

## Upshur County Commission Agenda

Location of Meeting: Upshur County Courthouse Annex  
Date of Meeting: February 8, 2018

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance  
Approval of Minutes:  
• February 1, 2018

9:05 a.m. Lori Ulderich Harvey on behalf of the Upshur County Family Resource Network Tobacco Prevention Coalition – Presentation of “Through with Chew Week” Proclamation Page 1-2

### Items for Discussion / Action / Approval:

1. Review and signature of correspondence to Todd Goddard, Community Development Representative, enclosing Community Development Block Grant – Small Cities Block Grant Request for Payment for the Elkins Road PSD Phase III Water System Improvements in the amount of \$9,264.00. This is for Request for Funds #6. Page 3-5
2. Correspondence from Joseph N. Geiger, Jr., Director of the WV Archives and History, announcing the award of \$10,000 to be used by the Circuit Clerk’s office to digitize chancery and law case files, the award of \$955 to be used by the Assessor’s office to purchase a color scanner and requesting a response with the Commission’s intent to pursue the records project. Page 6
3. Discussion and approval of contracting housecleaning work with Jane Cutlip of Quality Home and Office Cleaning for the Courthouse, Administrative Annex and Communications Center. These services will be provided on a temporary basis for up to twelve weeks while additional quotes are received and the vacant housekeeper position is advertised. Under separate cover
4. Review and signature of revised Professional Services Agreement between the Upshur County Commission and the Region VII Planning and Development Council to obtain GIS professional services to assist with the telephone conversion portion of the addressing and mapping project. Upon approval, the project would be completed no later than June 30, 2018 and the cost is not to exceed \$10,000. Page 7-8
5. Review and approval of an Order declaring opioid issues in Upshur County as a public nuisance, as permitted by WV Code §7-1-3kk. After being duly adopted, the Upshur County Commission shall take any and all actions which it deems proper and necessary to abate the public nuisance caused by the opioid crisis, including the filing of a legal action against any responsible parties. Page 9-10
6. Approval and signature of Contingent Fee Contract with Fitzsimmons Law Firm PLLC. This contract authorizes Fitzsimmons Law Firm PLLC to take charge and prosecute by claim or suit for damages to final determination by all necessary legal proceedings or by compromise or settlement a claim for damages caused by the opioid epidemic against certain pharmaceutical manufacturers, distributors, suppliers and all others who may be potentially liable. Page 11-14

7. Approval and signature of correspondence to Ms. Connie Boley-Lilly with the Federal Aviation Administration requesting a change in the designation of direct deposit account for FAA grant funding for the Upshur County Regional Airport. Page 15
8. Approve Invoices for Payment, Purchase Card Invoices for Payment, Budget Revisions / Financial Reports or Information, Correction of Erroneous Assessments, Exonerations/Refunds, Grant Updates / Requests for Reimbursements, Final Settlements, Vacation Orders, Consolidation of Land Tracts, Facility Maintenance Concerns or Updates, Road Name Requests, Project Reports / Updates, Request to Attend Meetings, Request for Day(s) Off.

**For Your Information:**

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

1. Correspondence from Governor Jim Justice committing the remaining one million two hundred sixteen thousand five hundred sixty six dollars (\$1,216,566) from the State's FY 2017 CDBG allocation for the Elkins Road PSD, Phase III Water System Improvement Project. Page 16-17
2. U.S. EPA Brownfields Grant Quarterly Progress Report for period October 1, 2017 through December 31, 2017. Page 18-21
3. WV Courthouse Facilities Improvement Authority Fund Progress Report for period October 31, 2017 through January 20, 2018. Page 22-23
4. Atlantic Coast Pipeline Construction Update – January 2018 Page 24-28
5. Newsletters and/or Event Notifications:
  - CAHHS, Inc. Community Lecture Series hosted by Rescare – February 15<sup>th</sup> from 12pm to 4pm at the Best Western in Bridgeport. Page 29
6. Agendas and/or Notice of Meetings:
 

<ul style="list-style-type: none"> <li>• Elkins Road PSD</li> <li>• Upshur County Public Library</li> <li>• Buckhannon-Upshur Airport Authority</li> <li>• Upshur County Safe Structures and Sites Enforcement Board</li> <li>• Upshur County Solid Waste Authority</li> <li>• City Council of Buckhannon-Special Session</li> </ul>	February 6, 2018 February 13, 2018 February 8, 2018 February 8, 2018 February 12, 2018 February 27, 2018	<u>Page 30</u> <u>Page 31</u> <u>Page 32</u> <u>Page 33</u> <u>Page 34</u> <u>Page 35</u>
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7. Meeting Minutes:
8. Meetings:
 

<ul style="list-style-type: none"> <li>• 02/06/18</li> <li>• 02/06/18</li> <li>• 02/01/18</li> <li>• 02/01/18</li> <li>• 02/12/18</li> <li>• 02/12/18</li> <li>• 02/12/18</li> <li>• 03/05/18</li> </ul>	5:30 p.m. 4:00 p.m. 7:00 p.m. 7:00 p.m. 12:00 p.m. 4:30 p.m. 5:30 p.m. 6:00 p.m.	Elkins Road PSD Hodgesville PSD Banks District VFD Selbyville VFD Upshur County Family Resource Network Upshur County Solid Waste Authority Buckhannon-Upshur Recreational Park Advisory Board Lewis-Upshur Community Corrections Board-Upshur County
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- 02/13/18 7:30 p.m. Adrian VFD
- 03/01/18 6:00 p.m. Buckhannon-Upshur Board of Health
- 02/21/18 7:00 a.m. Upshur County Development Authority – Executive Board
- 02/14/18 12:00 p.m. Upshur County Senior Center Board
- 02/08/18 3:00 p.m. Upshur County Conventions & Visitors Bureau
- 02/14/18 6:00 p.m. Upshur County Citizens Corp – CERT
- 02/14/18 7:30 p.m. Warren District VFD
- 02/08/18 1:00 p.m. Adrian PSD
- 02/14/18 3:00 p.m. Tennerton PSD
- 02/08/18 4:00 p.m. Upshur County Safe Sites & Structures Ordinance Board
- 02/08/18 7:30 p.m. Buckhannon VFD
- 02/08/18 4:00 p.m. Buckhannon Upshur Airport Authority
- 02/22/18 6:30 p.m. Upshur County Youth Camp Board
- 02/18/18 6:00 p.m. Washington District VFD
- 02/19/18 12:00 p.m. Buckhannon-Upshur Chamber of Commerce
- 02/13/18 4:00 p.m. Upshur County Public Library Board
- TBD 10:00 a.m. Wes-Mon-Ty Resource Conservation & Development Council
- 02/20/18 6:30 p.m. Upshur County Fire Board, Inc.
- 02/20/18 5:00 p.m. UC Enhanced Emergency Telephone Advisory Board
- 02/14/18 7:00 p.m. Ellamore VFD
- 02/21/18 12:00 p.m. Lewis Upshur LEPC --- Lewis location
- 02/15/18 3:00 p.m. Upshur County Farmland Protection Board
- 03/28/18 10:00 a.m. James W. Curry Advisory Board
- 01/29/18 6:00 p.m. Upshur County Fire Fighters Association
- 02/14/18 7:00 p.m. Buckhannon River Watershed Association - Board of Directors
- 02/26/18 10:00 a.m. Mountain CAP of WV, Inc. a CDC

9. Appointments Needed or Upcoming:

10. Board of Review & Equalization Meeting Schedule

- 02/01/2018 1:00 p.m. – 3:00 p.m. No appointments ---Review Property Books
- 02/06/2018 9:00 a.m. – 11:00 a.m. Coal, Oil & Gas and Industrial Appointments
- 02/09/2018 1:00 p.m. – 3:00 p.m.
- 02/14/2018 1:00 p.m. – 3:00 p.m.
- 02/16/2018 9:00 a.m. – 11:00 a.m. Adjournment

*These meetings will take place at the Upshur County Administrative Annex*

Tabled Items

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

The County Commission will sit as the Board of Review & Equalization beginning at 1:00 p.m. on the 1st day of February, 2018, and shall continue until the work is complete but will adjourn no later than the close of business on the 16<sup>th</sup> day of February, 2018.

Next Regular Meeting of the Upshur County Commission  
February 15, 2018 --- 9:00 a.m.  
Upshur County Courthouse Annex

**\*The regularly scheduled Commission Meeting scheduled for Thursday, March 8, 2018 has been CANCELLED\***





### Through with Chew Week

Whereas, the Upshur County Commission is concerned about the health of the citizens of the town because historically, when compared with the rest of the nation, West Virginia has had very high rates of smokeless tobacco use, and

Whereas, many of the town youth and adults are known to use spit tobacco, and

Whereas, the rate of spit tobacco usage reported by West Virginia male high school students, 23 percent, is one of the highest in the nation, and

Whereas, the rate of usage among West Virginia adult males, 15.9 percent, is twice the average of males across our nation, and

Whereas, people who consume 8-10 dips or chews per day receive the same amount of nicotine as a heavy smoker who smokes 30-40 cigarettes a day, and

Whereas, spit tobacco contains 28 known carcinogens, including formaldehyde and nickel, and

Whereas, the health care costs in West Virginia, directly caused by smoking, amount to \$1.00 billion annually, and

Whereas, spit tobacco users are up to 50 times more likely to get oral cancer than non-users Also spit tobacco increases a person's risk of cancers of the lip, tongue, cheeks, gums, floor and roof of the mouth, throat, larynx and esophagus,

Therefore, the Upshur County Commission does hereby declare February 19<sup>th</sup> to 23<sup>rd</sup> as Through with Chew Week. In so doing, the commissioners urge citizens to make publicly known the dangers of spit tobacco use and also urge spit tobacco

users to demonstrate to themselves, their friends and their families that they can quit for at least one day during Through with Chew week.

