

Upshur County Commission Meeting Agenda

Agenda packets are available electronically at http://www.upshurcounty.org/agenda_and_minutes/index.php or by request to the Upshur County Commission Office at 304-472-0535

- Location: Upshur County Courthouse Annex
If you prefer to participate by telephone, please dial 1-408-650-3123 Access Code: 272 564 045 to enter the conference call
- Date of Meeting: June 30, 2022
- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• June 23, 2022
- 9:15 a.m. Bid opening and potential award -- one new Half Ton Truck for the Lewis-Upshur Community Corrections Program.* **Pages 5-6**
- 9:30 a.m. Jewel Fisher, Assistant Coordinator for Buckhannon Police Department Volunteers in Police Service (VIPS) announcing an upcoming EMS/Fire Services Recognition Banquet and requesting funding to purchase food and recognition plaques for the same. * **Page 7**

Items for Discussion / Action / Approval:

1. Approval of "Request for Proposals" for the fabrication, delivery and installation of an Exterior Vertical Platform Lift for the main Courthouse facility. Sealed bids must be received by 4:00 p.m. on Wednesday, July 27, 2022. Sealed bids received by this deadline will be opened, reviewed and read aloud by the Commission during the regularly scheduled Commission Meeting at 9:15 a.m. on Thursday, July 28, 2022. * **Pages 8-28**
2. Approval and signature of the FY22 PRO Grant Application and supporting documentation requesting funds in the amount of \$28,000.00 for the Prevention Resource Officer (PRO) at the Buckhannon-Upshur Middle School. * **Pages 29-50**
3. Approve County Financial Institutions as Depositories as Required by WV Code §7-6-1 --- Freedom Bank, First Community Bank, JP Morgan-Chase Bank, Peoples Bank, and Citizens Bank of West Virginia. * **Page 51**
4. Correspondence from Joshua Hinchman requesting reappointment to the Buckhannon-Upshur Parks & Recreation Advisory Board. Upon approval, Mr. Hinchman's new term will be July 1, 2022- June 30, 2024.* **Page 52**
5. Consider appointment to the Upshur County Library Board. The term is effective July 1, 2022 - June 30, 2027. The following individuals have submitted a letter of interest for this vacant position. * **Pages 53-54**
 - a) Jon Benjamin
 - b) Kyle Nuttall

6. Correspondence from employee requesting to be changed from full-time to part-time status effective November 3, 2022. * Under Separate Cover
Item may lead to Executive Session per WV Code §6-9A-4 (A)
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. Upshur County Sheriff's Financial Statement for period ending May 2022 Pages 55-56
2. Correspondence from Tabatha R. Perry, County Administrator, to Chief Circuit Judge Jacob Reger requesting permission to process payment from the Worthless Check Fund for Magistrate Court Bailiff Services for fiscal year ending June 30, 2022 in the amount of \$5,197.50. Pages 57-60
3. Correspondence from 26th Judicial Circuit Court Judge Kurt W. Hall to WV Supreme Court of Appeals Court Administrator Joseph Armstrong requesting the approval of an expenditure in the amount of five thousand one hundred ninety-seven dollars and fifty cents (\$5,197.50) from the Upshur County Worthless Check Fund to cover the cost of bailiff services for the Upshur County Magistrate Court for fiscal year 2022. Page 61
4. Public Notices:
 - a) Newsletters and/or Event Notifications:
None
 - b) Agendas and/or Notice of Meetings:

• Upshur County Farmland Protection Board	June 29, 2022	Page 62
• Buckhannon-Upshur Chamber of Commerce	July 6, 2022	Page 63

Meeting Minutes:

• Upshur County Fire Board * Special Meeting	May 31, 2022	Page 64
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 - c) Meetings:

• Adrian PSD	Thu 7/7/2022 3:00 PM
• Banks District Volunteer Fire Department	Thu 7/7/2022 7:00 PM
• City Council of Buckhannon	Thu 7/7/2022 7:00 PM
• Selbyville VFD	Thu 7/7/2022 7:00 PM
• Washington District VFD	Sun 7/10/2022 6:00 PM
• Upshur County Family Resource Network	Mon 7/11/2022 12:00 PM

• Buckhannon-Upshur Airport Authority	Mon 7/11/2022 4:00 PM
• Upshur County Solid Waste Authority	Mon 7/11/2022 4:30 PM
• Buckhannon-Upshur Recreational Park Advisory Board	Mon 7/11/2022 5:30 PM
• Lewis-Upshur Community Corrections Board	Mon 7/11/2022 6:00 PM
• Upshur County Development Authority-Full Board	Tue 7/12/2022 7:00 AM
• Upshur County Senior Center Board	Tue 7/12/2022 12:00 PM
• Hodgesville PSD	Tue 7/12/2022 4:00 PM
• Elkins Road PSD	Tue 7/12/2022 5:00 PM
• Warren District VFD	Tue 7/12/2022 7:00 PM
• Adrian VFD	Tue 7/12/2022 7:30 PM
• Buckhannon-Upshur Chamber of Commerce	Wed 7/13/2022 12:00 PM
• Upshur County Convention and Visitors Bureau	Wed 7/13/2022 3:00 PM
• Tennerton PSD	Wed 7/13/2022 3:00 PM
• Buckhannon River Watershed Association	Wed 7/13/2022 6:00 PM
• Ellamore VFD	Wed 7/13/2022 7:00 PM
• Upshur County Safe Sites & Structures Enforcement Board	Thu 7/14/2022 3:00 PM
• Upshur-Buckhannon Board of Health	Thu 7/14/2022 6:00 PM
• Buckhannon VFD	Thu 7/14/2022 7:30 PM
• Wes-Mon-Ty Resource Conservation & Development Council	Fri 7/15/2022 10:00 AM
• Upshur County Fire Board, Inc.	Tue 7/19/2022 6:30 PM
• Lewis Upshur LEPC-Upshur Co.	Wed 7/20/2022 12:00 PM
• Upshur County Public Library Board	Wed 7/20/2022 4:00 PM
• Upshur County Youth Camp Board	Thu 7/21/2022 6:30 PM
• UC Enhanced Emergency Telephone Advisory Board	Tue 7/26/2022 3:00 PM
• Upshur County Fire Fighters Association	Wed 7/27/2022 7:00 PM

5. Appointments Needed or Upcoming:

- Upshur County Public Library (7/1/2022– 6-30-2027) --- County Commission

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

Newsletters and/or Event Notifications, Agendas and/or Notices of Meetings, Meeting Minutes and Scheduled Meetings can all be found by visiting: http://www.upshurcounty.org/agenda_and_minutes/index.php

Tabled Items

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

1. Correspondence from the Upshur County Firefighters Association requesting a Commission appointment to the newly created committee to address multiple critical issues the local fire departments are facing and assist in determining viable solutions. The committee will consist of two (2) private citizens; two (2) business representatives; and, two (2) elected officials, one (1) being from the Upshur County Commission and one (1) being from the Buckhannon City Council. (tabled on 4/21/22)

2. Bid award – COPS Grant#15JCOPS-21-GG-03667-SSIX Transportation Surveillance Project (tabled 6/2/2021).

**Next Regular Meeting of the Upshur County Commission
July 14, 2022 --- 9:00 a.m.**

Upshur County Courthouse Annex

*****The Commission Meeting scheduled for Thursday; July 7, 2022 is CANCELLED*****

Revised Request for Bids

Community Corrections Vehicle – 1 New Half Ton Truck

The Office of the Upshur County Commission is requesting sealed bid proposals for the above referenced purchase located at the Lewis-Upshur Community Corrections Office, 25 W. Main Street, Buckhannon, located in Upshur County, West Virginia. Minimum specifications for bid are available upon request to trperry@upshurcounty.org. Bid must specify anticipated vehicle delivery date.

The Upshur County Commission and/or Lewis Upshur Community Corrections reserves the right to award the bid for the vehicle based upon certain criteria, including but not limited to, submitted bid price, estimated delivery date, proximity to the Upshur County Courthouse, references and/or any other factor determined to be in the best interest for the purchase of the vehicle.

Any and all sealed bids must be received no later than 4 p.m. on
June 29, 2022 at the following address:

Office of the Upshur County Commission
Sealed Bid – Community Corrections Vehicle
91 W Main Street, Suite 101
Buckhannon, WV 26201

Sealed bids received by the above deadline will be opened, reviewed, and read aloud by the Upshur County Commission at 9:15 a.m. on Thursday, June 30, 2022.

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

Publish 6/7/2022, 6/14/2022

APPROVED

JUN 02 2022

UPSHUR COUNTY COMMISSION
[Signature] *[Signature]* *[Signature]*

New Vehicle Spec Sheet for Community Corrections

Super Crew

Short bed w/liner

4x4

Half ton

6 or 8 Cylinder motor

Automatic transmission

Cloth front seat/vinyl rear bench

Remote start and security alarm

Rubber or carpet floor

All terrain tires

Black/silver/grey/white

June 24, 2022

Upshur County Commission
91 West Main Street
Buckhannon, WV 265201

To Whom It May Concern:

This letter is in request of \$750 to help with expenses for the upcoming Fire/EMS Recognition Banquet that will be held on Saturday July 30, 2022 at the Brushy Fork Event Center. The menu of Spaghetti, Meatballs, Tossed Salad and Italian Bread with dessert. The tentative list of expenses are a total of \$1500 for which the total will be split between the County Commission and City Council. If you have any questions please do not hesitate to contact me at 304-613-9964

Sincerely,

Jewel Fisher
Asst. Coordinator VIPs

REQUEST FOR PROPOSALS

Upshur County Commission

**FABRICATION, DELIVERY AND INSTALLATION OF A VERTICAL PLATFORM LIFT FOR THE
UPSHUR COUNTY COMMISSION**



Deadline for the
Submission of Sealed Bid
4:00 p.m. Wednesday July 27, 2022

Invitation for Bids ----->

Scope of Work ----->

Certificate of Eligibility ----->

Affidavit of Non-Collusion ----->

Sample Agreement ----->

Drug Free Workplace Conformance Affidavit----- >

WV Request for Statement of Good Standing ----- >

INVITATION FOR BIDS

Exterior Vertical Platform Lift

Project Location: Upshur County Courthouse, 40 West Main Street, Buckhannon, WV 26201

The Upshur County Commission is seeking bids for the fabrication, delivery and installation of an Exterior Vertical Platform Lift (VPL) located in the Upshur County Courthouse. A **mandatory** pre-bid conference will be held on **July 18, 2022 at 2pm** in front of the Upshur County Courthouse, 40 West Main Street, Buckhannon, WV.

