	
Allowances:  Dumpster Fee  Other:	
B&O Taxes (if applicable)	
Other	
<b>Subtotal</b>	
<b>Total</b>	

Assumptions, if any, on which the guaranteed maximum price is based:

**SELECTION OF ALTERNATES:** Pursuant to W. Va. Code § 5-22-1(f), any solicitation of bids shall include no more than five alternates. Alternates, if accepted, shall be accepted in the order in which they are listed on the bid form. Any unaccepted alternate contained within a bid shall expire 90 days after the date of the opening of bids for review. Determination of the lowest qualified responsible bidder shall be based on the sum of the base bid and any alternates accepted. Alternate selection will be identified in the Contract.

The bidder agrees to perform all of the work outlined above for the Upshur County Community Corrections and Day Report Center Roof Replacement Project for the single lump sum price of:  
 \_\_\_\_\_ (\$ \_\_\_\_\_).



**Contractor's Representations**

The undersigned bidder certifies that they have:

1. Familiarized themselves with this RFP and agree to provide the required services in accordance with this proposal and all attachments.
2. Visited the site or is familiar with and is satisfied as to the general, local, and site conditions that may affect cost, progress, and performance of the work.
3. Contractor agrees that compliance with any federal, state, and/or local law and/or regulation is their sole responsibility and not the responsibility of the Owner.
4. Contractor does not consider that any further examinations, investigations, tests, studies, or data are necessary for the performance of this work at the stated contract price, within the contract time period, and in accordance with any other terms and conditions so stated.

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

By: \_\_\_\_\_

Signature of Person Authorized to Sign

\_\_\_\_\_  
Name of Person Authorized to Sign

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

\_\_\_\_\_  
Company Address and Telephone Number

**Contractor's Certification of Eligibility**

The contractor certifies, by acceptance of this contract and signature on the agreement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department / agency or any state department / agency.

In addition, the contractor certifies, by acceptance of this contract and signature on the agreement, that no debt in an amount greater than one thousand dollars (\$1,000) is owed to the state or any political subdivision thereof (WV Code §5A-3-10a) and is eligible for the award of this contract.

My signature below indicates and certifies that this information is true and complete to the best of my knowledge and I fully understand the Owner may take appropriate action for making a false statement.

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Please Print Name of Firm; and Name and Title of Individual Signing Certification

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Signature

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Da

**Affidavit of Non-Collusion**

26<sup>th</sup> Judicial Circuit Community Corrections Facility – Roof Replacement  
Upshur County, WV

State of \_\_\_\_\_  
County of \_\_\_\_\_

I, \_\_\_\_\_ (name and title) representative for  
\_\_\_\_\_ (vendor) being duly sworn does depose, say and  
certify:

Said vendor has not, either directly or indirectly, entered into any agreement, participated in  
any collusion or otherwise taken any action in restraint of free competitive bidding in connection  
with the Lewis-Upshur Community Corrections / Day Report Center in Upshur County, WV.

\_\_\_\_\_  
Vendor

\_\_\_\_\_  
Name and Title of authorized representative

State of \_\_\_\_\_  
County of \_\_\_\_\_

The foregoing affidavit was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022  
by \_\_\_\_\_ representative for \_\_\_\_\_.

\_\_\_\_\_  
Notary

\_\_\_\_\_  
Commission expiration date

(seal)



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

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: \_\_\_\_\_

STATE OF WEST VIRGINIA,

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

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

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

(Seal)

(Notary Public)

**GSR-01****West Virginia**

Rev.09/2020

**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

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

**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.

**Agreement Between Owner and Contractor**  
**On the Basis of a Stipulated Price**

Date \_\_\_\_\_

**THIS AGREEMENT** is by and between the County Commission of Upshur County, West Virginia ("OWNER") and \_\_\_\_\_ ("CONTRACTOR") for the 26<sup>th</sup> Judicial Circuit Community Corrections Facility – Roof Replacement. Owner and Contractor, in consideration of the mutual covenants hereinafter set forth, agree as follows:

**Section 1 – Work**

Contractor shall complete all work as specified or indicated in written or oral form, which will include at least the following items:

1. Shingles will be inspected and tested for the presence of asbestos by a WV licensed asbestos inspector.
2. Removal and disposal of all transition and flashing metal, existing shingles, drip edges, gutters and downspouts.
3. The removal, disposal and replacement of any water damaged sheathing on the roof.
4. Remove and dispose of any old vent boots on the roof.
5. Install underlayment on entire roof that is made of polypropylene material with limited lifetime warranty.
6. Install laminated architectural roof shingles with 130 mph wind resistance with limited lifetime warranty; color chosen by owner. Using a 6-nail application process, install starter shingles in eaves and rakes, also containing algae resistance and limited lifetime warranty.
7. Install new drip edge on entire roof; color chosen by owner.
8. Install new seamless gutters and downspouts on entire proximity of roof; color chosen by owner.
9. Install new vent boots on the roof.

Contractor shall verify and be responsible for all field dimensions and conditions and shall notify Owner of any discrepancies before proceeding with the project.

Contractor shall be responsible for paying all state and local B&O taxes.

Permits must be obtained by Contractor prior to construction.

**Section 2 – Time Period for Project Completion**

Contractor shall coordinate work schedule with the Owner so as not to interfere or disturb ongoing building use and function. The project must be completed by April 30, 2023. Liquidated damages



in the sum of one hundred fifty dollars (\$150) will be charged for each consecutive calendar day thereafter unless a written extension approval is provided. Written request for additional time required due to unforeseen delays will be considered only if submitted in writing within ten (10) calendar days of the event causing the delay.

### **Section 3 – Required Documentation from Contractor**

Contractor shall furnish any and all requested and/or required documentation, including but not limited to the following:

- Business License
- Contractor's License
- Certificate of Insurance - at least \$1,000,000 liability limit with Upshur County Commission named as an additional insured
- Certificate of Coverage of Workers' Compensation or Approved Waiver
- Bid bond in the amount of ten percent (10%) of the proposal. The bond shall be issued by an insurance company licensed to do business in West Virginia or in the form of a certified check, cashier's check or irrevocable letter of credit. Upon award of the contract, the bid bond will be returned and a performance bond as security for faithful performance under this contract must be obtained and filed with the Upshur County Commission. The surety on such bond or bonds shall be from a duly authorized surety company satisfactory to the Owner.
- Affidavit of Non-Collusion
- Proof that all municipal business and occupation taxes levied or accrued against the contractor have been paid and a certificate of good standing from the Tax Commissioner are required before the final payment will be made, pursuant to WV Code §11-10-11(d).
- Any Additional Documentation as Required by the Owner

### **Section 4 – Sub-Contractor Restriction**

Contractor shall not employ any sub-contractor to complete any work for any portion of this project without expressed written approval from the Owner. The use of a subcontracted WV licensed asbestos contractor is exempt from this provision and does not require prior approval.