Dated February 8, 2018

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Samuel Nolte, President, Upshur County Commissioner

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Terry Cutright, Upshur County Commissioner

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Troy "Buddy" Brady, Upshur County Commissioner

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

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

TDD Numbers  
Business: 472-9550

February 8, 2018

Mr. Todd Goddard  
Community Development Representative  
WV Development Office  
1900 Kanawha Boulevard, East  
Building 3, Suite 700  
Charleston, WV 25305

**RE: Upshur County Commission—Elkins Road PSD Phase III Water System Improvements  
Small Cities Block Grant Project #16SCBG0008  
Request for Funds #6**

Dear Mr. Goddard:

In accordance with the drawdown procedures established by the State, this letter of transmittal contains a progress report on the above-referenced project to support the enclosed Request for Payment:

1. **Administration**— All evidentiary materials have been submitted and exempt activities have been approved by the WVDO. Currently, the environmental review is in progress. Amount requested is \$0.00.
2. **Engineering**— Study and Report Phase is 100% complete and the preliminary design phase is approximately 90% complete. Amount requested is \$9,264.00.

The total amount of this request is \$9,264.00. If you have any questions or comments, please contact our project administrators at 304-472-6564.

Sincerely,

Samuel R. Nolte  
President

Enclosure



**Community Development Block Grant -Small Cities Block Grant Program  
REQUEST FOR PAYMENT**

(4)

**TO:** West Virginia Development Office  
1900 Kanawha Boulevard, East  
Building 3, Room 700  
Charleston, WV 25305  
304-558-2234 304-558-3248

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

<b>Project Name</b>	Elkins Road PSD Phase III Water System Improvements			<b>Project #</b>	16SCBG0008	
<b>Drawdown #</b>	6			<b>% of Project Complete</b>	19.0%	
<b>Time Period Covered by this Request:</b>				1/12/2018	TO	2/8/2018
<b>Amount of CDBG Funds on hand at the time of this Request</b>				\$ -		
<b>COST CATEGORIES</b>	<b>APPROVED BUDGET AMOUNT</b>	<b>AMOUNT REQUESTED TO DATE</b>	<b>AMOUNT REQUESTED THIS DRAW</b>	<b>TOTAL AMOUNT REQUESTED</b>	<b>AMOUNT DISBURSED TO DATE</b>	<b>BALANCE</b>
Administration	\$20,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,000.00
Arch/Engineering	\$263,434.00	\$44,469.00	\$9,264.00	\$53,733.00	\$44,469.00	\$209,701.00
Land Acquisition						
Construction						
Permits/Ads/Fees						
Other						
Other						
<b>SUB-TOTAL:</b>	<b>\$ 283,434.00</b>	<b>\$ 44,469.00</b>	<b>\$ 9,264.00</b>	<b>\$ 53,733.00</b>	<b>\$ 44,469.00</b>	<b>\$ 229,701.00</b>
Less Income						
<b>TOTAL:</b>	<b>\$ 283,434.00</b>	<b>\$ 44,469.00</b>	<b>\$ 9,264.00</b>	<b>\$ 53,733.00</b>	<b>\$ 44,469.00</b>	<b>\$ 229,701.00</b>

**PROGRESS REPORT: REQUEST FOR PAYMENT WILL NOT BE PROCESSED WITHOUT PROGRESS REPORT.**

Region VII Planning and Development Council has assisted the Commission with completing the Evidentiary Materials. The project engineers, Chapman Technical Group, has started the design and is 100% complete with the Study and Report Phase and 90% complete with the Preliminary Design.

I certify costs claimed by this report are correct and just and based upon actual requirements; that work and services are in accordance with the approved project agreement; and that work and services are satisfactory and consistent with the amount claimed. Supporting documents are attached to verify costs claimed and are available locally for audit and inspection. City, county, or other direct recipients of funds are not involved in any court litigation or lawsuit involving any applicable laws contained in the grant contract

**Chief Elected Official**

**Date**

*Original Signature Required*

*Copies of Invoices Required*



Elkins Road PSD

JAN 23 2018

RECEIVED

# INVOICE



Elkins Road Public Service District  
Attn: Carey Wagner, Chairperson  
4536 Old Elkins Rd  
Buckhannon, WV 26201

December 31, 2017

Project No: 0000007006.00

Invoice No: 0017182

Project 0000007006.00 Elkins Road PSD-Phase III WSI  
Re: Elkins Road PSD Phase III WSI  
Professional Services from November 19, 2017 to December 30, 2017  
Fee

Billing Phase	Fee	Percent Complete	Earned
Study & Report Phase	65,000.00	100.00	65,000.00
Preliminary Design	164,400.00	90.00	138,960.00
Final Design	205,600.00	0.00	0.00
Bidding & Contracting	25,700.00	0.00	0.00
Construction Phase	128,300.00	0.00	0.00
Surveying Services	7,500.00	0.00	0.00
Financing Services	3,500.00	4.2857	150.00
Record Drawings	15,000.00	0.00	0.00
PSC Services	4,000.00	0.00	0.00
Geotechnical Engineering Services	5,000.00	0.00	0.00
Resident Construction Observation	537,000.00	0.00	0.00
** Tank Inspection	4,700.00	100.00	4,700.00
Total Fee	1,155,700.00		208,810.00
		Previous Fee Billing	177,930.00
		Current Fee Billing	30,880.00
		Total Fee	30,880.00
		Total this Invoice	\$30,880.00

Billing Note:  
SCBG Eligible (30%) \$9,264  
(except Tank Inspection)

\*\* Denotes Amendment No. 1 (Not SCBG Eligible)

PLEASE REMIT TO:  
Chapman Technical Group  
c/o GRW Engineers  
801 Corporate Dr.  
Lexington, KY 40503  
304.727.5501  
www.chaptach.com





  
**The Culture Center**  
1900 Kanawha Blvd., E.  
Charleston, WV 25305-0300

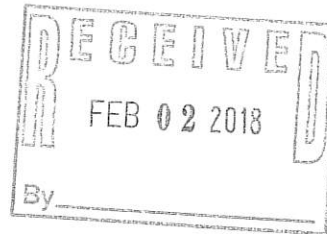
**Randall Reid-Smith, Commissioner**

Phone 304.558.0220 • [www.wvculture.org](http://www.wvculture.org)  
Fax 304.558.2779 • TDD 304.558.3562

EEO/AA Employer

February 1, 2018

The Honorable Terry Cutright, President  
Upshur County Commission  
38 West Main Street, Room 302  
Buckhannon, West Virginia 26201



Dear President Cutright:

The Records Management and Preservation Board recently reviewed your county records grant application and approved a grant award of \$10,955 to the Upshur County Commission to be used as follows:

**Circuit Clerk: \$10,000** to digitize chancery and law case files. It is the responsibility of the county and office holder to verify the digital images are exact duplicates of the original records and to provide copies of all images in JPEG or TIFF format to the State Archives. The images provided will not be retained beyond the life of the storage device.

**Assessor: \$955** to purchase a color scanner that is compatible with the office's records management system.

On behalf of the Board, we ask that you respond within fifteen days from the date of this letter with your intent to pursue your records project. Please direct your written reply to me by postal mail or e-mail ([joe.n.geiger@wv.gov](mailto:joe.n.geiger@wv.gov)). **This is only an unofficial offer of funding and no activities relating to the grant should be undertaken based on this letter.** The county must provide cash matching funds of at least ten percent for all grant expenditures. This grant would be for the fiscal year July 1, 2018-June 30, 2019.

The Records Management and Preservation Board's grant program functions in accordance with Legislative Rule Title 100 Series 1 (100CSR1) and the grant information and application issued September 2017. If you do not think the Board considered and acted fairly on your grant submission, an appeals process is outlined in 100CSR1, 5.8, which is available on-line at <http://www.wvculture.org/history/rmpb/rmpb100-1.html>. If you have any questions regarding the grant appeal process, or if we can provide any technical assistance to address your immediate records management needs, please contact us by telephone at (304) 558-0230, e-mail, or at the postal address provided below.

Sincerely,

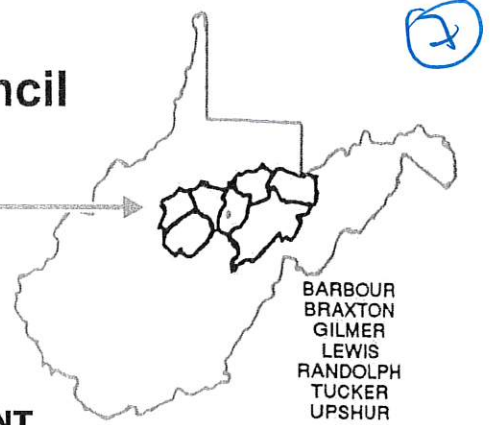
A handwritten signature in black ink, appearing to read "Joseph N. Geiger Jr." with a stylized flourish at the end.