**Any and all sealed bids must be received no later than 4:00 p.m. on
Wednesday, July 27, 2022 at the following address:**

**Office of the Upshur County Commission
Sealed Bid – Exterior Vertical Platform Lift
91 W. Main St., Suite 101
Buckhannon, WV 26201**

Sealed bids received by the above deadline will be opened and read aloud by the Upshur County Commission during their regularly scheduled meeting on Thursday, July 28, 2022 at 9:15 a.m. in the Commission Meeting Room, Room 301 of the Judge Jack Dowell Jennings Courthouse Annex.

A scope of work will be provided during the pre-bid meeting and may also be obtained online at www.upshurcounty.org. Questions can be directed to the County Commission office by calling (304) 472-0535 x.3, or emailing Cindy Hughes at cmhughes@upshurcounty.org.

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.

**FABRICATION, DELIVERY AND INSTALLATION OF AN EXTERIOR VERTICAL PLATFORM LIFT FOR
THE UPSHUR COUNTY COURTHOUSE**

The Office of the Upshur County Commission is requesting sealed bid proposals from qualified vendors for providing all materials, labor and equipment necessary for a complete and working vertical platform lift system at the Upshur County Courthouse, 40 West Main Street, Buckhannon, WV 26201. Contractor to acquire all local, state and federal permits, as required, to complete and satisfy installation. Installation to include necessary stamped drawings.

The successful bidder must have flexible scheduling that is able to minimize the length of time the lift is not in operation to the general public. Demolition and installation dates shall be coordinated in advance. The project shall be completed by October 31, 2022, unless agreed upon otherwise.

DESCRIPTION OF PROJECT

The existing lift, located on the exterior of the Courthouse, was installed approximately 16 years ago and due to years of being exposed to inclement weather, the equipment has deteriorated. The lift has rusted in several areas due to being open to the elements and the electrical components have begun to fail leading to many complaints from those using the lift when it breaks down. Recently, the Maintenance Department patched a hole in the bottom of the lift and made repairs to the electrical door system.

The Upshur County Commission wishes to remove the existing, deteriorating, and malfunctioning handicap access lift and replace with an enclosed lift to better serve and accommodate all patrons. Clear panels are best suited for this project as they will provide protection from the environmental elements extending the life of the unit while also allowing users to have a direct sightline to the front door of the Courthouse and prevent claustrophobia. Clear inserts will also compliment the aesthetics of the existing building and be less noticeable than a fully enclosed unit.

SCOPE OF WORK

PART 1 GENERAL

1.1 SUMMARY

Section Includes: Courthouse Vertical Platform Lift

1.2 REFERENCES

- A. 2010 ADA Standards for Accessible Design
- B. ASME A18.1 Safety Standard for Platform Lifts and Stairway Chairlifts

1.3 SUBMITTALS

- A. Product Data: Manufacturer's data sheets on the product to be used, including:
 - 1. Preparation instructions and recommendations
 - 2. Storage and handling requirements and recommendations
 - 3. Installation methods
- B. Shop Drawings: Show dimensions and locations of all items including attachments to supporting structure required.

1.4 CLOSEOUT SUBMITTALS

- A. Approvals from authorities having jurisdiction
- B. Operations and Maintenance Manuals

1.5 QUALITY ASSURANCE

- A. Comply with ASME A18.1 Standard for lifts in public installations.
- B. Installer Qualifications: A company regularly engaged in the business of manufacturing, installing and servicing platform lifts of the type specified for at least 5 years, and with a history of successful installations acceptable to the Owner.

1.6 DELIVERY, STORAGE, AND HANDLING

- A. Store products in manufacturer's unopened packaging until ready for installation.
- B. Store and dispose of solvent-based materials, and materials used with solvent-based materials, in accordance with requirements of local authorities having jurisdiction.

1.7 FIELD CONDITIONS

Maintain environmental conditions (temperature, humidity, and ventilation) within limits recommended by manufacturer for optimum results. Do not install products under environmental conditions outside manufacturer's absolute limits.

1.8 WARRANTY

Minimum 24-month warranty - parts only.

PART 2 PRODUCTS

2.1 MANUFACTURERS

A. U.S. OWNED AND OPERATED: Preference is given to Manufacturers registered as a U.S. owned company with its manufacturing operation located in the United States of America – American Owned, American Operated.

2.2 PERFORMANCE LIFT REQUIREMENTS:

Lift shall be a Vertical Platform Lift - Indoor/Outdoor Application.

Comply with the following:

1. ASME A18.1 standard for lifts in public installations.
2. ADA requirements for vertical platform lifts.

Platform Size: Platform dimensions shall not exceed 36 inches x 54 inches

Rated Load Capacity: 750 pounds (340 kilograms) minimum

Vertical Platform Speed: 20 feet (0.1 m/s) per minute nominal

Maximum Travel: 23 feet (7 meters)

Levels/Stops: 2 minimum

Configuration: straight through enter/exit

Power Supply: to be provided by owner

Drive System: Hydraulic

Emergency Operation: Battery operated back-up system to operate the device manually to lower or raise the platform

Rail Construction: 8 feet rail

Side Guards: Minimum of 42 inches high

Platform gates: top landing gate

Doors: upper/lower motorized, and automatic swing door opener

Finish: Clear inserts and all metal surfaces must be applied with a corrosion resistant powder coating

Enclose mechanical and electrical mechanisms and protect them from the weather

Fabrication: Construct lift of steel or aluminum structural frame with welded or bolted connections

Operation: Pressure control switches and an ADA-hands free phone specially designed to be easily operated by a person with limited dexterity according to ADA requirements.

Controls: Equip lift with controls at the top, bottom landing and platform. Provide a security key switch to control unauthorized use.

Emergency Stop Button: Provide an illuminated emergency stop button on platform control panel.

Emergency Alarm System: Audible alarm that is automatically activated when the emergency stop button is depressed.

PART 3 EXECUTION

3.1 EXAMINATION

- A. Prepare report documenting unacceptable conditions.
- B. Submit report to Owner.
- C. Do not proceed with work until corrective measures have been completed.

3.2 PREPARATION

- A. Remove and properly dispose of existing exterior lift system.
- B. Make any needed revisions to existing concrete and railings.
- C. Clean surfaces thoroughly prior to installation.
- D. Prepare surfaces using methods recommended by manufacturer for achieving the best result for project conditions.

3.3 INSTALLATION

- A. Install in accordance with the following:
 - 1. Manufacturer's instructions
 - 2. Approved Shop Drawings
 - 3. Applicable regulations and codes

3.4 FIELD TESTING

Upon completion of installation and as a condition of acceptance, provide necessary equipment and personnel to perform tests required.

3.5 CLOSEOUT ACTIVITIES

- A. Secure required approvals from Upshur County Commission.

- B. Provide training of Owners personnel on proper use and operation of VPL.

3.6 PROTECTION

- A. Protect installed products until completion of project.
- B. Touch-up, repair or replace damaged products before Substantial Completion.

The present exterior should maintain its existing appearance. The proposed vertical platform lift must fit within the existing wingwalls. Vendor shall verify and be responsible for all field dimensions and conditions and shall notify Owner of any discrepancies before proceeding with the project.

PART 4 MISCELLANEOUS

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.

Vendor shall be responsible for paying all state and local B&O taxes, if applicable.

Permits must be obtained by the Vendor prior to commencement of project.

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 Vendor 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.

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.

MANDATORY PRE-SITE VISIT

A mandatory pre-bid site visit at will be held on Monday, July 18, 2022 at 2:00 p.m. Only those individuals/contractors whom visit the site for an initial inspection of the area will be permitted to submit a bid.

PROPOSED 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.
- Fee Schedule
 - a. 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.**
- Vendor 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 vendor 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 vendor 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 M. Hughes
Exterior Lift Project
91 W Main Street, Suite 101
Buckhannon, WV 26201

Proposals must be received no later than 4:00 p.m. on Wednesday, July 27, 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, attendance at the pre-bid meeting as specified above, 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, July 28, 2022 during the regularly scheduled Commission Meeting held in the Commission Meeting Room located at 38 West Main Street, Room 301, Buckhannon, WV 26201.

The Contract will be awarded to the lowest qualified responsible bidder meeting the required specifications. If the Bid 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 M. Hughes, Assistant County Administrator at cmhughes@upshurcounty.org or (304) 472-0535 ext. 3 or Greg Harris, Facilities Director, at (304) 472-6717.

CONTRACTOR'S REPRESENTATIONS

The undersigned bidder certifies that they have:

1. Familiarized themselves with this RFP, the 2010 ADA Standards for Accessible Design, ASME A18.1 Safety Standard for Platform Lifts and Stairway Chairlifts and agree to provide the required services in accordance with this proposal and all attachments.
2. Visited the site, 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. Vendor 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. Vendor 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.

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

Signature

Date

AFFIDAVIT OF NON-COLLUSION

Upshur County, WV

**FABRICATION, DELIVERY AND INSTALLATION OF AN EXTERIOR VERTICAL PLATFORM LIFT FOR
THE EXTERIOR OF THE COURTHOUSE**

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
Exterior Platform Lift Project 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)

AGREEMENT BETWEEN OWNER AND VENDOR
ON THE BASIS OF A STIPULATED PRICE

Date _____

THIS AGREEMENT is by and between the County Commission of Upshur County, West Virginia ("OWNER") and _____ ("VENDOR") for the fabrication, delivery and installation of an exterior Vertical Platform Lift (VPL) at the Upshur County Courthouse. Owner and Vendor, in consideration of the mutual covenants hereinafter set forth, agree as follows:

Section 1 – Work

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

1. Fabrication of a Vertical Platform Lift (VPL) to be installed on the exterior of the Upshur County Courthouse, located at 40 West Main Street, Buckhannon, WV 26201. This lift shall provide access to the Courthouse main floor and shall fit within the existing wingwalls.
2. Drawings/selection of the proposed lift must be approved by the Upshur County Commission.
3. Delivery of Vertical Platform Lift (VPL) to the Upshur County Courthouse.
4. Removal and proper disposal of existing exterior lift.
5. Installation of Vertical Platform Lift.