### **Section 5 – Bid Price for Project**

Bidder will complete work in accordance with the bidding documents for the following bid price:  
\$ \_\_\_\_\_.

### **Section 6 – Change Orders**

A Change Order is a written instrument signed by the parties stating their agreement upon a change in the work, the amount of the adjustment or the method for computing the amount of the adjustment of the Contract Sum, if any, and the extent of the adjustment in the project time schedule, if any. Any work that is beyond the scope of the work specified for the project or that modifies the work specified for the project must be approved through a written Change Order signed by the parties evidencing their agreement. If the parties are unable to agree on the terms of a Change Order, the Contractor will proceed to perform the work without delay, and the Commission may issue a construction change directive or field work order to document the change and the basis on which work will proceed until the issue is resolved and an appropriate Change

Order prepared and signed by the parties.

### **Section 7 – Payment Procedures**

The Vendor will be paid in the form of periodic progress payments for work completed. Payment requests along with documentation supporting the request will be submitted to and reviewed by the Owner. The Owner reserves the right to withhold liquidated damages from progress payments. Progress payments will be made no more than monthly. Approval and payment of progress payments will be based on Contractor's submission of a payment allocation schedule which allocates the entire contract sum to payment milestones. Owner will review the payment allocation and may mandate changes that they believe are necessary. Owner shall have thirty (30) days from the date the invoice is received to issue payment, less any disputed charges. Preferred method of payment is MASTERCARD credit card.

### **Section 8 – Contractor's Representations**

By signature on this agreement the undersigned representative of the Contractor makes the following representations:

- 1) Contractor has examined and studied any documentation related to the scope of work for this project. Such documentation is sufficient to indicate and convey understanding for performance and furnishing of the work.
- 2) Contractor has visited the site and/or is familiar with and is satisfied as to the general or local site conditions that may affect cost, process and performance of the work.
- 3) Contractor agrees that compliance with any federal, state, and/or local law and/or regulation is their sole responsibility and not the responsibility of the Owner.
- 4) Contractor shall be responsible for providing, erecting, bracing, shoring or in every way protecting their work in compliance with State and Local Codes, and all U.S. Occupational Safety and Health Administration (OSHA) Regulations. Contractor shall be responsible for the adequacy in performance of all temporary work, use utmost care to protect work in progress and upon removal protect all surrounding existing work.
- 5) Contractor does not consider that any further examinations, investigations, tests, studies, or data are necessary for the performance of this work at the stated contract price, within the contract time period, and in accordance with any other terms and conditions so stated.

### **Section 9 – Miscellaneous**

Successors and Assigns:

Owner and Contractor each bind itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives in respect to all covenants, agreements, and obligations contained herein.

Severability:

Any provision or part of this agreement held to be void or unenforceable under any law or

regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon Owner and Contractor.

Debris and waste removal:

Contractor will (1) remove debris, junk and trash from site (2) leave site in clean condition, ready for subsequent work and (3) clean up spillage and wind-blown debris from public and private lands.

**This Agreement will be effective on the \_\_\_\_ day of \_\_\_\_\_, 2022.**

**OWNER:**

**CONTRACTOR:**

**County Commission of Upshur County**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attest: \_\_\_\_\_

Attest: \_\_\_\_\_

Address for Giving Notices:

Address for Giving Notices:

Office of the Upshur County Commission  
91 W. Main St, Suite 101  
Buckhannon, WV 26201  
Telephone: 304 / 472.0535  
Facsimile: 304 / 473.2802

Telephone:  
Facsimile:

Cheyenne Troxell / Rodney Rolenson (304) 472-9548

## **Grievance Procedure for Complaints Relating to Suspected or Alleged Discrimination on the Basis of Handicapped Status in Upshur County, West Virginia**

Any person (employee or citizen) who believes that he/she has been subjected to discrimination as prohibited in Section 504 of the Rehabilitation Act of 1973 and pursuant regulations at 24 CFR Part 8 published in the Federal Register on June 2, 1988, may personally or by a representative, file a complaint with the Upshur County, West Virginia, Commission. A person who has not personally been subjected to discrimination may also file a complaint.

When any person (citizen, applicant or employee), who believes he/she has been adversely affected by an act or decision by Upshur County, West Virginia, and that such act or decision was based on handicapped status, he/she will have the right to process a complaint or grievance in accordance with the following procedure.

**STEP ONE:** An aggrieved person must submit a written statement addressed to the Upshur County Section 504 Compliance Officer, 91 West Main Street, Suite 101, Buckhannon, WV 26201 putting forth the nature of the discrimination alleged and facts upon which the allegation is based.

**STEP TWO:** The Compliance Officer shall contact the complainant no later than fifteen (15) days after receiving the written statement to establish an informal meeting with the objective of resolving the matter informally. However, in no case shall the informal meeting be conducted sooner than five (5) days nor more than 45 days after receiving the written statement.

There shall be prepared a written documentary of the discussions at the informal meeting, which shall be preserved in the records of Upshur County, West Virginia.

**STEP THREE:** Within fifteen (15) days of the informal meeting, if no decision has been made by the Commission, or the decision of the County does not satisfy the complainant, he/she may request a hearing with the Upshur County Commission by submitting a written request to the sitting President, Upshur County Commission.

**STEP FOUR:** In thus discussing the grievance, the complainant may designate any person of his/her choice to appear with him/her and participate in the discussion. Upshur County shall require the President of the Commission and 504 Compliance Officer (or a 2<sup>nd</sup> designated person if the Commission President is the Compliance Officer) to participate in the discussion of the grievance, when it is brought before the Commission. The Upshur County Commission shall issue a written decision on the matter within fifteen (15) days, and the decision shall be the final procedure for the complaint at the local level.

There shall be prepared a written documentary of the discussion at the hearing, which shall be preserved in the records of Upshur County, West Virginia.

