

## Upshur County Commission Meeting Agenda

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

Location: Upshur County Courthouse Annex  
If you prefer to participate by telephone, please dial 1-408-650-3123 Access Code: 272 564 045 to enter the conference call.

Date of Meeting: October 20, 2022

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

- October 13, 2022
- October 17, 2022 – Special Meeting

9:15 a.m. Discussion and/or award of the Upshur County Courthouse Annex HVAC Upgrade Project. \*

9:30 a.m. Becky McDaniels, Upshur County Schools Counselor, Presentation of Red Ribbon Week Proclamation – October 24th through 28th, 2022.

9:45 a.m. Mike Morehead, Volunteer for Lewis-Upshur Animal Control Facility - discuss upcoming Winter Whiskers fundraiser.

10:30 a.m. Michael Kidd with Kidd Private Investigation - Discuss Upshur County E911 Standard Operating Procedures.

### Items for Discussion / Action / Approval:

1. Approve temporary hiring of election workers beginning on or around October 26, 2022 and ending on or around November 14, 2022 General Election. \* Page 5  
*Item may lead to Executive Session per WV Code §6-9A-4 (A)*
2. Correspondence from Robert Chapman, Acting Director of the U.S. Department of Justice office of Community Oriented Policing Services (COPS) announcing the award of \$316,375 under the 2022 COPS Office School Violence Prevention Program (SVPP). This project will install additional video surveillance equipment and replace outdated equipment at all nine public schools within Upshur County and is a joint initiative of the Upshur County Commission and the Upshur County Board of Education. Approval of electronic acceptance of award. \* Page 6
3. Consider request of Lisa Lamb announcing her resignation from the James W. Curry Library Advisory Board, effective immediately. \* Under separate cover
4. Correspondence from James Crouse requesting appointment to the James W. Curry Library Advisory Board. Upon approval, Mr. Crouse's term will be effective immediately and expire on December 31, 2026. \* Page 7

5. Correspondence from Janella Cochran, Lewis-Upshur Animal Control Facility Director, requesting the temporary part-time employment of Breann N. Stanton as LUACF Attendant, effective October 23, 2022. Upon approval, Ms. Stanton will work a maximum of 8 weeks acquiring no more than an average of 19.5 hours per week\* [Under separate cover](#)
6. Review update from Fitzsimmons Law Firm PLLC regarding the pending opioid litigation. Consider signing "WV Local Government Election and Release Form (Janssen)". \*  
Item may lead to Executive Session per WV Code §6-9A-4 \* [Under separate cover](#)
7. Approve Invoices for Payment, Purchase Card Invoices for Payment, Budget Revisions / Financial Reports or Information, Correction of Erroneous Assessments, Exonerations/Refunds, Grant Updates / Requests for Reimbursements, Final Settlements, Vacation Orders, Consolidation of Land Tracts, Facility Maintenance Concerns or Updates, Road Name Requests, Project Reports / Updates, Request to Attend Meetings, Request for Day(s) Off.

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

1. Correspondence from Michael V. Coleman, Director, State of West Virginia Department of Homeland Security, Division of Administrative Services relating to jail per diem rates. WV State Code 15A-3-16 currently extends the statutory per diem cap of \$48.25 paid by counties and municipalities to incarcerate inmates in regional jails, through July 1, 2023. Absent further legislative action, jail billings will be based on the rate of \$54.48 beginning with the July 2023 billing cycle. [\*\*Page 8\*\*](#)

## 2. Public Notices:

## a) Newsletters and/or Event Notifications:

## b) Agendas and/or Notice of Meetings:

- |  |                  |                                |
|--|------------------|--------------------------------|
| • BU Parks & Recreation Advisory Board | October 18, 2022 | <a href="#"><b>Page 9</b></a>  |
| • Upshur County Fire Board             | October 18, 2022 | <a href="#"><b>Page 10</b></a> |
| • City Council of Buckhannon           | October 18, 2022 | <a href="#"><b>Page 11</b></a> |