Section 2 – Time Period for Project Completion

The successful bidder must have flexible scheduling that is able to minimize the length of time the lift is not available for use by the public. Installation dates shall be coordinated in advance. The project shall be complete and in working order no later than October 31, 2022, unless otherwise agreed upon by the Owner. 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

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

- 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
- Business License
- Contractor's License
- Company information including number of years in business, number of employees on staff and proximity to the Upshur County Courthouse.
- 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

Vendor shall not employ any sub-contractor to complete any work for any portion of this project without expressed written approval from the Owner.

Section 5 – Bid Price for Project

Owner shall pay the Vendor upon completion of work no more than the sum of _____ (\$_____).

Section 6 – Payment Procedures

Vendor shall submit an Application for Payment or an Invoice for Payment to the Owner once the project is complete and all systems are in working order. 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.

Section 7 – Vendor's Representations

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

- 1) Vendor has examined and studied any documentation related to the scope of work for this project as outlined in Section 1 of this agreement. Such documentation is sufficient to indicate and convey understanding for performance and furnishing of the work.

- 2) Vendor has visited the sites 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) Vendor 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) Vendor 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 8 – Miscellaneous

Successors and Assigns:

Owner and Vendor 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 Vendor.

This Agreement will be effective on the ____ day of _____, 2022.

OWNER:

VENDOR:

County Commission of Upshur County

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

Attest: _____

Attest: _____

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

Address for Giving Notices:

Telephone:

Facsimile:

WV-73
Approved / April 30, 2020



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)

Clear All Fields On This Form

GSR-01

Rev. 11/15

West Virginia

Request for Statement of Good StandingWest Virginia
State Tax
Department

Taxpayer Identification Number _____

Complete Business Name _____

Business Location _____

Mailing Address _____
Street City State Zip**TYPE OF BUSINESS (CHECK ONE):**☐ Partnership ☐ Sole Ownership ☐ Corporation/LLC ☐ Other

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 -- Select --, to-wit,

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

_____, Notary public

My commission expires: _____

Date

If you would like the response faxed to you, enter the fax number including area code

Name of person fax is to be addressed to: _____

Send this request to:**Phone Numbers:**West Virginia State Tax Department
ATTN: TPS – Administrative Support
PO Box 885
Charleston, WV 25323-0885
Fax # (304) 558-8643(304) 558-0678
(304) 558-8695
(304) 558-1114
(304) 558-0659

**FY 2022 West Virginia
Justice Assistance Grant Program
Application Forms**



West Virginia Justice Assistance Grant Program Application	General Administrative Information Page 1
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<u>Applicant Agency:</u> Upshur County Commission Address: 91 West Main Street, Suite 101 Buckhannon, WV 26201 Phone: 304-472-0535 Fax Number: 304-473-2802	<u>Type of Agency:</u> <input type="checkbox"/> State <input checked="" type="checkbox"/> County <input type="checkbox"/> Non-Profit
---	--

<u>Project Director:</u> Matthew Sisk PD Title: Director of Safety & Management Address: 102 Smithfield St Buckhannon, WV 26201 Phone: 304-472-5480 x 1019 Fax: 304-472-0258 Email: Matthew.sisk@k12.wv.us	<u>Fiscal Officer:</u> Tabatha Perry FO Title: County Administrator Address: 91 West Main Street Suite 101 Buckhannon, WV 26201 Phone: 304-472-0535 x2 Fax: 304-473-2802 Email: trperry@upshurcounty.org
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Funds Requested: \$28,000 **Amount Awarded:** _____
Match Proposed: \$9,333 (For JCS use only)
Project Period: October 1, 2022 – September 30, 2023

Number of years previously funded: 10 **Estimated Number to be Served:** _____
Geographic Area(s) Served: Upshur County
Total Population: 23,791
DUNS Number: 028608099
FEIN Number: 55-6000406
Project Title: Prevention Resource Officer

Project Description: A collaborative effort between the Upshur County Board of Education, the Upshur County Sheriff's Department and the Upshur County Commission to continue the employment of PRO at Buckhannon-Upshur Middle School

Certification: To the best of my knowledge, the information contained in this application is true and correct. The submission thereof has been duly authorized by the governing body and the applicant will comply with the attached special conditions and assurances if funding is provided.

<u>Authorized Official:</u> Kristie G. Tenney Address: 91 West Main Street, Suite 101 Buckhannon, WV 26201	<u>AO Title:</u> Commission President Phone: 304-439-4698 Fax: 304-473-2802 E-Mail: kgtenney@upshurcounty.org
Signature:	Date:

West Virginia Justice Assistance Grant Program Application	Budget Summary Page 2
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Applicant:	Upshur County Commission	FEIN Number:	55-6000406
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Budget Category	WV JAG Requested Funds (A)	Local (Match) Funds (B)	Total Budget (A + B)
Personnel/Contractual	\$28,000	\$9,333	\$37,333
Travel/Training			
Equipment			
Other			
Totals	\$28,000	\$9,333	\$37,333

**All funds must be rounded to the nearest whole dollar amount*

Funding Strategy

Funding Source(s)	Amount	Status
Justice Assistance Grant Program	\$28,000	P
Upshur County Board of Education	\$9,333	C
Total	\$37,333	

Funding Source - Separately list each source of funds that will be used in the program.

Amount - Enter the amount received or anticipated for each

Status - Indicate the status of each funding source as follows:

P – Projected grant, loan, or donation

A – Application submitted and under review

C – Funds Committed

R – Funds received, appropriated or on hand



**WEST VIRGINIA DIVISION OF ADMINISTRATIVE SERVICES
JUSTICE & COMMUNITY SERVICES SECTION
STANDARD CONDITIONS & ASSURANCES**

Effective: July 23, 2019
Revision History: N/A

The following Standard Conditions and Assurances apply to all Grant Programs that the Division of Administrative Services, Justice and Community Services (JCS) Section administers. The application of these Assurances is applicable regardless of the source of funding and/or whether the recipient receives an upfront allocation of funds or is operating under a request for reimbursement process.

All correspondence to JCS, which is required and/or occurs as a result or action of any of the following Assurances, or as a result of the administration of any JCS grant program, should be mailed to the following address:

Justice and Community Services Section
1124 Smith Street, Suite 3100
Charleston, West Virginia 25301-1323

1. **LAWS OF WEST VIRGINIA:** This grant application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by JCS, regardless of the original funding source. At the sole discretion of JCS, this grant can be based on a "reimbursement bases" mechanism, or a mechanism which awards an "upfront allocation" of funds on a quarterly or semi-annual basis. Upon timely notification to the grantee, JCS reserves the express right to commute an upfront allocation mechanism to a request for reimbursement mechanism for a recipient of funds, at any time during a grant period.
2. **LEGAL AUTHORITY:** The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizes the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required if applicable.
3. **RELATIONSHIP:** The relationship of the grantee to JCS shall be that of an independent contractor, not that of a joint enterprise. The grantee shall have no authority to bind JCS for any obligation or expense without the express prior written approval from JCS.
4. **COMMENCEMENT WITHIN 60 DAYS:** This project must be operational within 60 days of the project starting date, as specified in the grant contract agreement. If the project is not operational within 60 days of the specified project starting date, the grantee must report by

letter to JCS, the steps taken to initiate the project, the reasons for delay, and the expected starting date.

5. **OPERATIONAL WITHIN 90 DAYS:** If the project is not operational within 90 days of the specified project starting date, the grantee must submit a second statement to JCS explaining the delay in implementation.
6. **SUSPENSION OF FUNDING:** The grantee acknowledges that acceptance of an award is not a guarantee of funds. Further, by accepting this award, the grantee acknowledges and agrees that JCS may suspend in whole or in part, terminate, or impose other sanctions on any grantee funds for the following reasons:
 - Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program;
 - 60 or more days late in submitting reports;
 - Failure to submit reports;
 - High Risk Grantee as determined by the JCS High Risk Assessment; or
 - Any other cause shown.
7. **SANCTIONS FOR NONCOMPLIANCE:** In the event of the grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, JCS shall impose such contract sanctions, as it may deem appropriate, including but not limited to:
 - Withholding of payments to the grantee until the grantee complies or, if reports are more than 60 days late, the funding for that month is forfeited and may not be recouped or remedied;
 - Cancellation, termination or suspension of the contract, in whole or in part;
 - Refraining from extending any further assistance to the grantee until satisfactory assurance of future compliance has been received;
 - If the grantee is receiving funds on an upfront basis, JCS can commute the transfer of funds mechanism to a reimbursement only process for the remainder of the grant period;
 - If the grantee is receiving funds on an upfront basis and a determination is made by JCS that funds were intentionally or unintentionally misused, misappropriated, misspent or otherwise not consistent with the intents and purpose of the grant, the grantee automatically forfeits any remaining funds from the grant program, and any other awarded funds from any other program, until a satisfactory resolution has been achieved;
 - If a grantee is indebted to JCS for any amount of funds at the close of an applicable quarter, semi-annual or end of a grant period, and the debt is not resolved within 30 days following the close of those periods, the grantee acknowledges and agrees that it is automatically ineligible to receive or apply for funds from JCS for any grant program; and
 - Grantee agrees and acknowledges that under no circumstances may it commute a debt to be applied as matching funds; or, will JCS reduce a future quarterly or semi-annual allotment or future award as repayment of the debt. Repayment must be from a general account or an account unrelated to the grant award.

