

## Upshur County Commission Meeting Agenda

- Location: Upshur County Courthouse Annex  
If you prefer to participate by telephone, dial 1-717-275-8940 or 1-712-832-8330 Access Code: 898 8882 to enter the conference call.
- Date of Meeting: September 24, 2020
- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance  
Approval of Minutes:  
  - September 17, 2020
- 9:15 a.m. Robin Oldaker, on behalf of Upshur County Relay for Life– Presentation of Proclamation for Breast Cancer Awareness Month (October 2020) \* Page 4
- 9:30 a.m. Hearing on Recommendation to Remove Fiduciary Commissioner in the Estate of Sarah Downs, deceased \* Page 5-6
- 9:45 a.m. First reading of Ordinance Granting a Renewal Franchise to Suddenlink by Altice, USA, to Operate and Maintain a Cable System in the County of Upshur, West Virginia; and Setting Forth Conditions Accompanying the Grant of Franchise; Superseding All Previous Franchise Ordinances for the County Commission of Upshur County. Upon approval, a public hearing will take place on the 22<sup>nd</sup> day of October, 2020. \*
- 1:00 p.m. Supervisor Meeting
- 2:00 p.m. Policy Board Meeting

### Items for Discussion / Action / Approval:

1. Approval and signature of the West Virginia SIEEP Grant Program Application for the 26<sup>th</sup> Judicial Circuit Community Corrections Program in the amount of \$277,744. If awarded, the funds will be used to provide psychiatric evaluations and medical assessments for substance use treatment, and co-occurring mental health. \* Page 7 to 43
2. Consideration of a request from the James W. Curry Advisory Board to request an additional ten percent distribution of the James W. Curry Trust, held by Fulton Financial Advisors, for operations through fiscal year 2025. \* Page 44
3. Correspondence from Terry Gould, Hodgesville PSD Manager, requesting the reappointment of Roger Ward to the Hodgesville PSD Board of Directors. Upon approval, Mr. Ward's term will expire on August 5, 2026. The Board voted to recommend Mr. Ward's reappointment during a regular monthly meeting held on August 4, 2020. \* Page 45
4. Consider Resignation of Employee \* Under separate cover  
*Item may lead to Executive Session per WV Code §6-9A-4*

5. Approval of advertisement for a full-time Case Manager for the 26<sup>th</sup> Judicial Circuit Community Corrections Program. Applications must be received by 4:00 p.m. on October 5, 2020. The starting salary will be \$12.50 per hour. \* Page 46
6. 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. Statewide Transportation Improvement Program (STIP) FFY 2020-2025 Program Amendment #3 dated September 15, 2020. Page 47-49
2. Upshur County Mileage Reports – August, 2020 Page 50-57
  - Upshur 911
  - Maintenance
  - Emergency Management
  - Sheriff
  - Addressing and Mapping
  - Community Corrections
  - Dog Pound
3. Public Notices:
  - a) Newsletters and/or Event Notifications:
  - b) Agendas and/or Notice of Meetings:
    - Elkins Road PSD October 5, 2020 Page 59
  - c) Meeting Minutes:
 

• Upshur County Development Authority – Board of Directors	January 22, 2020	<u>Page 60-62</u>
• Upshur County Development Authority – Executive	February 26, 2020	<u>Page 63</u>
• Upshur County Development Authority – Board of Directors	March 25, 2020	<u>Page 64-66</u>
• Upshur County Development Authority - Executive	April 29, 2020	<u>Page 67-68</u>
• Upshur County Development Authority – Board of Directors	May 27, 2020	<u>Page 69-71</u>
• Upshur County Development Authority -Executive	June 24, 2020	<u>Page 72-73</u>
• Buckhannon-Upshur Parks & Recreation Advisory Board	July 13, 2020	<u>Page 74-75</u>
• Upshur County Youth Camp	July 26, 2020	<u>Page 76-77</u>
• Upshur County Fire Board	August 18, 2020	<u>Page 78</u>
• Upshur County Public Library Board of Trustees	August 19, 2020	<u>Page 79-80</u>
  - d) Meetings:
 