## Meeting Minutes:

- |  |                    |                                   |
|--|--------------------|-----------------------------------|
| • BU Parks & Recreation Advisory Board | September 20, 2022 | <a href="#"><b>Page 12-13</b></a> |
|--|--------------------|-----------------------------------|

## c) Meetings: \*CHANGES ARE NOTED IN BOLD TYPE

Adrian PSD	Thu	10/6/2022	3:00 PM
Banks District Volunteer Fire Department	Thu	10/6/2022	7:00 PM
City Council of Buckhannon	Thu	10/6/2022	7:00 PM
Selbyville VFD	Thu	10/6/2022	7:00 PM
Washington District VFD	Sun	10/9/2022	6:00 PM
Upshur County Family Resource Network	Mon	10/10/2022	12:00 PM
Buckhannon-Upshur Airport Authority	Mon	10/10/2022	4:00 PM
Upshur County Solid Waste Authority	Mon	10/10/2022	4:30 PM
Buckhannon-Upshur Recreational Park Advisory Board	Mon	10/10/2022	5:30 PM
Upshur County Senior Center Board	Tue	10/11/2022	12:00 PM
Hodgesville PSD	Tue	10/11/2022	4:00 PM
Elkins Road PSD	Tue	10/11/2022	5:00 PM

Warren District VFD	Tue	10/11/2022	7:00 PM
Adrian VFD	Tue	10/11/2022	7:30 PM
Buckhannon-Upshur Chamber of Commerce	Wed	10/12/2022	12:00 PM
Upshur County Convention and Visitors Bureau	Wed	10/12/2022	3:00 PM
Tennerton PSD	Wed	10/12/2022	3:00 PM
Buckhannon River Watershed Association	Wed	10/12/2022	6:00 PM
Ellamore VFD	Wed	10/12/2022	7:00 PM
Upshur County Development Authority-Full Board	Thu	10/13/2022	7:00 AM
Upshur County Safe Sites & Structures Enforcement Board	Thu	10/13/2022	3:00 PM
Buckhannon VFD	Thu	10/13/2022	7:30 PM
Upshur County Fire Board, Inc. @Adrian VFD	Tue	10/18/2022	6:30 PM
Upshur County Public Library Board	Wed	10/19/2022	4:00 PM
Upshur County Farmland Protection Board	Thu	10/20/2022	6:00 PM
Upshur County Youth Camp Board	Thu	10/20/2022	6:30 PM
Wes-Mon-Ty Resource Conservation & Development Council	Fri	10/21/2022	10:00 AM
UC Enhanced Emergency Telephone Advisory Board	Tue	10/25/2022	3:00 PM
Upshur County Fire Fighters Association	Wed	10/26/2022	7:00 PM
<b>Lewis-Upshur Community Corrections Board-Upshur County Location</b>	<b>Mon</b>	<b>11/14/2022</b>	<b>6:00 PM</b>

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

## 1. Appointments Needed or Upcoming:

- James W. Curry Library Advisory Board (unexpired term 12/31/2026)
- James W. Curry Library Advisory Board (1/1/2023 – 12/31/2027)

*\*\*\*If you are interested in serving on an Upshur County board, please submit your letter of interest to the Commission Office at 91 W. Main St., Suite 101, Buckhannon, WV 26201 or [trperry@upshurcounty.org](mailto:trperry@upshurcounty.org). Upcoming term expirations are listed in this section of the agenda; however, letters of interest can be submitted at any time. Letters of interest for boards that do not currently have a vacancy will be held until a vacancy occurs. Please note that submitting a letter of interest does not guarantee appointment. \*\*\**

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

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

1. Bid opening and potential award – Upshur County Courthouse Annex HVAC Upgrade Project \*(tabled 10/13/22)
2. Approval and signature of Service Contract with Cleveland Brothers to perform semi-annual service and annual maintenance service for the engine, generator and GENSET located at the E-911 Communications Center. The total cost for the 2023 agreement is \$2,790; the total cost for the 2024 agreement is \$2874; and the total cost for the 2025 agreement is \$2,958. The agreement includes all parts, travel time, mileage and labor for two inspections each year. The Upshur County Commission has the right to terminate this agreement for any reason at any time. (tabled 10/13/22)