8. **ACCOUNTING REQUIREMENTS:** Grantee agrees to record all project funds and costs following generally accepted accounting principles. A unique account number or cost recording must separate all project costs from the grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material must be retained and be available for audit purposes. Federal regulations prohibit the commingling of Federal grant funds with funds from other sources; further, funds received on an upfront basis from JCS for one program may not be comingled with funds received on an upfront basis for another JCS program.
9. **REPORTS:** Regardless of an award being on an upfront or reimbursement basis, each grantee shall submit all reports as JCS requires necessary to the execution of monitoring, stewardship, and evaluation of programmatic and fiscal responsibilities.
10. **WRITTEN APPROVAL OF CHANGES:** The grantee must obtain prior written approval from JCS for all project changes (programmatic, fiscal or otherwise) before those changes are executed.
11. **OBLIGATION OF PROJECT FUNDS:** Funds may not, without prior written approval from JCS, be obligated prior to the effective start date or subsequent to the termination date of the project period. Obligations outstanding as of the project termination date shall be liquidated within thirty (30) days.
12. **USE OF FUNDS:** Funds awarded through JCS may be expended only for the purposes and activities specifically covered by the grantee's approved project scope and budget. By attaching their signature, the grantee recognizes that any deviations from the original grant budget are unallowable.
13. **ALLOWABLE AND UNALLOWABLE COSTS:** Allowable and unallowable costs incurred under this grant shall be determined in accordance with General Accounting Office principles and standards, state guidelines, and federal guidelines pursuant to the specific grant program.
14. **PURCHASING:** When making purchases relevant to the grant, the grantee will abide by applicable State and local laws, which address purchasing procedures by a state or local unit of government or another agency. See 148CSR1 of the West Virginia State Code.
15. **PROJECT INCOME:** All income earned by the grantee as a result of the conduct of this project must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established for grant funds by JCS. All grantees must maintain records that clearly show the source, the amount, and the timing of all project income. There is no waiver provision for the project income requirement.
16. **MATCHING CONTRIBUTION:** The grantee will have available, and will expend as required, adequate resources to defray that portion of the total costs as set forth in this application as "match" and as approved by JCS. The applicant assures that the matching funds required to pay the grant portion of the cost of each program and project, for which funds are made available, shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Matching contributions are subject to the same expenditure guidelines as grant funds for this program. All grantees must maintain records that clearly show the source, the amount, and the timing of all matching contributions. In addition, Federal grant dollars from any source may not be utilized as matching funds.

17. **TIME EXTENSIONS:** In general, time extensions will not be granted. Unexpended grant funds remaining at the close of the grant period shall be deobligated. Funds remaining at the end of a project where an upfront allocation will, by the deadline of the final financial and progress report, be remitted back to JCS.
18. **NON-SUPPLANTING:** Grant funds must be used to supplement existing funds for program activities and may not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from state grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The grantee hereby certifies that funds made available under this grant will not be used to supplant other funding sources.
19. **TRANSFER OF FUNDS PROHIBITION:** The grantee is expressly prohibited from transferring funds between any JCS programs. Federal regulations prohibit the commingling of Federal grant funds with funds from other sources.
20. **TRAINING:** For projects involving payment of personnel, JCS reserves the right to require training as a condition of the grant before or at any time during the project period.
21. **PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:** To the extent practicable, all equipment and products purchased with state funds made available under this grant should be American-made.
22. **MARKING OF EQUIPMENT:** Grantee will ensure that all equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by Justice and Community Services."
23. **PROPERTY ACCOUNTABILITY:** The grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a grant by JCS. This obligation continues as long as the property is retained by the grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from JCS. Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program (if applicable), with copies provided to JCS. Property must be used for the intended grant purposes. If the property is not being used in accordance with terms of the grant, said property will revert to JCS.
24. **COMPUTER EQUIPMENT:** Grantees purchasing computer equipment (hardware, software, or peripherals) with grant funds are required to adhere to the established bidding procedures for their respective units of government or agency. To ensure reputable vendors are obtained, grantees may consider utilizing the current applicable State computer contract. Computer equipment must adhere to minimum requirements established by the West Virginia Office of Technology.
25. **LEASE AGREEMENTS:** Grantee agrees to provide JCS with a copy of the lease arrangement if funds are being requested for reimbursement or utilized as match.
26. **PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:** Grantee acknowledges that JCS, or any applicable parent federal agency, reserves a royalty-free, non-exclusive, and

irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support. Grantee agrees to consult with JCS regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

27. **ACCESS TO RECORDS:** JCS, through any authorized representative, shall have access to and the right to examine all records, books, papers, or documents related to the grant and to relevant books and records of contractors.
28. **CIVIL RIGHTS COMPLIANCE:** Grantee will comply with any applicable federal nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. §§ 10228(c) and 10221(a); the Victims of Crime Act (34 U.S.C. § 20110(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); the Violence Against Women Act (34 U.S.C. § 12291(b)(13)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); Executive Order 13279, Equal Protection of the Laws for Faith-Based and Community Organizations; Executive Order 13559, Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations; and the DOJ implementing regulations at 28 C.F.R. Part 38. Subrecipients of grants under the Violence Against Women Act (VAWA) of 1994, as amended, are prohibited from discriminating on the basis of sexual orientation or gender identity. These laws collectively prohibit grantees from discriminating on the basis of race, color, national origin, sex, disability, age, religion, sexual orientation and gender identity. In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of age, disability, race, color, religion, national origin, or sex against a recipient of funds, the grantee will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs and Justice and Community Services Section.
29. **RELIGIOUS ACTIVITIES:** Grantees must ensure that services are offered without regard to religious affiliation and that receipt of services is not contingent upon participation in a religious activity or event. Furthermore, all religious activities must be separate in time or place from the funded project. Participation in such activities by individuals receiving services must be voluntary.
30. **LOBBYING:** Grantee will comply with any and all lobbying provisions and/or restrictions as outlined in the Uniformed Guidelines, Department of Justice Guidelines, and as outlined in §6B-2-5 of the West Virginia State code.
31. **CONFLICT OF INTEREST:** No public official or employee of the grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can reasonably be expected to result in any benefit or remuneration to that individual or that individual's immediate family as discussed in the W. Va. Code §§ 6B-1-1 through 6B-3-11).
32. **FREEDOM OF INFORMATION ACT:** All records, papers, and other documents kept by recipients of grant funds are required to be made available to JCS. These records and other

documents submitted to JCS and its grantees, including plans and application for funds, reports, etc., may be subsequently required to be made available to entities under Federal Freedom of Information Act, 5. U.S.C. §552, or Chapter 29B, Article 1 (West Virginia Freedom of Information) of the West Virginia Code. JCS recognizes that some information submitted in the course of applying for funding under this program or provided in the course of its grant management activities, may be considered law enforcement, personnel, juvenile sensitive, or personal or otherwise important to national or state security interests. This may include threat, risk and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures.

While this information under state control is subject to requests made pursuant to the Chapter 29B, Article 1 of the West Virginia Code, **all** determinations concerning the release of information of this nature are made on a case-by-case basis by JCS and may fall within one or more of the available exemptions under the Act.

Grantees must consult applicable federal, state, and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive or protected. Applicants may also consult JCS regarding concerns or questions about the release of potentially sensitive, protected or exempt information applicable to federal, state, and local laws and regulations.

JCS has the authority to release all information which does not meet an exemption to the public without a FOIA.

33. **NATIONAL AND STATE EVALUATION EFFORTS:** The grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.
34. **SUBMISSION/RELEASE OF PUBLICATIONS/PRESS RELEASES:** The grantee must submit one copy of all reports and proposed publications resulting from this agreement to JCS twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements: "This document [product] was prepared under a grant from the West Virginia Division of Administrative Services, Justice & Community Services Section (or simply "JCS"). Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the State of West Virginia Division of Administrative Services, Justice & Community Services Section or any entity of the Department of Justice." In addition, the grantee agrees not to utilize the JCS logo without written permission.
35. **JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT:** Grantee agrees to comply with the four core protections under the Juvenile Justice & Delinquency Prevention (JJDP) Act of 1974, reauthorized 2002.
 - Deinstitutionalization of status offenders (DSO).
 - Separation of juveniles from adults in institutions (separation).
 - Removal of juveniles from adult jails and lockups (jail removal).
 - Reduction of disproportionate minority contact (DMC), where it exists.

As well as, 101CSR1 of the West Virginia code. This includes, but is not limited to, completing the annual WV Certification of Non-Secure Facilities and submitting to JCS, if applicable, and submitting a monthly Secure Holding Log, if applicable.

- 36. COLLABORATION W/OTHER FEDERAL AND STATE GRANTS:** Where warranted, this initiative/grantee shall make every effort to support or assist other federally funded or State grant programs in any manner, including but not limited to, providing personnel, supplies, equipment, and any other resources deemed necessary by JCS.
- 37. USE OF DATA/EXCHANGE OF INFORMATION:** With respect to programs related to criminal justice information systems, the grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:
- a. That all computer programs (software produced under this grant) will be made available to JCS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
 - b. To provide a complete copy of the computer programs and documentation, upon requests, to JCS. The documentation will include, but not be limited to, system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
 - c. That whenever possible all application programs will be written in standardized programming languages or will adhere to Open Database Connectivity format for use on general operating systems that can be utilized on at least three different manufacturers of computer hardware with similar size and configuration capabilities.
 - d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Criminal Justice Systems Clearinghouse (916-392-2550) should be contacted to determine availability of software prior to any development effort.
- 38. NATIONAL AND STATE EVALUATION EFFORTS:** The grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.
- 39. EQUAL EMPLOYMENT OPPORTUNITY PLAN:** The grantee will provide an Equal Employment Opportunity Plan (EEO) to the Office for Civil Rights, Office of Justice Programs (OCR) and JCS. Each grantee certifies that it has executed and has on file an Equal Employment Opportunity Plan which conforms with the provisions of 28 CFR Section 42.301, et. seq., Subpart E; or that in conformity with the foregoing regulations, no Equal Employment Opportunity Plan is required. The grantee further certifies that it has filed an EEO Certification form and, if required, an EEO Utilization Report, through the EEO Reporting Tool at <https://ojp.gov/about/ocr/eeop.htm>.
- 40. VETERANS PREFERENCE:** This program includes a provision that grantees utilizing funds to hire additional personnel, to the extent possible, give suitable preference in employment to military veterans. JCS defines "suitable preference" as the requirement that a grantee agency

have in place a mechanism ensuring that veterans are given consideration in the hiring process.

41. **IMMIGRATION AND NATURALIZATION VERIFICATION:** The grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of state funds to verify that employees are eligible to work in the United States.
42. **POLITICAL ACTIVITY:** The Hatch Act restricts the political activity of executive branch employees of the federal government, District of Columbia government, and some state and local employees who work in connection with federally funded programs. In 1993, Congress passed legislation that significantly amended the Hatch Act as it applies to federal and D.C. employees (5 U.S.C. §§ 7321-7326). (These amendments did not change the provisions that apply to state and local employees. 5 U.S.C. §§ 1501- 1508.). Please reference West Virginia Code § 29-6-20 for state restricted activities.
43. **PUBLIC SAFETY AND JUSTICE INFORMATION SHARING:** Grantees must support public safety and justice information sharing. The grantee is required to use the Global Justice Data Model specifications and guidelines for this grant. Grantee shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at www.it.ojp.gov/gjxdm.