ADOPTED: November 17, 2022  
Date

\_\_\_\_\_  
Kristie G. Tenney, President  
Upshur County Commission

ATTEST: \_\_\_\_\_

## Fwd: Boards & Committees

William A. "Willie" Parker <waparker.wvu@gmail.com>

Tue 9/21/2021 4:28 PM

To: trperry@upshurcounty.org <trperry@upshurcounty.org>;

0 1 attachments (5 MB)

WAP - Qualifications - Document\_2021-09-06\_135741.pdf;

Good Afternoon

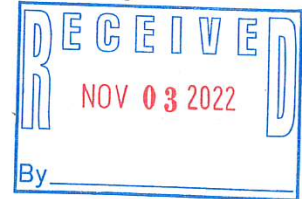
Just a short correspondence to let you know I would be interested in serving on vacancies of the various boards and committees. Currently, I would seem to be eligible to be the community representative to the Safe Structures & Sites Board. I would be interested in other opportunities for service as they would become available. I reside in the 2nd magisterial district. I have attached a brief outline of the past experience and education. If you have any questions or need additional information, please let me know at your convenience.

William A. "Willie" Parker  
304.695.0535



## Federal Emergency Management Agency

U.S. Department of Homeland Security  
FEMA Region III  
615 Chestnut Street  
One Independence Mall, Sixth Floor  
Philadelphia, Pennsylvania 19106-4404



November 2, 2022

30 Day Engineering Methodology Notification

Kristie Tenney  
President of the County Commission, Upshur County  
91 West Main Street, Suite 101  
Buckhannon, WV 26201

Dear President Tenney,

The Federal Emergency Management Agency (FEMA) is initiating a project to develop Advisory Flood Height (AFH) information for Upshur County, WV and Incorporated Areas, which will involve updated engineering analysis and mapping for perennial streams with drainage areas greater than 1 square mile, and which have not already been studied by detailed methodology and presented as "Zone AE" Special Flood Hazard Areas (SFHAs) on the Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS) for your community. In many cases, AFH study reaches will align with streams that are currently depicted as approximate "Zone A" floodplains on your community's FIRMs. However, AFH study results may indicate flood risk for streams that are not currently shown as mapped flood hazards on your community's FIRMs, and some effective "Zone A" floodplains may extend further upstream than 1 square mile of drainage where AFH information is being developed.

FEMA's goal is to offer useful and credible data to help you make informed decisions to continue building a safer and stronger community. Accordingly, AFH study results (including modeled cross-sections, floodplains boundaries, and both water-surface elevation and flood depth grids) will be made available to communities and stakeholders through the West Virginia Flood Hazard Determination Tool website: <https://www.mapwv.gov/flood/>

This AFH engineering analysis and mapping will *not* immediately result in new regulatory floodplain boundaries being established in your community and being reflected on the FIRMs, until such time a larger countywide map update is funded in the future. In the interim, FEMA encourages you to utilize this forthcoming, non-regulatory AFH information to better manage flood risk and floodplain development, given the potential of flooding in certain areas to increase or decrease over time as a result of changes in rainfall amounts, or changes in water flow and drainage patterns due to surface erosion, land use, and natural forces.

This letter is to notify you of the project scope and proposed AFH data modeling to be performed for Upshur County, WV and Incorporated Areas. Upon receipt of this notification, your community will have 30 days to consult with FEMA Regional Office staff (identified in the last paragraph of this letter) regarding the appropriateness of the engineering methodology for this project.



All modeling and mapping will be performed by the West Virginia Emergency Management Agency (WVEM) and their mapping partners. This team will conduct hydrologic analysis using regression equations published by the US Geological Survey (USGS) National Streamflow Statistics Program (in Scientific Investigations Report 2010-5033, *Estimation of Flood-Frequency Discharges for Rural, Unregulated Streams in West Virginia*), and hydraulic analysis using HEC-RAS 1D Steady Flow (where flow is steady in time, one-dimensional, generally gradually varied in space, and channel slope is generally less than 10%). Please refer to the enclosed map at the end of this letter for AFH study reaches selected for this project.

FEMA wants to ensure that the most up-to-date and accurate technical data are used to develop the flood risk products. FEMA relies on your feedback, partnership and knowledge during this important project to determine the extent of flood risk in your community, and in support of your efforts to reduce those risks. We look forward to working with community officials and other stakeholders in Upshur County, WV to increase flood risk awareness and reduce the risk to life and property from flooding.

Please provide your comments related to the types of models selected for this project by December 2, 2022. You may contact me by email at [Robert.Pierson@fema.dhs.gov](mailto:Robert.Pierson@fema.dhs.gov) or by phone at 215-359-5650.

Sincerely,



Bob Pierson  
FEMA RIII  
Senior Project Engineer

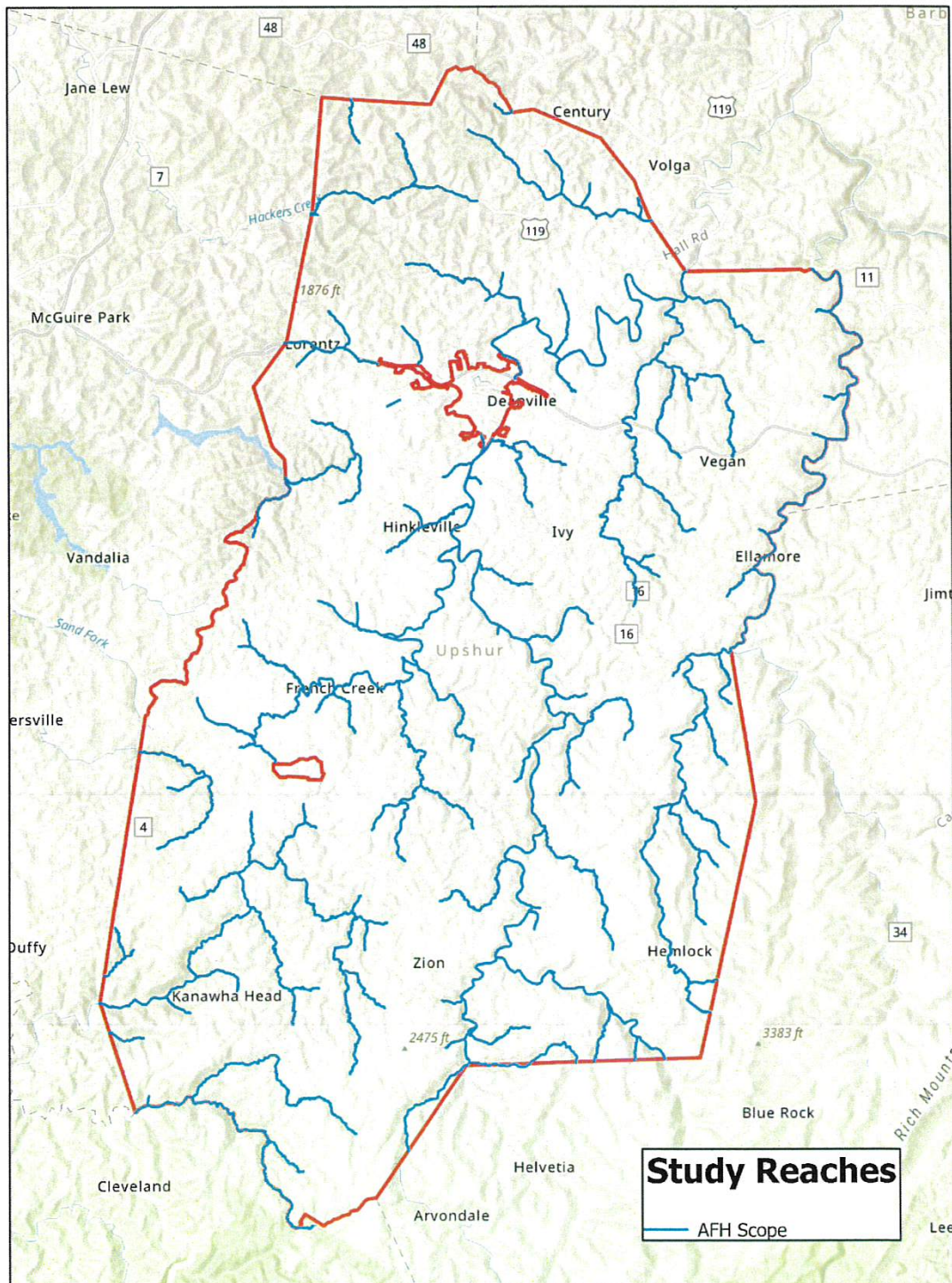
Enclosures: Engineering Model Table  
AFH Study Map