**Next Regular Meeting of the Upshur County Commission  
October 27, 2022 — 9:00 a.m.  
Upshur County Courthouse Annex**



**CAROL J. SMITH**  
**UPSHUR COUNTY CLERK**

Upshur County Courthouse  
40 West Main Street, Room 101 • Buckhannon, West Virginia 26201  
Telephone: (304) 472-1068 • Fax: (304) 472-1029

October 20, 2022

---

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

Dear Honorable Commissioners:

Please approve the temporary hiring of Election Workers beginning on or around October 26, 2022 and ending on or around November 14, 2022. These temporary workers will assist with processing absentee ballots, work during the Early Voting period and provide assistance during the Canvassing process.

Thank you for your consideration.

Sincerely,



Carol J. Smith  
Upshur County Clerk



FW: FY2022 School Violence Prevention Program (SVPP) Award Announcement

kgtenney@upshurcounty.org

Fri 10/14/2022 10:40 AM

To: Tabatha Perry <trperry@upshurcounty.org>; Cindy M. Hughes <cmhughes@upshurcounty.org>;

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

From: "Office of Community Oriented Policing Services (COPS)" <copsusdoj@service.govdelivery.com>

Sent: Friday, October 14, 2022 10:16am

To: kgtenney@upshurcounty.org

Subject: FY2022 School Violence Prevention Program (SVPP) Award Announcement



U.S. DEPARTMENT OF JUSTICE  
OFFICE OF COMMUNITY ORIENTED POLICING  
145 N Street, NE, Washington, D.C. 20530

October 14, 2022

Re: COPS Office FY2022 School Violence Prevention Program (SVPP) award number 15JCOPS-22-GG-04334-SCAX

Dear Kristie Tenney:

On behalf of the Attorney General of the United States, Merrick B. Garland, and the Office of Community Oriented Policing Services (COPS Office), it is my pleasure to inform you that we have approved your proposal for the FY2022 School Violence Prevention Program (SVPP) in the amount of \$316,375. The COPS Office recognizes and appreciates your commitment to this very important initiative.

At the COPS Office, our mission is advancing community policing nationwide. We prioritize this by supporting state, local, tribal, and territorial law enforcement agencies as they carry out their vital public safety missions. The project you will implement with these award funds contributes to the mission of the COPS Office and the greater goal of reducing crime and building trust between law enforcement and communities served. The team at the COPS Office looks forward to supporting you as you implement this important work.

In the coming days, the COPS Office will release your award package via [the Justice Grant System \(JustGrants\) website](#). At that time, you will receive an automated email with additional information on how to access, review, and accept your award. You will also be contacted separately by your assigned grant manager and you can always seek assistance with your award from [AskCOPSRC@usdoj.gov](mailto:AskCOPSRC@usdoj.gov).

I want to extend my personal appreciation for your efforts and congratulate you on this award. On behalf of the staff at the COPS Office, we look forward to working with you on this important project.

Sincerely,

Robert E. Chapman  
Acting Director

ADVANCING PUBLIC SAFETY THROUGH COMMUNITY POLICING



You have received this email from the U.S. Department of Justice's [Community Oriented Policing Services \(COPS\) Office](#). Your subscription information may not be used for any other purposes.

[Manage Your Subscriptions](#) | [Department of Justice Privacy Policy](#) | [GovDelivery Privacy Policy](#)

This email was sent to kgtenney@upshurcounty.org using GovDelivery Communications Cloud on behalf of: The Office of Community Oriented Policing Services (COPS Office) · 145 N St, NE · Washington, DC 20530 · 800-421-6770

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

From: "Bonnie Crouse" <1bakinmemaw@gmail.com>

Sent: Tuesday, October 18, 2022 10:19am

To: kgtenney@upshurcounty.org

Subject: Curry board

1944 Brooks Hill Rd. French Creek WV 26218 304-924-9075. To whom it may concern: I James Crouse would like to make it known of my willingness to serve on the James W. Curry Advisory Board. I have many years experience as a Business owner. I had a Construction Company and also being on several Boards over the years. Thank you, James Crouse