Joseph N. Geiger Jr., Director  
West Virginia Archives and History

cc: Carrie Wallace County Administrator  
Brian Gaudet, Circuit Clerk  
Dustin Zickefoose, Assessor

# Region VII Planning and Development Council

99 EDMISTON WAY • SUITE 225 • BUCKHANNON, WV 26201  
PHONE: (304) 472-6564 • FAX (304) 472-6590



## PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2018, by and between the Upshur County Commission hereinafter referred to as the "COUNTY" and the Region VII Planning and Development Council, hereinafter referred to as the "COUNCIL", set forth as follows:

WHEREAS, the COUNTY needs to complete the requirements pertaining to the county-wide addressing and mapping project; and

WHEREAS, the COUNTY has determined that it needs to obtain GIS professional services to assist with the telephone conversion portion of the project; and,

WHEREAS, the COUNCIL has had extensive experience in the development and management of these types of GIS activities,

NOW, THEREFORE BE IT RESOLVED, the COUNTY and the COUNCIL do agree as follows:

ARTICLE 1: The COUNCIL agrees to provide technical assistance to the COUNTY and its staff in all matters relating to the completion of the COUNTY's 911 Addressing and Mapping Project. These duties will include, but are not limited to, the following:

1. Obtain address and telephone data from Frontier Telecommunications and the Upshur County Addressing and Mapping office for customers that have not been included in the update thus far.
2. Utilize address and telephone data, develop a system for matching telephone numbers with the current 911 addresses in Upshur County.
3. Match and verify current 911 addresses and telephone numbers for customers included in update at 90% rate.
4. Develop spreadsheet with updated address/telephone number information for Upshur County Addressing and Mapping office.

ARTICLE II: The COUNCIL agrees to provide the COUNTY periodic updates concerning the progress made on the project. The project will be completed no later than June 30, 2018.

ARTICLE III: The total compensation for the professional services herein set forth is to not exceed \$10,000.00. Both parties agree that payment will not be made until the project has been completed by the COUNCIL and accepted by the COUNTY.

ARTICLE V: This agreement may be altered upon mutual agreement of both parties. It may also be terminated by either party upon the service of a thirty-day notice so stating.

IN WITNESS HEREOF, the COUNTY and the COUNCIL have executed this agreement on or as of the date first written above.



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Shane Whitehair  
Executive Director  
Region VII Planning & Development Council  
99 Edmiston Way, Suite 225  
Buckhannon, WV 26201

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



**IN THE COUNTY COMMISSION OF  
UPSHUR COUNTY, WEST VIRGINIA**

IN RE: Opioid issues in Upshur County a public nuisance

**ORDER**

The County Commission of Upshur County, West Virginia (Upshur County Commission) hereby finds and declares:

(1) That addiction to and abuse of opioids is one of the greatest challenges facing Upshur County;

(2) A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioid pain pills were sold, distributed and prescribed in Upshur County over the past several years which practice continues today;

(3) There is evidence showing that approximately four in five heroin users began their addiction by first using and then misusing prescription pain medications containing opioids;

(4) The selling, distributing and prescribing of large amounts of opioid pain pills in our community has created a public health and safety hazard affecting the residents of Upshur County, resulting in devastation to our families, a negative effect to our economy, wasted public resources and a generation of narcotic dependence;

(5) That massive selling, distributing and prescribing of prescription opioid pills, including hydrocodone and oxycodone, is a hazard to public health and safety, which has created a public nuisance to the citizens of Upshur County, and said nuisance remains unabated. (“A *public nuisance* is an act or condition that unlawfully operates to hurt or inconvenience an indefinite number of persons. The distinction between a public nuisance and a private nuisance is that the former affects the general public, and the latter injures one person or a limited number of persons only. Ordinarily, a suit to abate a public nuisance cannot be maintained by an individual in his private capacity, as it is the duty of the proper public officials to vindicate the rights of the public.” *Sharon Steel Corp. V. City of Fairmont*, 175 W. Va. 479, 483, 334 S.E.2d 616, 620 (1985));

(6) That, in addition to all other powers and duties now conferred by law upon County Commissions in the State of West Virginia, the Upshur County Commission is “authorized to enact ordinances, issue orders and take other appropriate and necessary actions for the elimination of hazards to public health and safety and to abate or cause to be abated anything which the commission determines to be a public nuisance.” West Virginia Code §7-1-3kk;

(7) That manufacturers of prescription opioids and those in the chain of distribution have wrongfully abused the privilege of selling and/or providing medication to our residents, and must be held accountable; and

(8) That it is the duty of the Upshur County Commission to vindicate the rights of the citizens of Upshur County and take action to abate this public nuisance.

Accordingly, it is hereby **ORDERED** that the Upshur County Commission shall take any and all actions which it deems proper and necessary to abate the public nuisance caused by the opioid crisis, including the filing of a legal action against any responsible parties.

The adoption of the foregoing Order having been made by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and unanimously adopted.

**WHEREUPON**, \_\_\_\_\_, President, declared said Order duly adopted; and it is therefore **ADJUDGED, ORDERED** and **DECREED** that this Order be, and the same is hereby adopted this \_\_\_\_ day of February, 2018.

\_\_\_\_\_  
President

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

## CONTINGENT FEE CONTRACT

This **Agreement**, made this \_\_\_\_ day of \_\_\_\_\_, 2018, by and between the County Commission of Upshur County, West Virginia, hereinafter referred to as "**CLIENT**"

A  
N  
D

**FITZSIMMONS LAW FIRM PLLC** hereinafter referred to as "**ATTORNEY.**"

### W I T N E S S E T H:

1) **Client** employs **Attorney** to represent it and to take charge and prosecute by claim or suit for damages to final determination by all necessary legal proceedings or by compromise or settlement a claim for damages caused by the opioid epidemic against certain pharmaceutical manufacturers, distributors, suppliers, and all others who may be potentially liable.

2) **Client** authorize **Attorney** to institute and prosecute a suit or claim against such person, firms, associations, political bodies, governmental units or corporations as **Attorney**, in its sole discretion, deems desirable or necessary, and to further prosecute said claim or suit in any manner that **Attorney** deems best and advisable to final judgment and/or to negotiate, compromise or settle the claim, with or without suit, provided, however, that no claim or suit shall be compromised or settled without the approval and consent of **Client**.

3) **Client** agrees to pay **Attorney** all of the actual necessary expenses incurred by **Attorney** in connection with the investigation of the case, litigation and/or settlement. Expenses shall include, but are not limited to, the following: travel expenses, court reporter fees, deposition transcripts, long distance telephone toll charges, photocopies, postage, express mailing, expert fees, investigations, computer searches, research expenses, expert travel expenses, videotaping and any other expense that **Attorneys** deem necessary and in the best interest of the case.

4) **Client** agrees to pay **Attorney** an amount equal to twenty five percent (25%) of any amount, in any manner or form, whether consisting of money, lands, personalty or other assets of the gross recovery; or thirty-three and one-third percent (33 1/3 %) if a second trial takes place, the action is appealed by any party, or if any additional action is required in order to recover monies, to determine insurance coverage or defend any claim against **Client** filed in the action seeking damages or if a claim must be filed against any insurance carrier.

5) If **Attorney** seeks an award of attorney fees and/or costs as sanctions or damages against a party litigant and if such attorney fees and costs are awarded to **Attorney**, any such



award shall be in addition to, and not in lieu of, the attorney fees and costs provided for herein and shall be paid to **Attorney** in addition to the other fees herein provided.

6) **Attorney** shall receive NO compensation in the event **Client** is unsuccessful in settling or receiving judgment.

7) In the event **Attorney** is still the attorney of record at the conclusion of this case, and further in the event that no monies are recovered on behalf of **Client** after the exhaustion of any and all appellate rights, and in the further event that there are outstanding expenses, it is specifically agreed by and between the parties that **Client** will not be responsible for any outstanding expenses.

8) **Client** authorizes **Attorney** at **Attorney's** sole option to withhold and/or pay from any sums received by way of settlement or otherwise in the prosecution of the claim.

(A) Attorney fees herein provided;

(B) Any costs or expenses not yet reimbursed to **Attorney**;

(C) Any other obligations legally owed by **Client** arising out of the claim for which **Attorney** was employed including but not limited to any liens, claims for reimbursement, or subrogation.

9) **Attorney** shall have a lien on all monies or properties received in settlement or recovered in judgment or decree, execution, garnishment or by any other proceeding whatsoever for the attorney fees and expenses advanced.

10) In the event any person or entity asserts a lien on any of the monies sought or collected on behalf of **Client**, **Client** authorizes **Attorney** to hold in trust such monies until resolution of any such claim or lien. **Client** specifically authorizes and consents to **Attorney** negotiating the payment of any and all liens in such amount as they deem advisable.