cc: Terri Jo Bennett, Floodplain Coordinator and Building Permit Officer, Upshur County  
Tim Keaton, State NFIP Coordinator, WVEM

Table 1: Engineering Model Table

Flooding Source	Hydrologic Model Proposed	Hydraulic Model Proposed	Rationale for Models Selected
All flooding sources shown as "AFH Scope," on the attached map	Regression Equations/Gage Analysis	HEC-RAS, 1D Steady	<p>Hydrologic Model: Regression equations are applicable to the streams being studied and peak discharges are sufficient for hydraulic analysis (with refinement for any USGS gages on the studied streams that are located within the threshold drainage area range and have a sufficient number of peak flow records).</p> <p>Hydraulic Model: Used where flow is steady in time, one-dimensional, generally gradually varied in space, and channel slope is generally less than 10%.</p>

## Scoped AFH Reaches for Upshur County, WV







1000 Bishops Gate Blv. Ste 300  
Mt. Laurel, NJ 08054-5404

t1.800.444.4554 Opt.2  
f1.800.777.3929

October 31, 2022

Mrs. Kristie Tenne, County Executive  
Selbyville FD  
91 West Main Str  
Buckhannon, West Virginia, 26201

RE: Selbyville Fd, Upshur County, West Virginia  
Public Protection Classification: 06/6X  
Effective Date: February 01, 2023

Dear Mrs. Kristie Tenne,

We wish to thank you and Chief Terry Hawkins for your cooperation during our recent Public Protection Classification (PPC) survey. ISO has completed its analysis of the structural fire suppression delivery system provided in your community. The resulting classification is indicated above.

If you would like to know more about your community's PPC classification, or if you would like to learn about the potential effect of proposed changes to your fire suppression delivery system, please call us at the phone number listed below.

ISO's Public Protection Classification Program (PPC) plays an important role in the underwriting process at insurance companies. In fact, most U.S. insurers – including the largest ones – use PPC information as part of their decision-making when deciding what business to write, coverage's to offer or prices to charge for personal or commercial property insurance.

Each insurance company independently determines the premiums it charges its policyholders. The way an insurer uses ISO's information on public fire protection may depend on several things – the company's fire-loss experience, ratemaking methodology, underwriting guidelines, and its marketing strategy.

Through ongoing research and loss experience analysis, we identified additional differentiation in fire loss experience within our PPC program, which resulted in the revised classifications. We based the differing fire loss experience on the fire suppression capabilities of each community. The new classifications will improve the predictive value for insurers while benefiting both commercial and residential property owners. We've published the new classifications as "X" and "Y" — formerly the "9" and "8B" portion of the split classification, respectively. For example:

- A community currently graded as a split 6/9 classification will now be a split 6/6X classification; with the "6X" denoting what was formerly classified as "9."
- Similarly, a community currently graded as a split 6/8B classification will now be a split 6/6Y classification, the "6Y" denoting what was formerly classified as "8B."

- Communities graded with single "9" or "8B" classifications will remain intact.
- Properties over 5 road miles from a recognized fire station would receive a class 10.

PPC is important to communities and fire departments as well. Communities whose PPC improves may get lower insurance prices. PPC also provides fire departments with a valuable benchmark, and is used by many departments as a valuable tool when planning, budgeting and justifying fire protection improvements.

ISO appreciates the high level of cooperation extended by local officials during the entire PPC survey process. The community protection baseline information gathered by ISO is an essential foundation upon which determination of the relative level of fire protection is made using the Fire Suppression Rating Schedule.

The classification is a direct result of the information gathered, and is dependent on the resource levels devoted to fire protection in existence at the time of survey. Material changes in those resources that occur after the survey is completed may affect the classification. Although ISO maintains a pro-active process to keep baseline information as current as possible, in the event of changes please call us at 1-800-444-4554, option 2 to expedite the update activity.

ISO is the leading supplier of data and analytics for the property/casualty insurance industry. Most insurers use PPC classifications for underwriting and calculating premiums for residential, commercial and industrial properties. The PPC program is not intended to analyze all aspects of a comprehensive structural fire suppression delivery system program. It is not for purposes of determining compliance with any state or local law, nor is it for making loss prevention or life safety recommendations.

If you have any questions about your classification, please let us know.

Sincerely,

*Alex Shubert*

Alex Shubert  
Manager -National Processing Center

cc: Mrs. Lindsey Woody, Manager, Adrian PSD  
Chief Terry Hawkins, Chief, Selbyville Fire Department  
Mr. Doyle Cutright II, Director, Upshur County 911

## New Public Protection Classifications effective July 1, 2014

We're revising our Public Protection Classifications (PPC™) to capture the effects of enhanced fire protection capabilities that reduce fire loss and fire severity in Split Class 9 and Split Class 8B areas (as outlined below). The new structure benefits the fire service, community, and property owner.