JEFF S. SANDY, CFE, CAMS  
CABINET SECRETARY

State of West Virginia  
Department of Homeland Security  
Division of Administrative Services  
1124 Smith Street, Suite 2100  
Charleston, WV 25301  
(304) 558-2350



MICHAEL V. COLEMAN  
DIRECTOR

October 7, 2022

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



Re: Budgeting Reminder – Jail Per Diem Rate

Via Certified Mail

Dear Commissioners,

As you are preparing your budgets for the fiscal year starting July 1, 2023, please remember that West Virginia Code §15A-3-16. Funds for operations of jails under the jurisdiction of the commissioner, subsection (g) currently extends the statutory per diem cap of \$48.25, paid by counties and municipalities to incarcerate inmates in regional jails, through July 1, 2023.

The State Budget Office is required by law to establish the per diem rate annually based on the three most current years of jail operating expenses. **The current per diem rate established by the State Budget Office is \$54.48. Absent further legislative action, jail billings to counties and municipalities will be based on the rate of \$54.48 beginning with the July 2023 billing cycle.**

If you have any questions, please contact Angela Nitardy, Supervisor, Accounts Receivable Unit at 304-352-0218 or by email at [Angela.D.Nitardy@wv.gov](mailto:Angela.D.Nitardy@wv.gov).

Very respectfully,

Michael V. Coleman, Director

cc: Jennifer Piercy, Executive Director, County Commissioner's Association of WV  
Jonathan Adler, Executive Director, WV Association of Counties  
Travis L. Blosser, Executive Director, WV Municipal League  
Jeff S. Sandy, Cabinet Secretary, Department of Homeland Security  
Brad Douglas, Acting Commissioner, Division of Corrections and Rehabilitation  
Joseph Thornton, Deputy Director WVDAS  
Michael Cutlip, Deputy Director (Finance) WVDAS  
Brian Arthur, Assistant Director – Fiscal Operations WVDAS  
Angela Nitardy, Supervisor, Accounts Receivable Unit WVDAS  
Phillip Sword, General Counsel  
Brandolyn N. Felton-Ernest, Deputy General Counsel  
Morgan M. Switzer, Deputy General Counsel



**Notice of Meeting**  
Buckhannon-Upshur Parks and Recreation Advisory Board

\*\*\*\*\*

Date: October 18, 2022

Time: 5:30 PM

Location: Upshur Co. Administrative Annex, 91 West Main Street

Agenda

1. Approval of minutes from September meeting
2. Financial Report
3. Trails update/approval/action or discussion on any needed expenses
4. Trunk or Treat
5. Park and Recreation Director Report
6. Next meeting
7. Public Comment
8. Adjourn

Next Meeting: TBD

## Notice of Meeting

\*\*\*\*\*

for

### Upshur County Fire Board, Incorporated

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

**Location:** Adrian Volunteer Fire Department Adrian, WV  
**Date:** Tuesday, October 18, 2022  
**Time:** 6:30 p.m.

### AGENDA

Call Meeting to Order

Approval of Minutes---September 20, 2022

Public Questions/Comment Period

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

- Cumulative report
- Online payment review
- Auditor Training update
- Committee selection of Auditor/Audit update

Financial Matters/Items

- Bank Statement---Checking Account Balance as of 09/30/2022--- 232,934.31
- Disbursement from Chief Tax Deputy for September---TBD prior to meeting

Payment of Bills/Invoices

- \*Software Systems---monthly maintenance---Invoice #36627---\$237.00
- \*Upshur County Commission---reimbursement---postage---\$4,448.87

Determine amount of Disbursement to VFDs for November meeting of the Board.