To the best of my knowledge the applicant has and will comply with all of the attached Standard Conditions and Assurances.

Authorized Official [please print]: _____

Authorized Official Signature: _____

Date: _____



**WEST VIRGINIA DIVISION OF ADMINISTRATIVE SERVICES
JUSTICE & COMMUNITY SERVICES SECTION
FEDERAL STANDARD CONDITIONS & ASSURANCES**

Effective: July 23, 2019
Revision History: N/A

All correspondence to the Division of Administrative Services, Justice and Community Services Section (JCS), which is required and/or occurs as a result or action of any of the following Assurances, or as a result of the administration of any JCS grant program, should be mailed to the following address:

Justice and Community Services Section
1124 Smith Street, Suite 3100
Charleston, West Virginia 25301-1323

1. **CONSULTANT RATES:** Consultant rates in excess of \$650 per day, or \$81.25 per hour, require prior approval by JCS and DOJ is applicable prior to obligation or expenditure of such funds. All contracts must be submitted 90 days prior to training for approval.
2. **FRAUD, WASTE & ABUSE:** Reporting potential fraud, waste, and abuse, and similar misconduct. The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the Department of Justice (DOJ) Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct. Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W. Room 4706, Washington, DC 20530; (2) e-mail to: oig.hotline@usdoj.gov; and/or (3) the DOJ OIG hotline: (contact information in English and Spanish) at (800) 869-4499 (phone) or (202) 616-9881 (fax). Additional information is available from the DOJ OIG website at <https://www.usdoj.gov/oig>.
3. **USE OF GRANT FUNDS TO ENACT LAWS, POLICIES, ETC.:** Grantee understands and agrees that it cannot use any grant funds, either directly or indirectly in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.
4. **LIMITED ENGLISH PROFICIENCY:** Title VI's prohibition of national origin discrimination includes discrimination against individual who are limited in their English proficiency (LEP) because of their national origin. Under Title VI (and the Safe Streets Act), recipients are required to take reasonable steps to ensure that LEP individuals have meaningful access to the recipient's programs and services. Providing "meaningful access" will generally involve

some combination of oral interpretation services and written translation of vital documents. More information can be found at <http://www.lep.gov>.

5. **PUBLIC SAFETY AND JUSTICE INFORMATION SHARING:** Grantee must support public safety and justice information sharing. This grantee is required to use the Global Justice Data Model specifications and guidelines of this grant. Grantee shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at www.it.ojp.gov/gjxdm.
6. **PROGRAM ACCOUNTABILITY – FEDERAL AUDIT REQUIREMENTS:** Federal Office of Management and Budget (OMB) sets forth standards for obtaining consistency and uniformity for the audit of states, local government, and non-profit organizations expending **Federal** awards. If applicable, this grant shall adhere to the audit requirements set forth at the time of award. (2CFR Part 200 or OMB Circular A-133 – for further information go to OMB Uniform Guidelines at:

https://search.whitehouse.gov/search?affiliate=wh&form_id=usasearch_box&query=Indirect+Costs

§200.501(a) Audit required. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.

Single audit. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.

Program-specific audit election. When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a sub-recipient, approves in advance a program-specific audit.

Exemption when Federal awards expended are less than \$750,000. A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

If an audit must be conducted pursuant to the Uniform Guidelines, a copy of the audit shall be submitted to JCS as well as to the Federal clearinghouse.

The Federal clearing house is as follows:

Federal Audit Clearinghouse
Bureau of the Census

1201 E. 10th Street
Jeffersonville, IN 47132

7. **CONFIDENTIALITY OF RESEARCH INFORMATION:** Research information identifiable to an individual, which was obtained through a project funded wholly or in part with United States Department of Justice program funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).
8. **OFFICE OF JUSTICE PROGRAMS (OJP) FINANCIAL GUIDE:** Grantee agrees to comply with the financial and administrative requirements as set forth in the current edition of the DOJ/OJP Financial Guide.
9. **CENTRAL CONTRACTOR REGISTRATION:** Grantee agrees to register with the System for Grants Management (SAM) at www.sam.gov and provide documentation to JCS with application for funding.
10. **DATA UNIVERSAL NUMBERING SYSTEM:** Grantee agrees to acquire a Data Universal Numbering System (DUNS) number, www.dnb.com and provide documentation to JCS with application for funding.
11. **BIDDING PROCEDURES:** Funds for renovation, expansion or construction awarded to grantees or subgrantees, which require the letting of any single contract amounting to \$100,000 or more to a private company or individual shall require: a bid guarantee equivalent to 5% (five percent) of the bid price; the bid guarantee must consist of a firm commitment such as a bid bond, certified check, or negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified after forms are presented to the successful bidder; a performance bond on the part of the 100% (one hundred percent) of the contract price ("Performance bond" means a bond executed in connection with a contract to ensure payments required by all persons supplying labor and materials in the execution of the work provided for in the contract.); a payment bond on the part of the contractor for 100% (one hundred percent) of the contract price. ("Payment bond" is one executed in connection with a contract to ensure payment as required by law, of all persons supplying labor or materials in the execution of the work provided for in the contract.) Recipient/subgrantee is expected to follow the competitive bid process in the award of contracts involving Federal grant funds.
12. **COMPLIANCE WITH FEDERAL PROCEDURES:** Grantee assures compliance with the following where applicable:

Part 11, Applicability of Office of Management and Budget Circulars.
Part 18, Administrative Review Procedures.
Part 20, Criminal Justice Information Systems.
Part 22, Confidentiality of Identifiable Research and Statistical Information.
Part 23, Criminal Intelligence Systems Operating Policies.
Part 30, Intergovernmental Review of Department of Justice Programs and Activities
Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures
13. **ADDITIONAL REGULATIONS AND PROCEDURES:** In addition, all grantees must comply with the following applicable federal regulations and/or the United States Department of Justice, Office of Justice Programs - M 7100.1D manual, OMB Circulars No. A-21, A-110, A-

122, A-128, A-87, E.O. 12372, Uniform Administrative Requirements for Grants and Cooperative Agreements 28 CFR, Part 66, Common Rule, and all other applicable Federal regulations, policies, acts and guidelines:

National Environmental Policy Act of 1969 (NEPA).
National Historic Preservation Act of 1966.
Flood Disaster Protection Act of 1973.
Clean Air Act and Federal Water Pollution Control Act Amendments of 1972.
Control Act Amendments of 1972.
Safe Drinking Water Act.
Endangered Species Act of 1973.
Wild and Scenic Rivers Act.
Fish and Wildlife Coordination Act.
Historical and Archaeological Data Preservation.
Coastal Zone Management Act of 1979.
Animal Welfare Act of 1970.
Impoundment Control Act of 1974.
Uniform Relation Assistance and Real Property Acquisitions Policies Act of 1970.
Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended
Death in Custody Act of 2000.

To the best of my knowledge the applicant has and will comply with all the attached Conditions and Assurances.

Authorized Official [please print]: _____

Authorized Official Signature: _____

Date: _____



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 Seventh Street NW., Washington, DC 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

CERTIFICATION FORM**Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements**

Please read carefully the Instructions (see below) and then complete Section A or Section B or Section C, not all three. If recipient completes Section A or C and sub-grants a single award over \$500,000, in addition, please complete Section D.

Recipient's Name: Upshur County Commission	
Address: 91 West Main Street, Suite 101, Buckhannon, WV 26201	
Is agency a; <input type="checkbox"/> Direct or <input type="checkbox"/> Sub recipient of OJP, OVW or COPS funding?	Law Enforcement Agency? <input type="checkbox"/> Yes <input type="checkbox"/> No
DUNS Number: 028608099	Vendor Number (only if direct recipient)
Name and Title of Contact Person: Matthew Sisk, UCBOE Director of Safety & Emergency	
Telephone Number: 304-472-5480 x1019	E-Mail Address: matthew.sisk@k12.wv.us

Section A—Declaration Claiming Complete Exemption from the EEOP Requirement

Please check all the following boxes that apply.

- | | | |
|---|--|--|
| <input type="checkbox"/> Less than fifty employees. | <input type="checkbox"/> Indian Tribe | <input type="checkbox"/> Medical Institution. |
| <input type="checkbox"/> Nonprofit Organization | <input type="checkbox"/> Educational Institution | <input type="checkbox"/> Receiving a single award(s) less than \$25,000. |

I, _____ [responsible official], certify that _____ [recipient] is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R. § 42.302. I further certify that _____ [recipient] will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

If recipient sub-grants a single award over \$500,000, in addition, please complete Section D

Print or Type Name and Title	Signature	Date
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Section B—Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review

If a recipient agency has fifty or more employees and is receiving a single award or, subaward, of \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):

I, Kristie G. Tenney [responsible official], certify that Upshur County Commission [recipient], which has fifty or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E. I further certify that within the last twenty-four months, the proper authority has formulated and signed into effect the EEOP and, as required by applicable federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEOP is on file at the following office: Upshur County Commission [organization], 91 West Main St. Ste 101, Buckhannon, WV 26201 [address].

Kristie G. Tenney, Commission President	Signature	Date
Print or Type Name and Title		

Section C—Declaration Stating that an EEOP Short Form Has Been Submitted to the Office for Civil Rights for Review

If a recipient agency has fifty or more employees and is receiving a single award, or subaward, of \$500,000 or more, then the recipient agency must send an EEOP Short Form to the OCR for review.

I, _____ [responsible official], certify that _____ [recipient], which has fifty or more employees and is receiving a single award of \$500,000 or more, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E, and sent it for review on _____ [date] to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

If recipient sub-grants a single award over \$500,000, in addition, please complete Section D

Print or Type Name and Title	Signature	Date
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INSTRUCTIONS

Completing the Certification Form

Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

The federal regulations implementing the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, require some recipients of financial assistance from the U.S. Department of Justice subject to the statute's administrative provisions to create, keep on file, submit to the Office for Civil Rights (OCR) at the Office of Justice Programs (OJP) for review, and implement an Equal Employment Opportunity Plan (EEOP). *See* 28 C.F.R. pt. 42, subpt. E. All awards from the Office of Community Oriented Policing Services (COPS) are subject to the EEOP requirements; many awards from OJP, including awards from the Bureau of Justice Assistance (BJA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Office for Victims of Crime (OVC) are subject to the EEOP requirements; and many awards from the Office on Violence Against Women (OVW) are also subject to the EEOP requirements. If you have any questions as to whether your award from the U.S. Department of Justice is subject to the Safe Streets Act's EEOP requirements, please consult your grant award document, your program manager, or the OCR.