### New classifications

Through ongoing research and loss experience analysis, we identified additional differentiation in fire loss experience within our PPC program, which resulted in the revised classifications. We based the differing fire loss experience on the fire suppression capabilities of each community. The new classifications will improve the predictive value for insurers while benefiting both commercial and residential property owners. Here are the new classifications and what they mean.

### Split classifications

When we develop a split classification for a community — for example 5/9 — the first number is the class that applies to properties within 5 road miles of the responding fire station and 1,000 feet of a creditable water supply, such as a fire hydrant, suction point, or dry hydrant. The second number is the class that applies to properties within 5 road miles of a fire station but beyond 1,000 feet of a creditable water supply. We have

revised the classification to reflect more precisely the risk of loss in a community, replacing Class 9 and 8B in the second part of a split classification with revised designations.

### What's changed with the new classifications?

We've published the new classifications as "X" and "Y" — formerly the "9" and "8B" portion of the split classification, respectively. For example:

- A community currently graded as a split 6/9 classification will now be a split 6/6X classification; with the "6X" denoting what was formerly classified as "9."
- Similarly, a community currently graded as a split 6/8B classification will now be a split 6/6Y classification, the "6Y" denoting what was formerly classified as "8B."
- Communities graded with single "9" or "8B" classifications will remain intact.

The following illustration should help:

Prior Classification	New Classification
1/9	1/1X
2/9	2/2X
3/9	3/3X
4/9	4/4X
5/9	5/5X
6/9	6/6X
7/9	7/7X
8/9	8/8X
9	9

Prior Classification	New Classification
1/8B	1/1Y
2/8B	2/2Y
3/8B	3/3Y
4/8B	4/4Y
5/8B	5/5Y
6/8B	6/6Y
7/8B	7/7Y
8/8B	8/8Y
8B	8B



## Public Protection Classification

### What's changed?

As you can see, we're still maintaining split classes, but it's how we represent them to insurers that's changed. The new designations reflect a reduction in fire severity and loss and have the potential to reduce property insurance premiums.

### Benefits of the revised split class designations

- To the fire service, the revised designations identify enhanced fire suppression capabilities used throughout the fire protection area.
- To the community, the new classes reward a community's fire suppression efforts by showing a more reflective designation.
- To the individual property owner, the revisions offer the potential for decreased property insurance premiums.

### New water class

Our data also shows that risks located more than 5 but less than 7 road miles from a responding fire station with a creditable water source within 1,000 feet had better loss experience than those farther than 5 road miles from a responding fire station with no creditable water source. We've introduced a new classification — 10W — to recognize the reduced loss potential of such properties.

### What's changed with Class 10W?

Class 10W is property-specific. Not all properties in the 5-to-7-mile area around the responding fire station will qualify. The difference between Class 10 and 10W is that the 10W-graded risk or property is within 1,000 feet of a creditable water supply. Creditable water supplies include fire protection systems using hauled water in any of the split classification areas.

### What's the benefit of Class 10W?

10W gives credit to risks within 5 to 7 road miles of the responding fire station and within 1,000 feet of a creditable water supply. That's reflective of the potential for reduced property insurance premiums.

### What does the fire chief have to do?

Fire chiefs don't have to do anything at all. The revised classifications will change automatically effective July 1, 2014.\*

### What if I have additional questions?

Feel free to contact ISO at 1-800-444-4554 or e-mail us at [PPC-Cust-Serv@iso.com](mailto:PPC-Cust-Serv@iso.com).

\*The new classifications don't apply in Texas.



545 Washington Boulevard  
Jersey City, NJ 07310-1686  
1-800-888-4476  
[www.isomitigation.com](http://www.isomitigation.com)



1000 Bishops Gate Blv. Ste 300  
Mt. Laurel, NJ 08054-5404

t1.800.444.4554 Opt.2  
f1.800.777.3929

October 31, 2022

Mrs. Kristie Tenney, County Executive  
Warren District FPSA  
91 W Main St  
Suite 101  
Buckhannon, West Virginia, 26201

RE: Warren District Fpsa, Upshur County, West Virginia  
Public Protection Classification: 05/5X  
Effective Date: February 01, 2023

Dear Mrs. Kristie Tenney,

We wish to thank you and Mr. William Green for your cooperation during our recent Public Protection Classification (PPC) survey. ISO has completed its analysis of the structural fire suppression delivery system provided in your community. The resulting classification is indicated above.

If you would like to know more about your community's PPC classification, or if you would like to learn about the potential effect of proposed changes to your fire suppression delivery system, please call us at the phone number listed below.

ISO's Public Protection Classification Program (PPC) plays an important role in the underwriting process at insurance companies. In fact, most U.S. insurers – including the largest ones – use PPC information as part of their decision-making when deciding what business to write, coverage's to offer or prices to charge for personal or commercial property insurance.

Each insurance company independently determines the premiums it charges its policyholders. The way an insurer uses ISO's information on public fire protection may depend on several things – the company's fire-loss experience, ratemaking methodology, underwriting guidelines, and its marketing strategy.

Through ongoing research and loss experience analysis, we identified additional differentiation in fire loss experience within our PPC program, which resulted in the revised classifications. We based the differing fire loss experience on the fire suppression capabilities of each community. The new classifications will improve the predictive value for insurers while benefiting both commercial and residential property owners. We've published the new classifications as "X" and "Y" – formerly the "9" and "8B" portion of the split classification, respectively. For example:

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- Similarly, a community currently graded as a split 6/8B classification will now be a split 6/6Y classification, the "6Y" denoting what was formerly classified as "8B."

- Communities graded with single "9" or "8B" classifications will remain intact.
- Properties over 5 road miles from a recognized fire station would receive a class 10.

PPC is important to communities and fire departments as well. Communities whose PPC improves may get lower insurance prices. PPC also provides fire departments with a valuable benchmark, and is used by many departments as a valuable tool when planning, budgeting and justifying fire protection improvements.

ISO appreciates the high level of cooperation extended by local officials during the entire PPC survey process. The community protection baseline information gathered by ISO is an essential foundation upon which determination of the relative level of fire protection is made using the Fire Suppression Rating Schedule.

The classification is a direct result of the information gathered, and is dependent on the resource levels devoted to fire protection in existence at the time of survey. Material changes in those resources that occur after the survey is completed may affect the classification. Although ISO maintains a pro-active process to keep baseline information as current as possible, in the event of changes please call us at 1-800-444-4554, option 2 to expedite the update activity.