11) In the event **Attorney** negotiates and recommends acceptance of what **Attorney** considers to be a fair and reasonable settlement and **Client** refuses to accept said settlement, **Client** hereby agrees to reimburse **Attorney** for all outstanding costs as of the date of the rejection of said settlement, as well as advance all future costs. Alternatively, **Attorney** may declare this contract null and void and shall be entitled to *quantum meruit*, which is a legal doctrine establishing the fee owed.

12) In the event **Client** discharges **Attorney** without good cause or in the event **Client** refuses to pursue this action, in good faith, **Attorney** shall thereupon have the right, after withdrawing from representation, to receive from **Client** fees based upon the percentage of any outstanding offer of settlement or an hourly fee to be determined by a court of law, whichever is greater, along with any and all outstanding costs.

13) **Client** hereby agrees to release **Attorney** from any further responsibility under this contract, and **Attorney** agrees to release **Client** from any further responsibility under this

contract in the event **Attorney** determines any of the following: it is not feasible to pursue this case to conclusion in **Attorney's** opinion; it appears to **Attorney** that circumstances have developed which hinder continued effective litigation of the case; that continued litigation would not be cost effective or result in a sustainable or collectable judgment; or **Client** engages in conduct which renders it unreasonably difficult for **Attorney** to carry out the employment effectively.

14) **Attorney** will not provide any tax advice to **Client**. Different types of damages received in a settlement or by a verdict may be taxable, and **Attorney** will not in any way provide tax advice or information as to what amounts received for this claim, whether by settlement or by verdict, are taxable.

15) At the conclusion of the claim or suit, **Attorneys** will maintain the case file for a period of one (1) year. **Client** may advise **Attorney** in writing that **Client** wants it records at any time during this one (1) year period. If **Client** does not advise **Attorney** in writing within a year, **Client** hereby authorizes **Attorney** to shred and/or destroy all records and other items which formed a part of the case file.

16) **Client** acknowledges that **Attorney** has not made any guarantees or warranties regarding the successful resolution of any claim or the value of said claim. Any expression relative to the claim which is the subject matter of this contract are merely the opinions of **Attorney** and shall not be considered as express or implied warranties of the claim's outcome or result.

17) **Client** hereby agrees to designate a representative to receive correspondences and discuss the litigation status, strategy and resolution.

18) **Client** hereby agrees to provide access to any and all agencies and departments necessary to establish damages in this case.

19) All correspondence and notices from **Attorney** will be sent to **Client** at the address set forth in the first paragraph of this Contract, and **Attorney** will not be responsible for any changes of address unless notification is provided by **Client** to **Attorney** in writing.

20) **Client** authorizes **Attorney** to retain such additional counsel as **Attorney** may deem advisable, such counsel to be paid by **Attorney** out of its fee as previously set forth. This authorizes **Attorney** to hire other counsel as local counsel or co-counsel or to work with forwarding counsel as long as the net fee to **Client** does not exceed the amount agreed to in this contract and all such fees shall be paid from **Attorney's** fees.

21) **Client** acknowledges receipt of a copy of this Contingent Fee Contract, acknowledges that all blanks have been filled in prior to signing, and that the contract has been fully explained by **Attorneys**, **Client** had the opportunity to ask any questions pertaining to the Contract, and acknowledge complete understanding and agreement with the same.

**In Witness Whereof, Client** have set his/her/their hands and **Attorney** has caused these presents to be executed on the day and year first above written.

**FITZSIMMONS LAW FIRM PLLC**

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

**COUNTY COMMISSION OF UPSHUR COUNTY, W.VA.**

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

Its: \_\_\_\_\_



15



**PO Box 1042**

**Buckhannon, WV 26201**

**304-472-9437**

January 5, 2018

Ms. Connie Boley-Lilly  
Federal Aviation Administration  
176 Airport Circle  
Beaver, West Virginia 25813-9350

**Re: Change in designation of direct deposit  
account for FAA grant funds**

Dear Ms. Boley-Lilly:

The purpose of this letter is to request a change in the designation of direct deposit account for FAA grant funding for Upshur County Regional Airport. As you know, the FAA funds granted for Upshur Regional Airport are now being deposited with the Upshur County Commission. The Buckhannon Upshur Airport Authority would like to request that those funds now be deposited into our General Operations account.

This change in direct deposit account is not intended to any way alter our sponsor relationship with the Upshur County Commission. It is only intended to expedite our access to the grant funding. Please advise of any necessary forms that need completed to make this change.

Sincerely,

William Thomas, President  
Buckhannon Upshur Airport Authority

Samuel R. Nolte, President  
Upshur County Commission

cc: Upshur County Commission

jlj



16

*Jim Justice*  
*Governor of West Virginia*

February 1, 2018

The Honorable Terry B. Cutright  
President  
Upshur County Commission  
Courthouse Annex  
91 West Main Street, Suite 101  
Buckhannon, West Virginia 26201

Dear President Cutright:

On December 13, 2016, the Upshur County Commission received a commitment of \$1,500,000 in Community Development Block Grant (CDBG) Funds for the Elkins Road Public Service District, Phase III Water System Improvement Project.

The Community Development Block Grant Award was based upon your immediate need for funds. Therefore \$283,434 was made available from the FY2016 CDBG allocation. Based upon the Upshur County Commission's ability to proceed with this worthwhile project, I am committing the remaining \$1,216,566 from the state's FY2017 CDBG allocation.

Please be advised that the West Virginia Development Office reserves the right to withdraw these funds if your project does not proceed on schedule. Should you have any questions, please call Mr. Todd Goddard of the West Virginia Development Office at 304-558-2234.

I am pleased to assist with these improvements for the citizens of Upshur County.

Sincerely,

A handwritten signature of Jim Justice in dark ink, written over a light blue circular stamp that contains the text "Jim Justice" and "Governor".

Jim Justice  
Governor

16SCBG0008

JJ: sf



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# STATE OF WEST VIRGINIA



## COMMUNITY DEVELOPMENT BLOCK GRANT AWARD

THIS IS TO CERTIFY THAT A GRANT OF \$1,216,566 HAS BEEN AWARDED TO THE

### UPSHUR COUNTY COMMISSION

FOR THE ELKINS ROAD PSD, PHASE III WATER SYSTEM IMPROVEMENT PROJECT

  
JIM JUSTICE  
GOVERNOR

16SCBG0008



18

# **U.S. EPA Brownfields Grant Quarterly Progress Report Upshur County Commission Upshur County, WV**

**Grantee:** Tabatha Perry, Project Manager  
Upshur County Commission  
91 West Main Street, Suite 101  
Buckhannon, WV 26201  
[trperry@upshurcounty.org](mailto:trperry@upshurcounty.org)  
(304) 472-0535 ext. 2

**Type of EPA Grant and Grant Number:**  
Cleanup Grant #BF96354301-0

**Reporting Period:** October 1, 2017 through December 31, 2017

**Date Submitted:** January 26, 2018

**Submitted To:**  
Brett Gilmartin, Project Officer  
U.S. Environmental Protection Agency, Region III  
1650 Arch Street (3HS51)  
Philadelphia, PA 19103-2029  
(215) 814-3405  
[gilmartin.brett@epa.gov](mailto:gilmartin.brett@epa.gov)

## **Quarterly Summary:**

A community engagement workshop was held on October 18, 2017 at the Upshur County Youth Camp, 36 people were in attendance. Students from the Landscape Architecture Program at the West Virginia University School of Design and Community Development spent approximately six weeks preparing an "Inventory and Analysis" of the youth camp and considered all of the site's uses, how they fit together, what could be added and what needs to be improved. The students then broke into groups and placed this information into marked up maps and photographs which workshop participants were encouraged to provide recommendations for site layout and proposed improvements. The students then returned to their studios and created their individual master plans to present during the second workshop.

A second community engagement workshop took place on November 15<sup>th</sup> at the Event Center at Brushy Fork. During this workshop each student presented his/her master plan for the camp which addressed the following key issues:

1. Reuse of the tarpit area (potential shooting range)
2. Relocation of the assembly hall out of the floodplain (new building)

3. Redesign of the council ring seating and enhancements at the vespers area
4. Bridge location
5. Activity development across the river (facilitated by the bridge)
6. Potential regional connections along the former rail corridor
7. Camp storm water issues
8. Some level of 'adventure' activity development
9. Consideration of new markets for users and seasonal uses of the camp, ie. corporate retreat, team-building, weddings, etc. and the facility needs associated with those groups
10. Programmed areas to enhance 4H educational opportunities: tree identification, gardening/landscaping of properties, STEM focus, physical activity focus

Regarding the tar pit area specifically, the students brought forth a variety of ideas/plans for the anticipated archery/shooting range. The Upshur County Youth Camp Board reviewed the student's master plans and picked out what they believed would best suit the camp and community as a whole. They will be actively pursuing available grant funding in an effort to put some of these ideas into place in the future.

Thus far, the community involvement has been well received and the Commission now has design plans to utilize in an effort to obtain additional grant funding as well as possible donations from interested parties including individuals, organizations and businesses.