Recipients should complete *either* Section A *or* Section B *or* Section C, not all three. If recipient completes Section A *or* C and sub-grants a single award over \$500,000, in addition, please complete Section D.

Section A

The regulations exempt some recipients from all of the EEOP requirements. Your organization may claim an exemption from all of the EEOP requirements if it meets any of the following criteria: it is a nonprofit organization, an educational institution, a medical institution, or an Indian tribe; *or* it received an award under \$25,000; *or* it has less than fifty employees. To claim the complete exemption from the EEOP requirements, complete Section A.

Section B

Although the regulations require some recipients to create, maintain on file, and implement an EEOP, the regulations allow some recipients to forego submitting the EEOP to the OCR for review. Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business; *and* (2) have fifty or more employees; *and* (3) have received a single grant award of \$25,000 or more, but less than \$500,000, may claim the limited exemption from the submission requirement by completing Section B. In completing Section B, the recipient should note that the EEOP on file has been prepared within twenty-four months of the date of the most recent grant award.

Section C

Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business, *and* (2) have fifty or more employees, *and* (3) have received a single grant award of \$500,000 or more, must prepare, maintain on file, *submit to the OCR for review*, and implement an EEOP. Recipients that have submitted an EEOP Utilization Report (or in the process of submitting one) to the OCR, should complete Section C.

Section D

Recipients that (1) receive a single award over \$500,000; *and* (2) subaward a single award of \$500,000 or more must provide a list; including, name, address and DUNS # of each such sub-recipient by completing Section D.

Submission Process

Recipients should download the online Certification Form, complete required sections, have the appropriate official sign it, electronically scan the signed document, and then send the signed document to the following e-mail address: EEOPForms@usdoj.gov. *The document must have the following title: EEOP Certification.* If you have questions about completing or submitting the Certification Form, please contact the Office for Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, DC 20531 (Telephone: (202) 307-0690 and TTY: (202) 307-2027).

Public Reporting Burden Statement

Paperwork Reduction Act Notice. Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated minimum average time to complete and file this application is 20 minutes per form. If you have any comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office of Justice Programs, 810 7th Street, N.W., Washington, D.C. 20531.

Appendix B

Justice Assistance Grant (JAG) Program FY 2022 Project Abstract



West Virginia JAG Grant Program Application	Project Abstract
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Instructions: Include a project abstract that summarizes the proposed program in 400 words or fewer. Project abstracts are written for a general public audience.

The Prevention Resource Officer program will provide for safer schools in Upshur County by providing excellence in school security. The excellence in school security goes beyond the physical presence of the officers and extends into the educational pursuit of the children of Upshur Schools by teaching life skills provided by the PRO. The PRO program will work to achieve a safer school environment by early intervention methods for all students. The PRO program will achieve safer schools by reducing the likelihood of introduction into the formal criminal justice system by informal actions taken by a law enforcement professional. The program will provide a mutually beneficial relationship between Upshur County School system and Upshur County as the students become full citizens.

At the County Commission Meeting of Upshur County, West Virginia, held on the 30th day of June, 2022, the following Order was made and entered:

SUBJECT: Designation of Depositories, pursuant to W. Va. Code 7-6-1

In accordance with Section 1, Article 6, Chapter 7, of the West Virginia Code, the Upshur County Commission hereby designates Freedom Bank, First Community Bank, JP Morgan-Chase Bank, Peoples Bank, and Citizens Bank of WV as depositories of public monies for fiscal year 2022/2023. The Upshur County Commission has determined that said banking institutions have complied with all the requirements of State Law.

The adoption of the foregoing Motion having been moved by:

_____, Commissioner, and duly seconded by:

_____, Commissioner, the vote thereon was as follows:

Samuel R. Nolte, Commissioner _____

Kristie G. Tenney, President _____

Terry B. Cutright, Commissioner _____

WHEREUPON, Kristie G. Tenney, President declared said Motion duly adopted; and it is therefore **ADJUDGED** and **ORDERED** that said Motion be, and the same is hereby adopted.

Samuel R. Nolte, Commissioner

Kristie G. Tenney, President

Terry B. Cutright, Commissioner

ATTEST: _____
Carol J. Smith, County Clerk

6/28/22, 10:12 AM

FW: Upshur County Recreation Park Advisory Board

FW: Upshur County Recreation Park Advisory Board

From: kgtenney@upshurcounty.org <kgtenney@upshurcounty.org>

Sent: Tue, Jun 28, 2022 at 5:51 am

To: Shelia Adams

Cc: Tabatha Perry

Good morning,

Please see letter of interest below.

Kristie

-----Original Message-----

From: "Josh Hinchman" <hinchman11@gmail.com>

Sent: Monday, June 27, 2022 2:17pm

Subject: Upshur County Recreation Park Advisory Board

To the Upshur County Commission:

I would like to express my interest to continue to remain a member of the Upshur County Recreation Park Advisory Board. Thank you
Joshua Hinchman

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

Dear Members of the Upshur County Commission,

I humbly ask to be considered for the appointment to the Upshur County Public Library Board, for the term of July 1, 2020 through June 30, 2025. As an educator and community member I am passionate about the critical role public libraries play in our communities. Libraries increase literacy rates, serve as a community gathering place and provide critical access to information for the underprivileged members of our community.

Public libraries have served me personally throughout my life, helping to satisfy my many curiosities and extended my knowledge. My family and I have also benefited from many library programs, clubs and events.

Currently, I run the Buckhannon Anime club at the Upshur County Library where teens and pre-teens can share their love for Japanese animation and culture. I am also an Assistant Professor of Graphic Design at West Virginia Wesleyan College.

If I am selected as a board member I would like to use my professional background as a graphic designer, web designer, and information designer to help promote library programs and services. I will also help the Board follow community standards to higher standards such as those laid out by the American Library Association.

I hope my passion and concern for this critical community institution will persuade you to consider me for this appointment.

Sincerely,

Jon Benjamin
Assistant Professor of Graphic Design
Art & Design Department
West Virginia Wesleyan College
McCuskey Hall 105
59 College Avenue
Buckhannon, WV 26201



Nuttall Legal, LLC

P. O. Box 741
15 North Kanawha Street
Buckhannon, WV 26201
nuttall.legal@gmail.com
304.473.1403

June 17, 2022

Upshur County Commission
Attn: Tabitha Perry
91 W. Main St., Suite 101
Buckhannon, WV 26201

Ms. Perry,

Please accept this letter as notice that I would like to be considered for the upcoming vacancy on the Upshur County Public Library Board. The library is an important part of my personal life. My wife and children have been using the library for years. They have attended Story Time with Ms. Bobbi regularly. My children have come to the library with their classes from Tennerton Elementary. We check out books and audiobooks regularly. I have also been associated with the library in a business capacity. I have been providing free estate planning clinics at the library, and my business has been a sponsor of the library's annual ramp dinner. I consider the library to be an important part of the Buckhannon-Upshur community. My family has met new friends through library events, and the library provides an important service to the community in making books and other materials available to the community.

I would take great pleasure in promoting this valued part of Upshur County's community. If you would like to discuss this matter with me, please contact my office at the phone number above. Thank you in advance for your kind consideration of my offer to serve as a board member for the Upshur County Public Library.