ISO is the leading supplier of data and analytics for the property/casualty insurance industry. Most insurers use PPC classifications for underwriting and calculating premiums for residential, commercial and industrial properties. The PPC program is not intended to analyze all aspects of a comprehensive structural fire suppression delivery system program. It is not for purposes of determining compliance with any state or local law, nor is it for making loss prevention or life safety recommendations.

If you have any questions about your classification, please let us know.

Sincerely,

*Alex Shubert*

Alex Shubert  
Manager -National Processing Center

cc: Mr. Terry Gould, Water Superintendent, Hodgesville PSD  
Mr. William Green, Chief, Warren District Fire Department  
Mr. Doyle Cutright II, Director, Upshur County 911



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

*State of West Virginia*  
**John B. McCuskey**  
State Auditor and  
Chief Inspector

Toll Free: (877) 982-9148  
Telephone: (304) 558-2251  
Fax: (304) 558-6414  
[www.wvsao.gov](http://www.wvsao.gov)

October 21, 2022

Ms. Angela J. Brady, Clerk  
Upshur Co. Magistrate Court  
38 W. Main Street, Rm 204  
Buckhannon, WV 26201

Dear Ms. Brady:

Enclosed is a copy of the Report on Applying Agreed-Upon Procedures of the Upshur County Magistrate Court for the period ending December 31, 2021.

As the recipient, you are required to notify all members of the magistrate court of the receipt of this report and related correspondence and make the contents available for inspection by all such officers. You are also advised that this report, under the provisions of West Virginia Code §6-9-9a, is considered public information and must be made available for public inspection.

It is the responsibility of all members of the court to review the report and take the necessary actions to remedy all instances of noncompliance and weaknesses in internal control as listed in the Schedule of Comments.

Your cooperation is most appreciated. If I can be of assistance, please do not hesitate to contact this office.

Very truly yours,

*Samantha L. Woods*

Samantha L. Woods, CPA, AFI  
Deputy State Auditor  
Chief Inspector Division

SLW/gr

Enclosure

cc: Hon. Kurt W. Hall, Chief Judge  
26th Judicial Circuit

Hon. Kristie G. Tenney, President  
Upshur County Commission

Hon. Joseph Armstrong, Administrative Director  
Supreme Court

<b>LEWIS-UPSHUR ANIMAL CONTROL FACILITY</b>		
<b>MONTH OF <u>00</u>OCTOBER 2022</b>		
	<b>UPSHUR</b>	<b>LEWIS</b>
<b>ADOPTIONS</b>		
CASH	\$420	\$145
CHECK	\$20	\$20
E STORE CREDIT CARD	\$350	\$85
<b>SUBTOTAL</b>	<b>\$790</b>	<b>\$250</b>
<b>SPAY/NEUTER DEPOSIT</b>		
CASH	\$300	\$200
CHECK	\$50	\$50
E STORE CREDIT CARD	\$600	\$250
<b>SUBTOTAL</b>	<b>\$950</b>	<b>\$500</b>
<b>BOARD RESCUE</b>		
CASH	\$110	\$120
CHECK	\$0	\$0
E STORE CREDIT CARD	\$20	\$50
<b>SUBTOTAL</b>	<b>\$130</b>	<b>\$170</b>
<b>MICRO-CHIPPING</b>		
CASH	\$416	\$0
CHECK	\$0	\$0
E STORE CREDIT CARD	\$0	\$0
<b>SUBTOTAL</b>	<b>\$416</b>	<b>\$0</b>
<b>DONATIONS</b>		
CASH	\$864	\$0
CHECK	\$8,119	\$0
E STORE CREDIT CARD	\$340	\$0
<b>SUBTOTAL</b>	<b>\$9,323</b>	<b>\$0</b>

OTHER		
TOTAL	\$11,609	\$920

Donations in c check/cash are for the surgical unit from an online auction, bake sale and a zombie dance , doggie cookie sale, and one business and a few r residents and e-store donation. There is an extra \$20 in estore for adoptions becaue someone rr made a donation and put it under adoptions instead of donations.



**LEWIS-UPSHUR ANIMAL CONTROL FACILITY REPORT  
ACCOUNT OF CATS  
JANELLA COCHRAN, SUPERVISOR OF ANIMALS SERVICES  
(OCTOBER 2022)**

TRANSACTION	UPSHUR	LEWIS	TOTAL
Cats brought in by City Trapper	0	0	0
Cats brought in by Animal Control Officer	4	0	4
Cats brought in by County Residents	39	10	49
Cats brought in by Law Enforcement	0	0	0
Cats in Drop Box	0	0	0
Cats Quarantined	0	0	0
Cat returned to owner	0	0	0
Cats Escaped	1	0	1
Adoptions:			
With Charge	29	10	39
Without Charge	0	0	0
Rescues:			
With Charge	0	0	0
Without Charge	11	0	11
Euthanasia:			
Owner Request	1	2	3
Other	0	0	0

  
Signature

11-3-22  
Date

**LEWIS - UPSHUR ANIMAL CONTROL FACILITY**  
**ANIMAL REPORT ( November 3, 2022)**  
**ACCOUNT OF ANIMALS HOUSED AT THE LEWIS - UPSHUR ANIMAL CONTROL FACILITY**  
**FOR THE MONTH OF (October 2022)**

TRANSACTION	UPSHUR	LEWIS	TOTAL
Dogs brought in by Animal Control Officer	84	16	100
Other Animals brought in by Animal Control Officer	0	0	0
Dogs brought in by County Residents	16	9	25
Dogs brought in by Law Enforcement	0	0	0
Dogs in Drop Box (Gate)	3	0	3
Dogs Quarantined	0	0	0
Dogs Returned to Owner	6	2	8
Dogs Escaped	0	0	0
Adoptions:			
With Charge	12	7	19
Without Charge	0	0	0
Rescues:			
With Charge	14	1	15
Without Charge	4	1	5
Euthanasia:			
Owner Request	0	2	2
Other	1	0	1
Total	140	38	178



Signature

11-3-22

Date



*John Slaughter, Animal Control/Humane Officer*

*Monthly Animal Report*

Oct 2022

TRANSACTION	Upshur	Lewis	TOTAL
Animals picked up by ACO:			
Dogs	89		
Other	4 CARS		
Animals returned to Owner by ACO:			
Dogs	0		
Other	0		
Animals delivered to LUACF:			
Dogs	89		
Other	4		
Animals Quarantined by ACO:			
Dogs	0		
Other	0		
Animals Terminated:			
Dogs	0		
Other	0		
Total Number of Hours Involved			

*John Slaughter*  
Signature

11-2-22  
Date

# URGENT NOTICE TO BUSINESS OWNERS: Beware of Annual Report Solicitations

West Virginia Secretary of State Mac Warner <[wvsosmw@wvsos.com](mailto:wvsosmw@wvsos.com)>

Tue 11/8/2022 11:48 AM

To: Tabatha Perry <[trperry@upshurcounty.org](mailto:trperry@upshurcounty.org)>;

## From The Office of WV Secretary of State Mac Warner

### **For Immediate Release:**

November 8, 2022

### **IMPORTANT NOTICE: WV Businesses should be aware of third-party providers soliciting Annual Report filing services**

**Charleston, W. Va.** – WV Secretary of State Mac Warner is issuing an important notice to West Virginia business owners regarding third-party solicitations to file 2022 Annual Reports on their behalf.