I attended the National Brownfield Conference in Pittsburgh, PA from December 5<sup>th</sup> through the 7<sup>th</sup>. During this conference I learned more about how to utilize ACRES, BIT, was afforded the opportunity to hear success stories of neighboring areas (Thomas, WV) and met individuals who may later submit proposals to work on the project site.

#### **Outputs and Outcomes:**

1. Community engagement workshops took place on October 18<sup>th</sup> and November 15<sup>th</sup>.
2. Updates regarding the workshops were made available to the public.
3. Received feedback from the community through engagement workshops that can be applied to the project.
4. Students evaluated needs at the project site and incorporated communities input.
5. Received digital versions of students' master plans for reuse of the site. This information is invaluable as it will facilitate the reuse of the site and aid in the process of applying for grant funding.
6. I attended the National Brownfields Conference which allowed for me to increase my knowledge of brownfields' issues and programs. I was also provided with the opportunity to meet EPA representatives and make connections that will benefit the project.
7. Tabatha participated in ACRES webinar.
8. Began utilizing ACRES.
9. Submitted the MBE/WBE Utilization Under Federal Grants and Cooperative Agreements Annual Report on December 1, 2017
10. Quarterly progress report completed and in the process of being submitted.

#### **Attachments:**

1. Budget Table (Exhibit A)

2. October 18<sup>th</sup> workshop invitation, agenda and sign in sheet (Exhibit B)
3. November 15<sup>th</sup> workshop invitation and sign in sheet (Exhibit C)
4. Newspaper article regarding the November 15<sup>th</sup> workshop (Exhibit D)
5. Cost-Share Leveraged Funds Tracking Spreadsheets, Invoices, Receipts and Checks (Exhibit E)

**Budget Narrative:**

1. Funds in the amount of \$950.57 were utilized for travel and will be drawn down from the EPA share.
2. Cost share funds drawn down in the amount of \$388.13 represents supplies needed for the community involvement workshops under the approved Work Plan.
3. Cost share funds drawn down in the amount of \$211.29 represents contractual services utilized in order to facilitate the community involvement. These expenses were approved in our Work Plan.
4. Cost share funds drawn down in the amount of \$1,298.45 represents personnel costs under our approved Work Plan.
5. Cost share funds drawn down in the amount of \$539.17 represents fringe benefits for the quarter under our approved Work Plan.
6. Cost share funds drawn down in the amount of \$4,711.23 represents contractual services with the WVU Landscape Architecture Program for community engagement and reuse planning.
  - a) Mileage to and from site workshops: \$383.40
  - b) Professor Butler's time at the site inspection and class room time: \$1,080.00
  - c) Anna Withrow's time on the project: \$3,247.83

Total cost-share leveraged funds accrued this quarter = \$7,148.27

**Budget Table:**

Expense Category	Approved EPA Budget	Approved Share Budget	EPA Expenses this Quarter (10-1-2017 thru 12-31-2017)	Share Expenses this Quarter (10-1-2017 thru 12-31-2017)	EPA Expense Cumulative	Share Expense Cumulative	Balance EPA	Balance Share
Personnel	-	\$8,627.00	-	\$1298.45	-	\$1,443.49	-	\$7,183.51
Fringe	-	\$6,470.00	-	\$539.17	-	\$718.89	-	\$5,751.11
Travel	\$2,000.00	-	\$950.57	-	\$950.57	-	\$1,049.43	-
Equipment	-	-	-	-	-	-	-	-
Supplies	\$500.00	\$2,000.00	-	\$388.13	-	\$388.13	\$500.00	\$1,611.87
Contractual	\$197,500.00	\$23,000.00		\$4,922.52	-	\$6,215.28	\$197,500.00	\$16,784.72
Other	-	-	-	-	-	-	-	-
<b>Total</b>	<b>\$200,000</b>	<b>\$40,097.00</b>	<b>\$950.57</b>	<b>\$7,148.27</b>	<b>\$950.57</b>	<b>\$8,765.79</b>	<b>\$199,049.43</b>	<b>\$31,331.21</b>





# West Virginia

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## Courthouse Facilities Improvement Authority Fund

### 14<sup>TH</sup> CYCLE - PROGRESS REPORT

County Name: Upshur	Grant ID #: 14cycUpshu2017
Mailing Address: Upshur County Commission Upshur County Administrative Annex 91 West Main St., Suite 101 Buckhannon, WV 26201	Report Period: October 21, 2017 through January 19, 2018
Report Completed By: Tabatha R. Perry Title: Assistant County Administrator Telephone #: 304-472-0535 ext. 2 Email Address: <a href="mailto:trperry@upshurcounty.org">trperry@upshurcounty.org</a>	

Please describe activity, progress, achievements, and difficulties encountered below. If you have not expended any grant funding, please give an explanation of why. PLEASE BE DESCRIPTIVE. Reports must be submitted at the end of each quarter. Reports are due by the 20<sup>th</sup> of the month following each quarter. Therefore, a progress report is due by April 20<sup>th</sup>, July 20<sup>th</sup>, October 20<sup>th</sup> and January 20<sup>th</sup>. More than 1 delinquent project report may result in funding restrictions or grant termination. In addition, a progress report must accompany all reimbursement requests. Email submission of this report is preferred. Send to [melissa.smith@wvcfia.com](mailto:melissa.smith@wvcfia.com).

As previously reported, the majority of the project has been completed with the exception of the wheelchair lift installation. This last portion of the project is the most labor intensive and required custom manufacturing before being able to move forward.

The carpet installation on the back half of the Courtroom was completed at the beginning of November and the remaining portion of the carpet will be placed once the wheelchair lift is completely installed. The new carpet allows for a smooth maneuvering surface for walkers, canes, wheelchairs and walking impaired persons, especially since the Circuit Courtroom floor slopes down from the back to the front.

The benches were delivered, assembled and installed on November 9, 2017. The Courtroom seating now offers accommodations for four wheelchairs and companion seating.

With regards to the hydraulic two-stage wheelchair lift, a site inspection meeting took place on November 14, 2017; at which time, representatives from D-C Elevator Company, Inc. and Lift-U provided the County Facilities Director with specifications as to how the area needed to be prepared. The Maintenance Department spent the following weeks demolishing the existing witness area and removing portions of the wall where the door would recess. The "bump out" that surrounded the Judge's bench was also removed in order to allow for adequate space for a wheelchair to maneuver between the witness stand and the juror box. Once this area is completed, this modification will be in compliance with ADA standards and allow someone confined to a wheelchair to access the juror room, when needed.

The actual wheelchair lift was delivered and installed on December 19, 2017. Ron Rucker with D-C Elevator Company and Tim Sweat from Lift-U tested the equipment and left instructions for completion of the millwork for the Maintenance Department. During the following weeks the Maintenance Department has been rebuilding the walls surrounding the lift and is currently still working on this. The busy Court schedule has made access to the Courtroom virtually impossible; however, the Maintenance Department is working as diligently and expeditiously as possible. After the millwork is completed, Ron Rucker will return to perform another inspection before the state inspection is scheduled. Training will be provided and then the lift will be operational for use. This portion of the project is anticipated to be completed by the end of February.

To date, \$95,734.34 has been expended on materials and advertising.



701 East Cary Street  
Richmond, VA 23219

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24

## Construction Update JANUARY 2018 Atlantic Coast Pipeline



4038 T15 P1 \*\*\*\*\*AUTO\*\*5-DIGIT 26201  
Carrie Wallace  
County Administrator  
Upshur County  
91 W Main St Ste 101  
Buckhannon, WV 26201-2287

### ACTIVITY

### TIMING

FERC Certificate	October 2017
Construction Open Houses	2018
Construction	2018 – 2019
In-Service	Late 2019

### SIGN UP FOR ACP eNEWS

[www.AtlanticCoastPipeline.com](http://www.AtlanticCoastPipeline.com)

Click on *Stay Informed* under the *Contact* tab to subscribe. ACP eNews will be an important source of information as the project moves forward.



### Contact the ACP Team

#### LANDOWNER INFORMATION LINE • 888-895-8716

- Contact your Land Agent
- Ask a land question
- Report a land compliment or concern

#### GENERAL INFORMATION LINE • 844-215-1819

- Contact the ACP Project Team
- Contact your Community Liaison

#### EMAIL

[ACPipeline@DominionEnergy.com](mailto:ACPipeline@DominionEnergy.com)

#### WEBSITE

[www.AtlanticCoastPipeline.com](http://www.AtlanticCoastPipeline.com)

#### FACEBOOK

Atlantic Coast Pipeline



**About Atlantic Coast Pipeline, LLC.** Atlantic is a company formed by four major U.S. energy companies — Dominion Energy (NYSE: D), Duke Energy (NYSE: DUK), Piedmont Natural Gas (NYSE: PNY), Southern Company Gas (NYSE: SO) — to build and own the ACP. Through access to multiple supply basins, ACP would be capable of delivering 1.5 million dekatherms (equivalent to 1.5 billion cubic feet per day) of natural gas. The abundant supply of natural gas that would flow safely and reliably through this pipeline is needed by utilities within the project area to generate electricity, heat homes and businesses, and meet a growing domestic demand for energy.