Sincerely,

Kyle Nuttall

Kyle Nuttall

*by Darla Riffe,
Secretary*



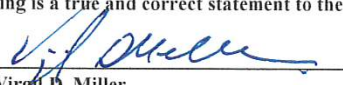


Upshur County Sheriff's Financial Statement

For Period Ending : May 2022

FUND NAME	BEGINNING BALANCE	CURRENT MONTH COLLECTIONS	ORDERS ISSUED	BALANCE PER BOOKS
FUND - 001 GENERAL COUNTY FUND	\$ 1,608,811.85	\$ 178,164.63	\$ (691,211.28)	\$ 1,095,765.20
FUND - 002 COAL SEVERANCE TAX FUND	\$ 67,518.48	\$ 2.96	\$ -	\$ 67,521.44
FUND - 003 DOG AND KENNEL FUND	\$ 22,694.57	\$ 16,212.37	\$ (3,535.33)	\$ 35,371.61
FUND - 004 GENERAL SCHOOL FUND	\$ 20,135.08	\$ 4,260.75	\$ -	\$ 24,395.83
FUND - 005 MAGISTRATE COURT FUND	\$ 12,067.29	\$ 1,286.75	\$ -	\$ 13,354.04
FUND - 006 WORTHLESS CHECK FUND	\$ 125,625.48	\$ 35.51	\$ -	\$ 125,660.99
FUND - 007 E-911 FUND	\$ 999,847.87	\$ 225,105.71	\$ (10,657.78)	\$ 1,214,295.80
FUND - 008 HOME CONFINEMENT FUND	\$ 32,091.64	\$ 8,314.64	\$ (2,472.25)	\$ 37,934.03
FUND - 013 CURRY PARK FUND	\$ 22,800.95	\$ 4,904.54	\$ (493.29)	\$ 27,212.20
FUND - 015 CURRY LIBRARY FUND	\$ 7,574.13	\$ 5,152.20	\$ (1,398.25)	\$ 11,328.08
FUND - 018 AIRPORT CONSTRUCTION FUND	\$ -	\$ -	\$ -	\$ -
FUND - 019 UPSHUR COUNTY FIRE FEE FUND	\$ 14,271.17	\$ 9,756.27	\$ (14,196.17)	\$ 9,831.27
FUND - 021 EE HEALTH CARE REIMBURSEMENT FUND	\$ 41,707.69	\$ 12,018.94	\$ (11,662.94)	\$ 42,063.69
FUND - 039 COAL REALLOCATION FUND	\$ 0.35	\$ -	\$ -	\$ 0.35
FUND - 052 EMPLOYEE BENEFITS FUND	\$ 1,068,418.28	\$ 46.82	\$ (1,975.00)	\$ 1,066,490.10
FUND - 056 ASSESSOR'S VALUATION FUND	\$ 269,885.04	\$ 3,522.37	\$ (10,490.81)	\$ 262,916.60
FUND - 058 UP.CO.FIN.STBL.FUND	\$ 1,623,069.56	\$ 1,138.37	\$ -	\$ 1,624,207.93
FUND - 059 CONCEALED WEAPONS FUND	\$ 25,870.62	\$ 766.12	\$ (1,277.00)	\$ 25,359.74
FUND - 063 VOTER'S REGISTRATION FUND	\$ 1,116.15	\$ 0.04	\$ -	\$ 1,116.19
FUND - 071 JURY FUND	\$ 15,080.36	\$ 937.14	\$ (937.14)	\$ 15,080.36
FUND - 073 SPECIAL LAW ENFRMT INVESTIGATION FUND	\$ 2,487.42	\$ 0.11	\$ -	\$ 2,487.53
FUND - 078 CHILD EXCHANGE & VISITATION FUND	\$ 43,084.18	\$ 8,746.24	\$ -	\$ 51,830.42
FUND - 079 SPAYING & NEUTERING FUND	\$ 37,111.38	\$ 250.00	\$ (1,355.35)	\$ 36,006.03
FUND - 080 COMM. CORR. FUND	\$ 909,185.97	\$ 254,691.25	\$ (125,326.37)	\$ 1,038,550.85
FUND - 102 AIRPORT IMP. PROJECT FUND	\$ -	\$ -	\$ -	\$ -
FUND - 104 ELKINS ROAD PSD FUND	\$ -	\$ 7,788.10	\$ (7,788.10)	\$ -
FUND - 105 ADRIAN PSD WATERLINE PHASE VI FUND	\$ -	\$ -	\$ -	\$ -
Fund - 245 UPSHUR COUNTY WELLNESS COMPLEX FUND	\$ 4,760.00	\$ -	\$ -	\$ 4,760.00
FUND - 248 IND. PARK SEWER FUND	\$ -	\$ -	\$ -	\$ -
FUND - 311 DMV LICENSE FUND	\$ -	\$ 43,273.00	\$ (43,273.00)	\$ -
FUND - 312 CRIMINAL CHARGES FUND	\$ 45.00	\$ 1,414.10	\$ (1,414.10)	\$ 45.00
FUND - 313 COURT REPORTER FUND	\$ -	\$ -	\$ -	\$ -
FUND - 314 STATE FINES FUND	\$ -	\$ -	\$ -	\$ -
FUND - 315 STATE POLICE FUND	\$ 60.00	\$ 750.00	\$ (805.00)	\$ 5.00
FUND - 316 STATE CURRENT FUND	\$ -	\$ 1,042.20	\$ (1,042.20)	\$ -
FUND - 317 COURTHOUSE FACILITIES IMPROVEMENT FUND	\$ -	\$ -	\$ -	\$ -
FUND - 364 TAX LIEN FUND	\$ 179,364.84	\$ 7,103.43	\$ (4,171.33)	\$ 182,296.94
FUND - 365 DELQ. & NONENT LAND	\$ 1,665.22	\$ -	\$ -	\$ 1,665.22
FUND - 366 BOARD OF HEALTH FUND	\$ 456,637.33	\$ 17,772.39	\$ (50,126.84)	\$ 424,282.88
FUND - 369 WV DEPUTY SHERIFF'S RETIREMENT FUND	\$ 705.50	\$ 608.50	\$ (705.50)	\$ 608.50
FUND - 373 SCHOOL CURRENT FUND	\$ -	\$ 105,115.02	\$ (105,115.02)	\$ -
FUND - 374 SCHOOL EXCESS LEVY FUND	\$ -	\$ 53,160.39	\$ (53,160.39)	\$ -
FUND - 375 SCHOOL BOND FUND	\$ -	\$ -	\$ -	\$ -
FUND - 378 CITY CURRENT FUND	\$ -	\$ 10,771.85	\$ (10,771.85)	\$ -
FUND - 379 CITY VOTED LIBRARY FUND	\$ -	\$ 1,292.57	\$ (1,292.57)	\$ -
FUND - 206 COVID 19 FUND	\$ -	\$ -	\$ -	\$ -
FUND - 207 AMERICAN RECOVERY FUND	\$ 2,302,516.59	\$ 100.93	\$ -	\$ 2,302,617.52
FINAL TOTALS	\$ 9,916,209.99	\$ 985,506.21	\$ (1,156,654.86)	\$ 9,745,061.34
BALANCE IN COUNTY DEPOSITORIES AT END OF MONTH:	\$ 9,981,996.40	\$ -	\$ -	\$ -
ORDERS/DEBITS OUTSTANDING:	\$ (417,099.00)			
DEPOSITS/CREDITS OUTSTANDING:	\$ 178,413.94			
NET BANK BALANCE	\$ 9,743,311.34			
PETTY CASH / CASH DRAWERS	\$ 1,750.00			
CASH SPECIAL INVESTIGATION FUND	\$ -			
ADJUSTMENT	\$ -			
TOTAL IN COUNTY DEPOSITORIES AND OFFICE:	\$ 9,745,061.34			

I, Virgil D. Miller, Sheriff of Upshur County do solemnly swear that the foregoing is a true and correct statement to the best of my knowledge.


 Virgil D. Miller
 Sheriff & Treasurer, Upshur County

6/22/2022



Upshur County Sheriff's Financial Statement

For Period Ending: May 2022

Bank Balance Listing

BANK NAME	ACCOUNT NAME	BANK BALANCE	OUTSTANDING CHECKS/DEBITS	OUTSTANDING DEPOSITS/CREDITS	BOOK BALANCE
FIRST COMMUNITY BANK					
	CURRY LIBRARY-MMA	\$ 0.01	\$ -	\$ -	\$ 0.01
	BOARD OF HEALTH-MMA	\$ 6,904.47	\$ -	\$ -	\$ 6,904.47
	BOARD OF HEALTH-CKNG	\$ 100.00	\$ -	\$ -	\$ 100.00
	BANK TOTAL	\$ 7,004.48	\$ -	\$ -	\$ 7,004.48
CITIZENS BANK OF WEST VIRGINIA					
	GENERAL COUNTY FUND - IBCK	\$ 942,320.33	\$ -	\$ 81,967.37	\$ 1,024,287.70
	COAL SEVERANCE - IBCK	\$ 67,521.44	\$ -	\$ -	\$ 67,521.44
	E-911 - IBCK	\$ 1,214,295.80	\$ -	\$ -	\$ 1,214,295.80
	CURRY PARK - IBCK	\$ 27,212.20	\$ -	\$ -	\$ 27,212.20
	CURRY LIBRARY - IBCK	\$ 11,328.07	\$ -	\$ -	\$ 11,328.07
	ASSESSOR'S VALUATION - IBCK	\$ 260,232.83	\$ -	\$ 2,683.77	\$ 262,916.60
	UP. CO. FIN. STAB. FUND - IBCK	\$ 1,624,207.93	\$ -	\$ -	\$ 1,624,207.93
	CONCEALED WEAPONS - IBCK	\$ 25,174.74	\$ (75.00)	\$ 260.00	\$ 25,359.74
	GENERAL TAX - IBCK	\$ 180,803.72	\$ (254,815.48)	\$ 74,011.76	\$ -
	BOARD OF HEALTH FUND - IBCK	\$ 405,804.38	\$ -	\$ 205.58	\$ 406,009.96
		\$ -	\$ -	\$ -	\$ -
	OASIS CLEARING - CKNG	\$ -	\$ -	\$ -	\$ -
	UPSHUR CO. FIRE FEE - IBCK	\$ 22,202.49	\$ (12,716.22)	\$ 345.00	\$ 9,831.27
	UP CO COAL REALLOCATION - IBCK	\$ 0.35	\$ -	\$ -	\$ 0.35
	EMPLOYEE BENEFITS - IBCK	\$ 1,066,490.10	\$ -	\$ -	\$ 1,066,490.10
	SP LAW ENF INVESTIGATION - IBCK	\$ 2,487.53	\$ -	\$ -	\$ 2,487.53
	COMMUNITY CORRECTIONS - IBCK	\$ 1,038,673.86	\$ (123.01)	\$ -	\$ 1,038,550.85
	PARKS/REC CLEARING - CKNG	\$ 6,038.13	\$ (6,038.13)	\$ -	\$ -
	ADDRESSING/MAPPING CLEARING	\$ 120.00	\$ (120.00)	\$ -	\$ -
	TAX CLEARING - CKNG	\$ 56,792.96	\$ (69,522.42)	\$ 12,729.46	\$ -
	BOARD OF HEALTH PAYROLL - CKNG	\$ 8,881.22	\$ (3,923.75)	\$ -	\$ 4,957.47
	GENERAL COUNTY OPERATING - CKNG	\$ 84,531.10	\$ (14,803.60)	\$ -	\$ 69,727.50
	DOG & KENNEL - CKNG	\$ 35,741.61	\$ (370.00)	\$ -	\$ 35,371.61
	GENERAL COUNTY MISC -CKNG	\$ 37,749.87	\$ -	\$ -	\$ 37,749.87
	WORTHLESS CHECK - IBCK	\$ 125,660.99	\$ -	\$ -	\$ 125,660.99
	HOME CONFINEMENT - IBCK	\$ 37,934.03	\$ -	\$ -	\$ 37,934.03
	EE HEALTH CARE REIMB - IBCK	\$ 42,819.32	\$ (755.63)	\$ -	\$ 42,063.69
	VOTER'S REGISTRATION - IBCK	\$ 1,116.19	\$ -	\$ -	\$ 1,116.19
	JURY - CKNG	\$ 15,453.49	\$ (373.13)	\$ -	\$ 15,080.36
	CHILD EXCHG & VISITATION - CKNG	\$ 51,830.42	\$ -	\$ -	\$ 51,830.42
	SPAY & NEUTER - CKNG	\$ 35,960.03	\$ (200.00)	\$ 246.00	\$ 36,006.03
	ELKINS ROAD PSD - CKNG	\$ -	\$ -	\$ -	\$ -
	AMERICAN RECOVERY FUND - IBCK	\$ 2,302,617.52	\$ -	\$ -	\$ 2,302,617.52
	WELLNESS COMPLEX - CKNG	\$ 4,760.00	\$ -	\$ -	\$ 4,760.00
	DMV LICENSE - CKNG	\$ 37,546.00	\$ (43,273.00)	\$ 5,727.00	\$ -
	STATE CLEARING - CKNG	\$ 45.00	\$ -	\$ -	\$ 45.00
	STATE POLICE - CKNG	\$ 750.00	\$ (800.00)	\$ 55.00	\$ 5.00
	TAX LEIN - CKNG	\$ 187,669.36	\$ (5,372.42)	\$ -	\$ 182,296.94
	DELQ & NON-ENTERED LAND - CKNG	\$ 1,665.22	\$ -	\$ -	\$ 1,665.22
	BOARD OF HEALTH OPERATING - CKNG	\$ 10,128.19	\$ (3,817.21)	\$ -	\$ 6,310.98
	WVDSRF - CKNG	\$ 425.50	\$ -	\$ 183.00	\$ 608.50
	BANK TOTAL	\$ 9,974,991.92	\$ (417,099.00)	\$ 178,413.94	\$ 9,736,306.86
SUMMARY:					
	TOTAL ALL BANKS	\$ 9,981,996.40	\$ (417,099.00)	\$ 178,413.94	\$ 9,743,311.34
	PETTY CASH / CASH DRAWERS				\$ 1,750.00
	CASH SPECIAL INVESTIGATION FUND				\$ -
	GRAND TOTAL				\$ 9,745,061.34