According to Secretary Warner, the solicitations have the appearance of an official notification from the State of West Virginia but are not in any manner reviewed, approved, or considered official government notices.

Warner urges business owners to read the fine print in the solicitations. This year, some third-party providers are charging businesses more than 500% of the statutory \$25 fee.

Warner encourages business owners to use free tools provided by the Secretary of State's Office to avail themselves of the most convenient and least costly filing method directly with the Secretary of State's Office at [Business4.WV.gov](https://business4.wv.gov).

"I can assure everyone that these third-party solicitations are not from my office and not from the state of West Virginia," said Secretary Warner. "We have modernized the business registration process in West Virginia. Now, nearly 99% of all businesses file their Annual Report online. You do not have to hire an outside vendor to file your Annual Report."

Businesses may contact the WV Secretary of State's Business & Licensing Division at (304) 558-8000 for any assistance.

**Importantly, the 2022 Annual Report filing period does NOT begin until January 1, 2023 and ends June 30, 2023.**

Secretary Warner encourages all business owners to be wary of any suspicious solicitations received by U.S. Mail or online requesting sensitive financial or personal information. He

also advised to confirm that the vendor is properly registered to conduct business in the State of West Virginia prior to contracting for non-government services. If any business receives a suspicious solicitation from a non-government entity, please take care to research the sender and confirm it is legitimate.

The West Virginia Secretary of State's Office also offers two fee waiver programs that will waive the cost of registration and the first four years of annual reporting fees on a new business. Incorporators under the age of 30 are eligible for the Young Entrepreneur Waiver. The Veteran Owned Business Waiver is also available for veterans, active-duty military members and military spouses. Learn more by visiting our [website](#).

-30-

**Media Contact:**  
**Michael Queen**  
**Deputy Chief of Staff**  
**& Director of Communications**  
**304-368-6339**  
**[mqueen@wvsos.gov](mailto:mqueen@wvsos.gov)**

[Click here to visit the WV One Stop Business Portal](#)

[Use the Enterprise Registration & Licensing System](#)



[View this email in your web browser](#)

West Virginia Secretary of State's Office | State Capitol Building, Charleston, WV 25305

[Unsubscribe cwallace@upshurcounty.org](mailto:cwallace@upshurcounty.org)

[Update Profile](#) | [Constant Contact Data Notice](#)

Sent by wvsosmw@wvsos.com

**Upshur County Convention & Visitors Bureau**  
**November 9<sup>th</sup>, 2022 Agenda**

- Call Meeting to Order
- Approval of Minutes
- Treasurer's Report
  - SBA EIDL Loan
- Director's Report
  - CVB Accreditation
  - Gateway Communities Recap
  - Weekend Hours
  - WAMSB Overview Draft – Board Members review & give input
- Event Center Director Report
  - Past / Upcoming Events
  - Lighting Updates
  - Staffing
- Old Business:
- New Business:
  - Financial Reviews; 2019 & 2020
- Motion to Adjourn Meeting

**NEXT MEETING: December 14<sup>th</sup>, 2022**



PO Box 2115 / 79 East Main Street, Buckhannon, WV 26201  
(304) 473.1051 upshurfrn@yahoo.com

## UCFRN General Membership Meeting ~ Zoom

*November 14, 2022 12:00 PM*

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### Agenda Topics

- Introduction and opening prayer
- Updates:
  - Healthy Grandfamilies
  - Family Social Holiday – Friday, December 9<sup>th</sup> at 11:30
  - Family Connections Holiday Party – Monday, December 5<sup>th</sup> 6:30p
- Information Sharing
- Any other information Lori or board forgot

\*\*UCPIP meeting approximately 1:00-1:15p (immediately after meeting)

**Next meeting Presbyterian Church on South Locust Street (across from courthouse, behind Citizen's Bank) – Covered Dish!**

## ***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, November 14, 2022 at 4:00 pm***

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- A. Call to order
- B. Recognized guests and public comment period
- C. Officer/Committee/Consultant Reports:
  - President's Report – Tom O'Neill
  - Treasurer's Report – Phil Loftis, Treasurer
    - Annual Chamber of Commerce Membership; \$165.00
    - Alarm Pro Invoice 185939; \$6,524.75
    - AirNav Renewal \$115.00 annually
  - Secretary's Report – Brian Huffman, Secretary
  - Engineering Reports – Chapman Technical
  - Airport Manager's Report-Jennifer Powers
    - Discussion/possible action ACIP fence/slide project pending discussion with the FAA
    - Discussion/possible action on HealthNet Crew Quarters estimate
    - Discussion/possible action on employee paid time off policy
    - Discussion/possible action election of officers
    - Approval to upgrade Sage user agreement to allow three users
    - Approval to begin transitioning to user specific emails
    - Discussion/possible action regarding handling past due accounts
    - Audit scheduled for 11/15/2022 & 11/16/2022
    - Report on AAAE trainings attended
  - Operations – Jamie Wilt
    - Update on based aircraft
- D. Consent Agenda:
  - Approval of Minutes
  - Approval of Treasurer'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
- G. New Business:
- H. Board Member Comments and Announcements
- I. Adjournment

Notice: This (and possible future meetings) are being held using a conference call and the electronic application 'Zoom'. Should you desire to attend this meeting electronically you will need to contact the Authority ([accounting@flyw220.com](mailto:accounting@flyw220.com)) or 304-516-1920) at least one hour prior to the meeting to gain the necessary information to join the meeting. All meetings of the Authority are open to the public.

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<sup>1</sup> Due to Covid-19 concerns and 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.