Review and Approval of Corrective Tickets and Exoneration requests

Other Items/Matters to Consider

Date of Next Meeting---November 15, 2022, at the Washington District Volunteer Fire Department---  
Adjournment

**City Council of Buckhannon – 7:00 pm in Council Chambers**  
**Meeting Agenda for Tuesday, October 18, 2022**

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

Please join the meeting from your computer, tablet or smartphone <https://global.gotomeeting.com/join/804282709>

You can also dial in using your phone United States: [+1 \(872\) 240-3212](tel:+18722403212) Access Code: 804-282-709

**A. Call to Order**

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

**B. Recognized Guests**

- B.1

**C. Department & Board Reports**

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

**D. Correspondence & Information**

- D.1 COB is Hosting the West Virginia Municipal League October 20<sup>th</sup> & 21<sup>st</sup>
- D.2 Notice of Special City Council Meeting to be held on Friday, October 21, 2022
- D.3 Trunk-or-Treat October 28, 2022 6:30-8:30pm at the Public Safety Complex
- D.4 Trick-or-Treat in City Limits Monday, October 31, 2022 6:00pm-7:30pm
- D.5 Boooockhannon Community Halloween Events for the month of October
- D.6 Report of Cat & Dog Activity –Upshur County Commission-August 2022

**E. Consent Agenda**

- E.1 Approval of Minutes -Regular Meeting 10/06/2022, Special 09/21/2022
- E.2 Approval of Building and Wiring Permits
- E.3 Approval of Payment of the Bills

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

- F.1 Approval Ordinance No. 461 Stockert Youth & Community Center Membership Reduction & Meeting Schedule 1<sup>st</sup> Reading
- F.2 Approval Ordinance No. 462 Use of Vehicle Immobilization Devices for Parking Enforcement 1<sup>st</sup> Reading
- F.3 Approval Updated Employee Handbook
- F.4 Approval Recommendation from the Water Board Resolution 2022-08 of Acceptance Property Transfer Deed Tennerton Booster Station
- F.5 Approval 2023 COB Holiday Schedule

**G. Comments and Announcements**

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

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

**I. Adjournment**

Posted 10/13/2022

## Upshur County Parks and Recreation Meeting Minutes

**Date:** 9/20/22

**Time:** 5:30 p.m. – 6:20 p.m.

**Attendance:** Rachel Weber, Roy Wager, Dennis Cortes, Julia Kastner, Jacob mills, Jeremiah McCourt, Josh Hinchman

Minutes were approved from the August 2022 meeting. Financials were approved with Trails: \$5,080.69, Parks and Recreation: \$715.15.

**Trails:** Mountain bike skinnies features were built on the trails.

A trail work day with West Virginia Wesleyan College students has been scheduled in October 2023.

Updated maps will be printed this week and installed on kiosks and pavilion in the upcoming weeks.

Wes-Mon-Ty Grant of \$2,000.00 has been awarded to the Upshur County Trails. This money will go to bridge building and native plants.

Pollinator seeds will be planted and the fairy garden will be cleaned up in October 2023.

The Upshur County Trail network has been confirmed to be on park, school, and city lease property and not on other private property in the region.

### **Director's Report:**

Roy Wager was introduced as a new member, but he reported that he has been assigned to another committee. Brian Webb will be taking Dennis Cortes' spot.

The gate into the park is fixed and there is a new gate opener. The gate will be open from 7:00 a.m. to 9:30 p.m. There is a camera on the gate, which counts vehicles and should not lock anyone in.

There is a keypad on the pavilion kitchen now and the trail group will be able to get in to build tool storage cabinet.



Door frames need to be fixed on the pavilion bathrooms in order for locks to work.

Candy Plymale and the 6<sup>th</sup> grade team are researching biomes. They want to be involved with setting up plaques on the trail with QR codes for identification. They would also like to be involved with a trash pick-up.

The Parks and Recreation sign has been completed, but was not previously approved by Rick Reynolds. For future projects involving anything on the recreation facility areas, Rick Reynolds will need to give his approval.

Stockmeier Urethanes will be meeting with Jeremiah McCourt this week and the grant application is beginning to resurface the tennis courts.

Another grant is being worked on at this time to replace some of the playground equipment with more handicap accessible equipment.

Halloween Trunk or Treat will be in the parking lot, on either 10/22/22 or 10/23/22.

Chad Marsh still wants to do a 24-hour trail event in August 2023.

**Next Meeting:**        October 18, 2022 at 5:30 p.m.