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

June 24, 2022

Honorable Judge Jacob E. Reger
Upshur County Courthouse
40 W. Main St.
Buckhannon, WV 26201

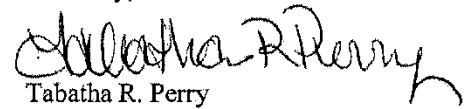
Re: Magistrate Court Bailiff Services FYE 22 Invoice

Honorable Judge Reger:

The enclosed invoice and cover letter from Sheriff Miller were received by the Commission Office on June 24, 2022. As evidenced in the enclosed spreadsheet, the Magistrate Court Fund has been depleted to compensate Upshur County for Magistrate Court office space rental fees. Therefore, the Commission respectfully requests permission to process payment for the invoice in the amount of five thousand one hundred ninety-seven dollars and fifty cents (\$5,197.50) from the Worthless Check Fund.

If you require additional information or would like to discuss the request further, please feel free to contact me. Thank you in advance for your consideration.

Sincerely,


Tabatha R. Perry
County Administrator

Enclosures: As noted above

Magistrate Court office space square footage
Admin. Rules for the Magistrate Courts - Expenditures from magistrate court fund

An Equal Opportunity Employer

Upshur County Sheriff's Office

Virgil D. Miller, Sheriff

Heather D. Sparks
Chief Deputy
Tax Division

38 West Main Street, Room 103
Buckhannon, WV 26201
Tax Office Phone: 304-472-1180 • Law Enforcement Phone: 304-472-1182
Tax Office Fax: 304-472-0937 • Law Enforcement Fax: 304-472-4547

J. Michael Coffman
Chief Deputy
Law Enforcement

June 24, 2022


Upshur County Commission
Upshur County Administrative Annex
91 W. Main St., Suite 101
Buckhannon, WV 26201

Dear Commissioners:

Pursuant to Rule 3 of the West Virginia Judiciary Administrative Rules for the Magistrate Courts, please forward the attached invoice for Magistrate Court Bailiff Services for fiscal year ending (FYE) June 30, 2022 to the West Virginia Supreme Court of Appeals. Bailiff services were provided to the Magistrate Court on one hundred and forty-nine days (149) in FYE 2022.

If you have any questions, feel free to contact the Upshur County Sheriff's Office.

Sincerely,



Virgil D. Miller
Upshur County Sheriff

Enclosure: Invoice 0004

MAGISTRATE COURT BAILIFF HOURS - FYE 2022				
MONTH	HOURS	DAYS	RATE	TOTAL
Jul-21	76.5	10.00	\$35.00	\$350.00
Aug-21	113	15.00	\$35.00	\$525.00
Sep-21	92.75	12.00	\$35.00	\$420.00
Oct-21	100	13.00	\$35.00	\$455.00
Nov-21	81	9.00	\$35.00	\$315.00
Dec-21	71	9.00	\$35.00	\$315.00
Jan-22	93.5	10.50	\$35.00	\$367.50
Feb-22	94.5	12.00	\$35.00	\$420.00
Mar-22	112	14.00	\$35.00	\$490.00
Apr-22	116.5	15.00	\$35.00	\$525.00
May-22	108	14.00	\$35.00	\$490.00
Jun-22	120	15.00	\$35.00	\$525.00
TOTAL		149		\$5,197.50



INVOICE FOR MAGISTRATE COURT BAILIFF SERVICES

Invoice Date: 6/24/22 Invoice Number: 0004

Responsible Party: Supreme Court of Appeals of West Virginia in care of
Sue Troy, Director of Financial Management
Office of Court Administration
Supreme Court of Appeals of West Virginia
1900 Kanawha Blvd. E.
Building 1, Room E-100
Charleston, WV 25305

Invoice Amount Payable: Five Thousand One Hundred Ninety-Seven Dollars and 50/100 (\$5,197.50)

Invoice for provision of Magistrate Court Bailiff Services for the Fiscal Year Ending June 30, 2022.

Payable to: Upshur County Commission

Please Mail Payment to: Upshur County Administrative Annex

91 W. Main St., Suite 101, Buckhannon, WV 26201



TWENTY-SIXTH JUDICIAL CIRCUIT

KURT W. HALL
CHIEF JUDGE

UPSHUR COUNTY
UPSHUR COUNTY COURTHOUSE
POST OFFICE BOX 57
40 WEST MAIN STREET
BUCKHANNON, WEST VIRGINIA 26201
(304) 472-0195
FAX (304) 472-0194

June 28, 2022

LEWIS COUNTY
LEWIS COUNTY COURTHOUSE
117 COURT AVENUE
WESTON, WEST VIRGINIA 26452
(304) 269-8229
FAX (304) 269-2520

Joseph Armstrong
Court Administrator
WV Supreme Court of Appeals
E-400 State Capitol
1900 Kanawha Blvd. East
Charleston, WV 25305

RE: Approval for Magistrate Court Bailiff Services FYE 22 Invoice

Dear Mr. Armstrong:

I have been informed by the County Administrator for Upshur County, that there are insufficient funds in the Upshur County Magistrate Court fund to cover the expense for Bailiff Services in the Upshur County Magistrate Court for the fiscal year 2022.

Therefore, in accordance with Chapter 61, Article 3, Section 39h(c)(1), I am requesting you approve the expenditure of \$5,197.50 from the Upshur County Worthless Check Fund to cover the costs of the bailiff services for the Upshur County Magistrate Court for fiscal year 2022.

I appreciate your consideration to this request and if you should have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kurt W. Hall".

Kurt W. Hall, Chief Judge
26th Judicial Circuit

KWH/rl

Cc: Cindy Hughes, Adm.



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

Location: Upshur County Development Authority
21 E Main St, Conference Room First Floor
Buckhannon, WV 26201
Date: June 29, 2022
Time: 6:00 p.m.

AGENDA

CALL MEETING TO ORDER / ROLL CALL

PUBLIC QUESTIONS / COMMENT PERIOD

APPROVAL OF MINUTES: June 1, 2022

BUSINESS ITEMS – Discussion/Update/Action

- Queen easement – Status update:
- Current Application Update/Review
- Computer Quote

FINANCIAL MATTERS – Discussion/Update/Action

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

OTHER BUSINESS –

DATE OF NEXT MEETING –

ADJOURNMENT

**Buckhannon-Upshur Chamber of Commerce
Meeting Agenda
July 6, 2022**

Welcome

Minutes

Financial Report

Old Business

- Pool Banner Project Complete
- Façade Grant- Hanging Sign

New Business

- Lunch & Learn
 - August 23rd Noon- 1pm
 - Regulatory- Licensing/Tax
- Leadership Upshur
 - Now Accepting Applications

Reports from Collaborative Organizations and Standing Committees:

West Virginia Strawberry Festival
Upshur County Development Authority
Southern Upshur Business Association (SUBA)
Upshur County Convention and Visitor's Bureau (CVB)
Create Buckhannon
City of Buckhannon
County Commission
Mountain CAP of WV
WVWC
St. Joseph's Hospital
Rotary

Guest Speaker- E911 & Office Emergency Management

Announcements

Adjourn

**Upshur County Fire Board Special Meeting
May 31, 2022**

Members Present: Joe Gower, Sidney Huffman, Donna Matthews, Kristie Tenney, and Larry Alkire

Members Absent: Rick Harlow

Others Present: Toni Newman-Fire Fee Clerk

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

The meeting minutes from April 19, 2022, were approved on motion by Donna Matthews and second by Larry Alkire.

The Fire Fee Clerk reported the 2021 Fees are at 90 percent collected. The 2020 fees are at 91 percent collected. The research on default judgements is still being conducted. WV State Statute allows for debt collection up to 5 years. On April 28, 2022, Donna Mathews was approved by the commission for the next term on the Fire Board. The Fire Fee clerk has been getting calls from Quill (where most supplies are ordered from) to join the Plus Program with an annual membership fee. The Board vetoed the membership on motion by Donna Matthews and second by Larry Alkire.

The checking account balance as of 04/30/2022 was \$59,984.95. The disbursement from the Chief Tax Deputy was \$14,171.17 for April.

The following invoices were reviewed and approved upon motion by Sidney Huffman and second by Donna Matthews:

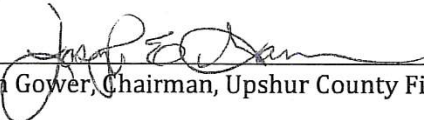
- *Software Systems---monthly maintenance---Invoice #36129---\$211.00
- *Upshur County Commission---Reimbursement---P-card---Supplies---\$458.94
- *Upshur County Commission---Reimbursement---Postage---\$490.45
- * Upshur County Commission---Reimbursement---GST---Waste toner cartridge---\$31.31

The WVCoRP coverage intent form was signed; the amount for this year is \$1,458.00.

The Board approved seven exoneration tickets. There were no corrective tickets this month.

After discussion, the Board, on motion by Kristie Tenney and second by Donna Matthews, the Board approved the final disbursement of 2021 Fire Fee funds of \$4,500.00 per VFD.

There being no further business, the meeting adjourned at 7:30 pm. The next meeting of the Board will be June 21, 2022.


Joseph Gower, Chairman, Upshur County Fire Board


Donna Matthews
Board Member