In compliance with West Virginia's Public Meeting Law, the 26<sup>th</sup> Judicial Circuit Community Corrections Program special board meeting will be held November 14, 2022 at 6:00pm at the Upshur County Day Report Center in Upshur County. The public is invited to attend and learn more about our program, serving Lewis and Upshur Counties.

## **COMMUNITY CORRECTIONS**

### **Board Meeting Agenda**

**November 14, 2022**

**Upshur County Day Report Center 6:00 P.M.**

#### **I. Handouts**

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

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

- 1) Batterer's Intervention Prevention Class Update
- 2) Home Confinement Update- Lewis-8 Upshur-25
- 3) Community Corrections Update
  - Referrals received since July 1, 2022, Upshur-22 Lewis-20 Total-42
  - Update on roof in upshur
  - Update about office handicap accessibility
  - Update on new monitoring system
  - SIEEP grant update

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

- **January 23, 2023 at the Lewis County Day Report Center at 6:00 P.M.**



## Notice of Meeting

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for

### Upshur County Fire Board, Incorporated

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

**Location:** Washington District Volunteer Fire Department  
**Date:** Tuesday, November 15, 2022  
**Time:** 6:30 p.m.

### AGENDA

Call Meeting to Order

Approval of Minutes---October 18, 2022

Public Questions/Comment Period

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

- Cumulative report
- Online payment review
- Audit update

Financial Matters/Items

- Bank Statement---Checking Account Balance as of 10/31/2022--- \$228,248.84
- Disbursement from Chief Tax Deputy for October---TBD prior to the meeting

Payment of Bills/Invoices

- \*Software Systems---monthly maintenance---Invoice # 36729---\$237.00
- \*Upshur County Commission---reimbursement---supplies---\$202.28
- \*Upshur County Commission---reimbursement---Payroll---\$6,411.92

First Disbursement of 2022 Fire Fees to VFDs in the amount of \$25,000.00 each

Review and Approval of Corrective Tickets and Exoneration requests

Other Items/Matters to Consider

Date of Next Meeting---Wednesday, December 14, 2022, at the Ellamore Volunteer Fire Department---  
Adjournment

***City Council of Buckhannon – 7:00 pm in Council Chambers  
Meeting Agenda for Thursday, November 17, 2022***

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

Please join the meeting from your computer, tablet or smartphone <https://global.gotomeeting.com/join/804282709>  
You can also dial in using your phone United States: [+1 \(872\) 240-3212](tel:+18722403212) Access Code: 804-282-709

**A. Call to Order**

- A.1 Moment of Silence
- A.2 Pledge to the Flag of the United States of America

**B. Recognized Guests**

- B.1 Colonial Arts Center: Anne Wilson, Manager & Keith Buchanan, Board Member

**C. Department & Board Reports**

- C.1 Public Works Director- Jerry Arnold
- C.2 Finance Director- Amberle Jenkins
- C.3 Police Chief- Matthew Gregory
- C.4 City Attorney- Tom O'Neill

**D. Correspondence & Information**

- D.1 Report of Cat & Dog Activity –Upshur County Commission-September & October 2022
- D.2 FOIA Request from SmartProcure for Employee Contact Information
- D.3 Proclamations: National Adoption Month & Great American Smokeout Tobacco Awareness and Education
- D.4 FEMA Advisory Flood Height Study for Upshur County & Buckhannon
- D.5 Upcoming Events
  - Buckhannon Fire Department Christmas Parade on 12/02/22 at 6PM
  - WV Dickens Christmas Festival and Faire, Buckhannon WV on 12/03/22 at 2PM
  - WVWC Performance of “A Christmas Carol” at the Colonial Arts Center on 12/03/22 at 2PM & 8PM
  - BURMA “Santa Meets the Grinch” on 12/10/22 at 6PM on N. Kanawha Street
  - Annual Menorah Lighting at Jawbone Park on 12/18/22 at 7PM

**E. Consent Agenda**

- E.1 Approval of Minutes -Regular Meeting 10/18/2022, 11/03/222, Special 09/21/2022, 10/21/2022
- E.2 Approval of Building and Wiring Permits
- E.3 Approval of Payment of the Bills

**F. Strategic Issues for Discussion and/or Vote**

- F.1 Colonial Arts Center Presentation
  - Seating Proposal Financial Funding Request
  - MIB Gallery Management & Financial Funding Recommendations
- F.2 Approval Appointment Buckhannon Parks & Recreation Advisory Board

**G. Comments and Announcements**

- G.1 Pamela Bucklew
- G.2 David McCauley
- G.3 Jack Reger
- G.4 David Thomas
- G.5 CJ Rylands
- G.6 Randall Sanders

**H. Mayor's Comments and Announcements**

**I. Adjournment**

Posted 11/14/2022

Tennerton Public Service District  
Monthly Meeting  
October 12, 2022

The regular monthly meeting of the Tennerton Public Service District was held at the district office at 188 Fayette Street, Buckhannon West Virginia on Wednesday October 12, 2022

In attendance were Joe Tenney, John Barnes, Terry Gould, and Vickie Dean. Robert Heater was attending a training meeting in Bridgeport.

The meeting was called to order promptly at 2:00 pm by Joe Tenney chairman. The minutes of the previous meeting held on September 20, 2022 were read, there being no corrections or additions, motion to approve was made by Joe Tenney, seconded by John Barnes.

Terry Gould presented the monthly financial reports and the bills to be paid. A motion to pay the invoices was made by John Barnes and seconded by Joe Tenney.

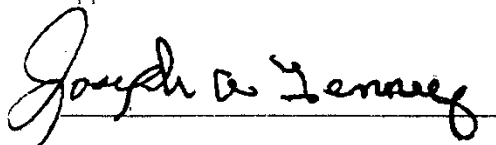
The board reviewed and approved the previous month's credit memos. No shutoffs this month.

Terry Gould reported on the following:

- \*Would like to separate from the city and do our own billing to collect security deposits.
- \* We will be getting a quote from Deepwell on Orr Street pump house.
- \*Our money from the Upshur County Commission has been temporarily frozen by the Governor/State.
- \*Mr. McClung on Cemetery Rd has had a sewer leak. Terry and Ringers have been there to check it and it has been determined that it is not our line.
- \*Hickory Flat / Red Knob needs to be active project. Will get in touch with Mr. Zurbach and try to get an agreement set up with the city.

There being no other business to discuss, the motion was made by Joe Tenney to adjourn and seconded by John Barnes.

Approved

A handwritten signature in black ink, reading "Joseph A. Tenney", is written over a horizontal line.