## FROM THE PROJECT DIRECTOR

**W**elcome to our first construction edition! We are pleased to share this special edition of the ACP project newsletter with you as it highlights activities already underway and upcoming for construction of the ACP. We are thankful for the interest and continued support of landowners, elected officials, community groups, and many others who have helped us reach this significant milestone. We are looking forward to moving into this important stage of the project.

Construction of the ACP will be conducted in several phases over the next couple of years. A number of segments of the main pipeline will be constructed in 2018 and others in 2019 (see enclosed map). Initial tree-felling activities will begin soon in 2018 construction areas. Work on access roads and temporary work spaces needed to build the pipeline will be the next visible construction activity. Additional information about the construction process is available on page 2.

The ACP project team will host construction open houses near areas where construction activity will be happening in 2018. Watch for additional details in a future edition of this newsletter.

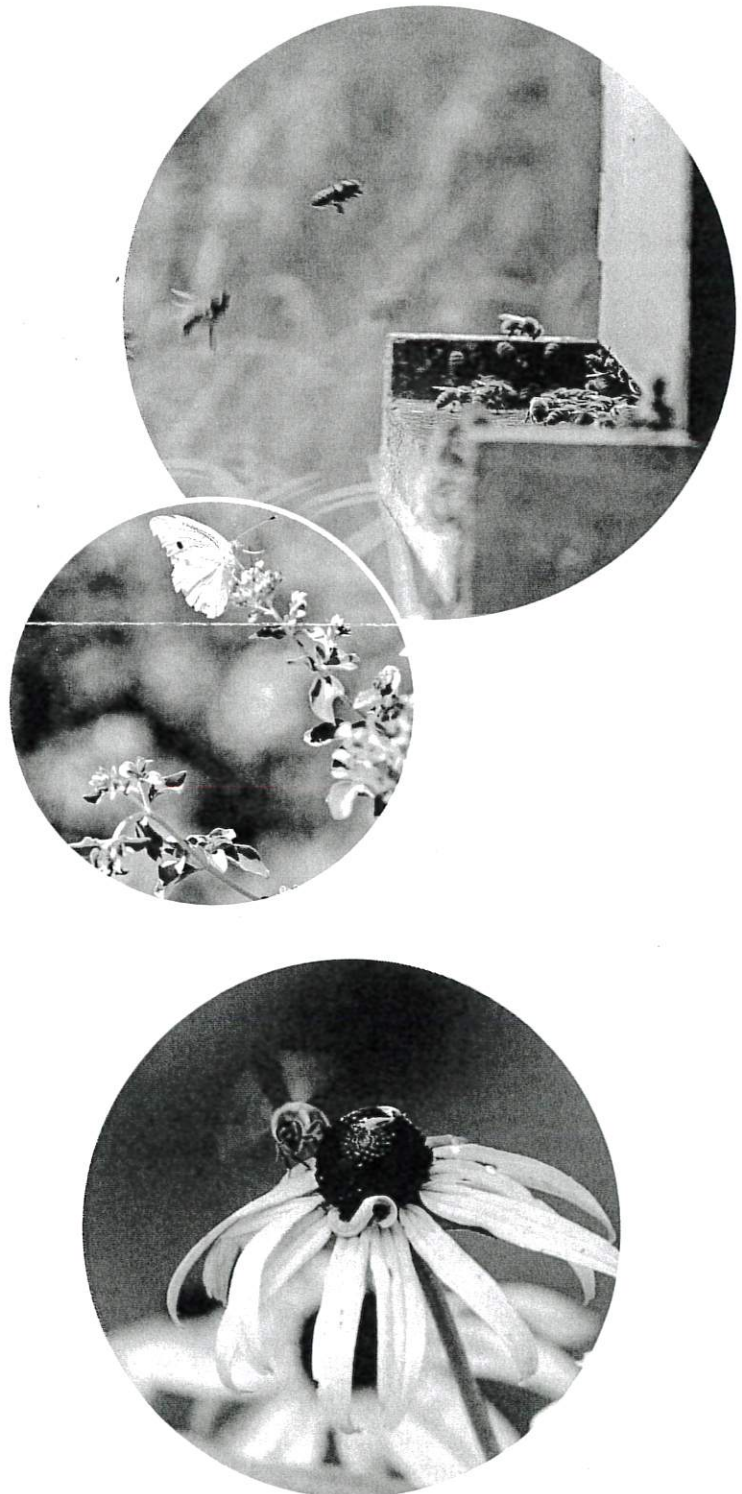
The safety of our coworkers, our communities, and the environment is our number one priority. Please be mindful of signage near construction areas. Remember that the pipeline right of way is private property and signage is placed specifically to help maintain a safe perimeter around construction activities. See the *Safety Focus* on page 3 for more information.

Finally, we urge all landowners affected by construction of the ACP to connect with your land agent to finalize any easement agreements that have not been completed. If you are unsure whether your property is affected by the ACP, you can connect with a land agent by calling the Landowner Information Line at 888-895-8716.

We hope you will find this information useful and we encourage you to reach out to us anytime with your questions. Thank you for your continued interest in the ACP.

Sincerely,

Brian Wright, Authorized Representative  
Dominion Energy Transmission, Inc.







# Pipeline Construction: A Typical Sequence and Description

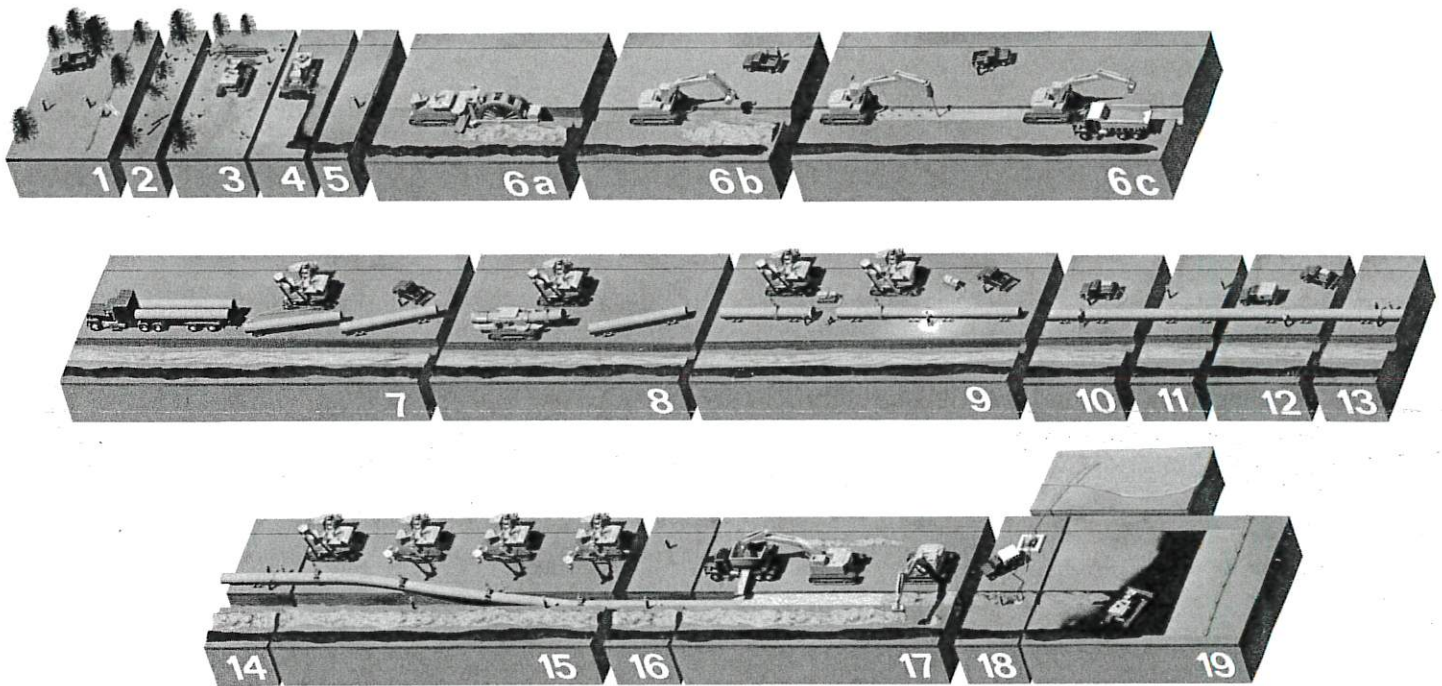
The ACP will be built safely and responsibly, in a way that is protective of our environment with the strongest focus on quality and respect for the communities we serve. Industry-leading scientists, engineers, builders, and designers are building this pipeline using best-in-class engineering and construction techniques.

The pipeline is built in individual sections, or spreads, with multiple spreads under construction at the same time. Fully-equipped, highly skilled teams complete specific tasks within each spread. Some of the teams and the types of tasks they are responsible for are outlined below. ■

## ACP CONSTRUCTION BY THE NUMBERS

- 7,200 people will work on the ACP in 2018
- 5,600 people will work on the ACP in 2019
- 50% of craft trade workers will be hired through local unions
- 1,300 or more inspectors\* will monitor safety, quality and compliance with all environmental regulations and conditions

\*Inspectors will be certified through the American Petroleum Institute Source Inspector Certification Programs



## Construction Sequence

**1-5. Right-of-Way (ROW) Preparation:** Crews clear trees and debris from the ROW, grade the surface to provide a level workspace, segregate top soil where necessary and re-stake the centerline of the route.

**6a-c. Trenching:** This team digs the trench for the pipeline using a wheel trencher, backhoe or rock trencher depending on the terrain.

**7-8. Stringing and Bending:** The stringing crew uses specialized equipment to move the pipe from the pipe yard to the ROW. When necessary, pipes are bent to conform to the topography and to follow the curves of the route.

**9-13. Welding and Coating:** These teams connect sections of pipe together to form one continuous length. Welds are inspected multiple times using x-ray technology and each weld is coated to inhibit corrosion.

**14-16. Lowering:** Highly skilled operators lift the pipe and lower it into the trench.

**17. Backfilling and Final Grading:** Teams return the soil to the trench in reverse order so the top soil remains on top and then grade the ROW to the final contour.

**18. Hydrostatic Testing:** Before the pipeline is put in service, crews pressure test the entire length using water.

**19. ROW Restoration:** This team is responsible for stabilizing the soil, cleaning up the ROW and returning the land as closely as possible to pre-construction conditions.

**Horizontal Directional Drilling (HDD):** A specially-trained team drills a tunnel under a river, trail or other site-specific, unique land area. The pipe is pulled through the underground tunnel to minimize surface impacts.



## SAFETY FOCUS

## Watch for Signs of Construction

As we head toward construction, we want to remind everyone to stay alert for signs of construction. Some signs, like the presence of heavy equipment, traffic cones, and work crews provide visual cues that construction activities are happening in an area. Actual signs like the one pictured to the right can alert drivers that a construction site is ahead or warn of potential hazards or changing road conditions well in advance. Always slow down near construction areas, minimize driving distractions, and follow posted instructions.

**Home Safe for Everyone is the ultimate goal. ■**

**Home Safe for Everyone = Every home is safe, and everyone makes it safely home.**



## FREQUENTLY ASKED QUESTIONS

### How do I find out more information about construction activities near me?

The ACP will be built in phases with some parts of the pipeline under construction in 2018 and others in 2019. We are currently preparing for the 2018 construction season to begin. Here are some ways you can stay informed and up to date on our progress.

### Attend a Construction Open House

The ACP project team will host open houses this spring near areas where construction activities will be happening in 2018. Later this fall, additional events will be held near areas that will be under construction in 2019. We will post information in this newsletter and send postcard invitations as the event details are finalized.

### Check the Interactive Map and Construction Activity Map

The ACP website currently features an Interactive Map that allows users to zoom in to view the pipeline route. When construction begins, a Construction Activity Map will be added to the website that provides updates on specific activities happening in each area of construction. The Construction Activity map will also be interactive and allow users to zoom in to specific areas to see what activities are happening in their communities. Visit the ACP website at [www.AtlanticCoastPipeline.com](http://www.AtlanticCoastPipeline.com).

Atlantic Coast Pipeline

MOVING ENERGY IN THE RIGHT DIRECTION™

### Interactive Map

Our Interactive Map provides a look at the most up-to-date route, incorporating the numerous route adjustments made by the ACP project team. The yellow line is the proposed route corridor, and the pink lines are previously considered alternatives.

NOTE: For best results, use the most recent version of Safari, Chrome, Firefox or IE Explorer. Due to file size, this map may not perform well on mobile devices.

In some instances, parcel data may not yet be available depending on county data. We are also continuing our survey work and discussions with landowners regarding access roads. Should you have any questions about access roads or parcel information for your property, please contact our land department at 1-888-895-8716, and one of our land representatives will follow up with you within 48 hours, Monday - Friday.

Legend

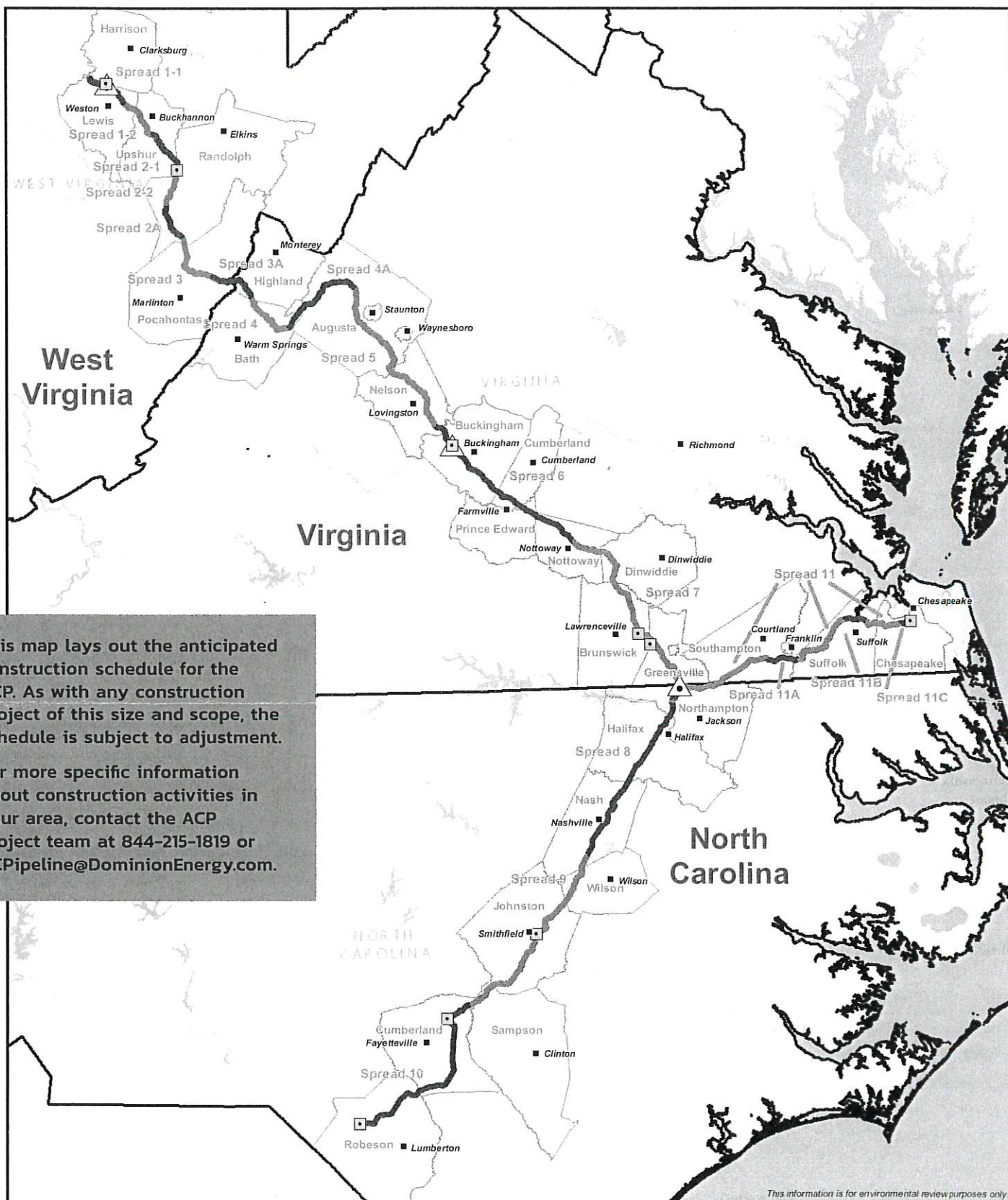
- ☐ Reference Post
- ☐ Compressor Station
- ☒ Proposed Survey Corridor
- ☐ Approximate Construction Impact
- ☐ Alternative Route Corridor
- ☐ Existing Roadway

### Contact the Project Team

For additional information about construction activities, contact the ACP project team.

- Email: [ACPPipeline@DominionEnergy.com](mailto:ACPPipeline@DominionEnergy.com)
- General Information: 844-215-1819
- Landowner Information: 888-895-8716





This map lays out the anticipated construction schedule for the ACP. As with any construction project of this size and scope, the schedule is subject to adjustment.

For more specific information about construction activities in your area, contact the ACP project team at 844-215-1819 or [ACPipeline@DominionEnergy.com](mailto:ACPipeline@DominionEnergy.com).

*This information is for environmental review purposes only.*

- City
- M&R Site
- ▲ Compressor Station
- 2018 Construction
- 2019 Construction



0 20 40  
Miles  
1:2,500,000

Atlantic  
Coast  
Pipeline

## Atlantic Coast Pipeline Construction Spreads







**YOU ARE INVITED TO ATTEND A  
CAHHS, INC. COMMUNITY LECTURE SERIES  
HOSTED BY RESCARE**

*Compassion Fatigue: A Reality for Caregivers &  
Enhancing Direct Practice Communication Skills, Using  
People First Language, & Disability Etiquette*

Co-Authors: Dr. BC Farnham, Dr. Denise Green, Tim Kimbrough & Elizabeth Rush-Pugh

**TWO (2) HOURS APPROVED FOR  
SOCIAL WORKERS & NURSES  
LOCATION: THE BEST WESTERN  
100 LODGEVILLE ROAD; BRIDGEPORT, WV 26330  
DATE: FEBRUARY 15, 2018 TIME: 12:00-4:00**

**MEET OUR FACILITATOR:**



Tim Kimbrough has a diverse experience base, which spans health care sales, leadership, education, and human resource management. For greater than 20 years, he has served as a leader within multi-site/multi-state health care and human service organizations. And, consistently he has built health care sales and leadership teams, which have achieved amazing results. Working as a college professor, senior manager, vice president of sales, and executive director has positioned Tim well to

serve as an external resource for health care and human service organizations. In addition to his wealth of experience, he holds an undergraduate degree in Business Management and a graduate degree in Human Resource Management. Tim has a proven ability related to the development and application of coaching strategies to support goal attainment within organizations needing rapid strategic growth and/or turnaround. Additionally, he is consistently ranked nationally among the top 10% of speakers, based on participant reviews, via The Consortium for Advancements in Health & Human Services.

**FREE REGISTRATION • SPACE IS LIMITED •**

**PRE-REGISTRATION IS REQUIRED**

**EMAIL: JOSHUA.DELAWDER@RESCARE.COM TODAY TO  
REGISTER**

**Program Agenda:**

**12:00-1:00**

Sign-In & Registration

**1:00-2:00**

*Compassion Fatigue: A Reality for  
Caregivers*

**2:00-3:00**

*Enhancing Direct Practice  
Communication Skills, Using People  
First Language, & Disability  
Etiquette*

**3:00-4:00**

*\*\*Program Evaluation and Issuing  
Certificates of Attendance\*\**

Learning Objectives:  
Specific learning objectives for this  
program may be found by visiting,  
[www.cahhs-partners.org](http://www.cahhs-partners.org)

**Important Program Information:**

The Consortium for Advancements in Health and Human Services, Inc. is an approved provider of continuing nursing education by the Alabama State Nurses Association, an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

The Consortium for Advancements in Health & Human Services, Inc., is approved as a provider of continuing education in Social Work by the Alabama Board of Social Work Examiners, #0356, Expiration Date: 10/31/2018.

These programs are Approved by the National Association of Social Workers (Approval #886506902 & 886506902-8646) for 1-Social Work continuing education contact hour.





# ELKINS ROAD PUBLIC SERVICE DISTRICT

## Agenda

<b>Meeting</b>	<i>Regular Monthly Meeting</i>	<b>Start Time</b>	<i>5:30 PM</i>
<b>Date</b>	<i>Tuesday, February 6, 2018</i>	<b>Place</b>	<i>P.S.D. Office 4536 Old Elkins Rd, Buckhannon</i>

5:30 PM

Meeting Called to Order by Chairperson  
 Pledge of Allegiance  
 Roll Call Introduce Board of Directors  
 Chair/Treasurer-Carey Wagner, Secretary-Larry Heater, Board Member-Sonny Matthews  
 Introduce Office Staff - Office Manager, Carolyn Douglas; Billing Clerk - Sharon Burr;  
 System Operator-David Wamsley  
 Recognize Current Customers  
 Approval of Minutes - January 9, 2018 Regular Monthly Meeting  
 Treasurer Report/Payment of Bills for February/bal of Jan. Invoices

Vote

Vote

### ITEMS FOR DISCUSSION

**WVRWA Annual Business Meeting**  
 Voting Credential Form (Carey Wagner)

Vote

Vote

**Phase III Extension Project Update**  
 Balance of SCBG Funds (Certificate and Letter)  
 Invoice payment approval for signature

Vote

Vote

### Maintenance Report

**Date & Time of March 2018 Meeting - Tuesday, March 6, 2018 @ 5:30 pm**

### Adjournment

Vote

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

*Rough Draft Prepared by Office Manager December 12, 2017  
 Prepared by Board Chair and Office Manager December 18, 2017  
 Posted and Available to the Public on January 5, 2018*

UPSHUR COUNTY PUBLIC LIBRARY  
Board of Directors Meeting

February 8, 2018, 11:00 a.m.

AGENDA

- I. Call to Order
- II. Reading/Approval of Minutes
- III. Review/Approval of Monthly Financial Report
- IV. Librarian's Report
  - a. Circulation Reports
  - b. Affiliates
  - c. Conversion of quiet room to YA
  - d. Upcoming programs: Charley Harper book, Laiken Boyd. Janet Flynn
  - e. Business Book Discussion Group
- V. Unfinished Business
- VI. New Business
  - a. Legislative Day, Charleston, WV February 5, 2018
  - b. Spring Fling, April 5-6, 2018
  - c. Approval of Auditors' Report
  - d. Angie Westfall
  - e. Rotary request
  - f. ACP-Dominion Grant Opportunity
- VII. Setting date of next Board meeting
- VIII. Adjournment



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

## ***Buckhannon-Upshur Airport Authority-Upshur County Development Office***

### ***Thursday, February 8, 2018 at 4:00 pm***

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- A. Call to order
- B. Recognized guests and public comment period
- C. Officer/Committee/Consultant Reports:
  - President's Report – Bill Thomas, President
  - Treasurer's Report – Phil Loftis, Treasurer
    - Approval of authority to transfer funds from general fund account to payroll account as required (estimated at \$7,500.00) for payroll expenses between 2/8/2018 and the next regularly scheduled authority meeting on 3/8/2018
  - Secretary's Report – Rich Clemens, Secretary
    - Letters sent to vendors responding to Fuel Services RFP
    - Original 5100-61 forms for all February grant requests are due to be submitted to the Aeronautics Commission office by this Friday, February 9, 2018.
    - West Virginia Airport Manager Association's First Annual Aviation Day at the WV State Capital from 9 a.m. to 12:00 p.m., on Wednesday, February 21, 2018.
    - Status of Audit RFP – Letter from State
    -
  - Engineering Reports – Chapman/Technical
    - FAA Reimbursement Request No. 4
    - WVAC Reimbursement Request No. 3
  - Operations – Jamie Wilt, Jennifer Powers
    - Fuel Prices/Inventory
- D. Consent Agenda:
  - Approval of Minutes
  - Approval of Treasurer's Report
  - Authorization for payment of the bills
- E. Items Removed from the Consent Agenda for discussion and vote:
- F. Old Business:
  - New hangar space requests/applications/updates
- G. New Business:
- H. Board Member Comments and Announcements
- I. Adjournment



UPSHUR COUNTY SAFE STRUCTURES AND SITES  
ENFORCEMENT BOARD

Meeting Agenda  
Thursday,  
February 8, 2018  
4:00 p.m.

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- I. Call meeting to order
- II. Recognition of Guests
- III. Public Comment
- IV. Approval of previous meeting(s) minutes
  - January 11, 2018
- V. Report and/or action on Pending Cases
  - 012017-01 and 012017-02 (George) – Status of complaint filed with the DNR
  - 020917-01 (Wojnovich) – sold at tax sale, property owner has 18 months to redeem – looking into having served out of state
  - 110917-01 (DeMastes) – Review photographs of property
  - 121407-01 (Rowan) – Deadline of April 11, 2018 to bring property into compliance
  - 121417-02 (Wilkins) – Review photographs of property
- VI. Consider requests to establish new cases
  - no new complaints
- VII. Adjournment

The next Safe Structures & Sites Board Meeting will be held Thursday, March 8, 2018 at the Upshur County Administrative Annex, 91 West Main St., Suite 101.

***AGENDA***  
**UPSHUR COUNTY SOLID WASTE AUTHORITY**  
**BOARD OF DIRECTORS MEETING**

**Monday, February 12, 2018**

Time: 4:30 PM

Place: UCSWA Office, 380 Mudlick Rd, Suite 102, Buckhannon, WV 26201

1. Call to Order
2. Determine Quorum
3. Minutes of January 8, 2018 Meeting
4. Monthly Financial Report—Treasurer
5. Director's Report – Burl Smith
6. Recognition of Guests

**Old Business:**

1. FY 2018 SWMB Grant, Direct Mailing Discussion---
2. April Make-It-Shine Discussion—
3. \_\_\_\_\_

**New Business:**

1. Audit for FY 2017---
2. FY 2018 SWMB Semi-Annual Report---
3. \_\_\_\_\_

**Board Member Comments:**

**Meeting Adjournment:**

**NEXT MEETING: March 12, 2018 – (Regular Schedule)**

***Special Session of City Council of Buckhannon –6:00 p.m. in Council  
Chambers: Meeting Agenda for Tuesday, February 27, 2018***

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- A. Call to Order**
  - A.1 Moment of Silence**
  - A.2 Pledge to the Flag of the United States of America**
- B. Working Session & Discussion**
  - B.1 Financial-Budget For Fiscal Year 2018-2019**
- C. Strategic Issues for Discussion and Vote**
  - C.1 Review of Applications for the Position of Fire Chief**
- D. Comments and Announcements**
  - D.1 Mary Albaugh**
  - D.2 Pamela Cuppari**
  - D.3 C J Rylands**
  - D.4 Robbie Skinner**
  - D.5 David Thomas**
  - D.6 Susan Aloï**
- E. Mayor's Comments and Announcements**
- F. Adjournment**

POSTED 02/02/18