• 10/05/20	5:30 p.m.	Elkins Road PSD
• 10/06/20	4:00 p.m.	Hodgesville PSD
• 09/03/20	7:00 p.m.	Banks District VFD
• 09/03/20	7:00 p.m.	City Council of Buckhannon
• 09/03/20	7:00 p.m.	Selbyville VFD
• 09/14/20	12:00 p.m.	Upshur County Family Resource Network

- 09/14/20 4:30 p.m. Upshur County Solid Waste Authority
- 09/14/20 5:30 p.m. Buckhannon-Upshur Recreational Park Advisory Board
- 09/07/20 6:00 p.m. Lewis-Upshur Community Corrections Board – Lewis Co.
- 09/08/20 7:30 p.m. Adrian VFD
- 09/03/20 6:00 p.m. Buckhannon-Upshur Board of Health
- 09/16/20 7:00 a.m. Upshur County Development Authority – Executive Board
- 09/09/20 12:00 p.m. Upshur County Senior Center Board
- 09/09/20 3:00 p.m. Upshur County Conventions & Visitors Bureau
- 09/09/20 7:00 p.m. Warren District VFD
- 09/03/20 3:00 p.m. Adrian PSD
- 09/09/20 3:00 p.m. Tennerton PSD
- 09/10/20 3:00 p.m. Upshur County Safe Sites & Structures Enforcement Board
- 09/10/20 7:30 p.m. Buckhannon VFD
- 09/10/20 4:00 p.m. Buckhannon Upshur Airport Authority
- 09/17/20 6:30 p.m. Upshur County Youth Camp Board
- 09/20/20 6:00 p.m. Washington District VFD
- 09/21/20 12:00 p.m. Buckhannon-Upshur Chamber of Commerce
- 09/16/20 4:00 p.m. Upshur County Public Library Board
- 09/18/20 10:00 a.m. Wes-Mon-Ty Resource Conservation & Development Council
- 09/15/20 6:30 p.m. Upshur County Fire Board, Inc.
- 09/22/20 5:00 p.m. UC Enhanced Emergency Telephone Advisory Board
- 09/09/20 7:00 p.m. Ellamore VFD
- 09/16/20 12:00 p.m. Lewis Upshur LEPC
- 09/17/20 2:00 p.m. Upshur County Farmland Protection Board
- 09/23/20 10:00 a.m. James W. Curry Advisory Board
- 09/28/20 7:00 p.m. Upshur County Fire Fighters Association
- 09/09/20 6:00 p.m. Buckhannon River Watershed Association - Farm Bureau
- 09/11/20 11:00 a.m. Region VI Local Elected Officials

#### 4. Appointments Needed or Upcoming:

- Upshur County Fire Board, Inc. (Linn Baxa – 6-30-2020) – Fire Association Representative

*\*\*\*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. \*\*\**

#### Tabled Items

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

Next Regular Meeting of the Upshur County Commission  
October 1, 2020 --- 9:00 a.m.  
Upshur County Courthouse Annex

\*\*The Commission Meeting on October 15, 2020 has been CANCELLED\*\*

# County of Upshur



## PROCLAMATION

### PROCLAMATION FOR BREAST CANCER AWARENESS MONTH

Whereas, while considerable progress has been made in the fight against breast cancer, it remains the most frequently diagnosed type of non-skin cancer in women;

Whereas, thanks to earlier detection and better treatments, survivor rates for breast cancer has continued to rise in the last decade;

Whereas, during National Breast Cancer Awareness Month, we stand with our mothers, daughters, sisters and friends and we recognize all who have joined their loved ones in fighting their battle as well as the doctors, researchers, and health care providers whose care and hard work gives hope to those living with breast cancer;

Whereas, by educating ourselves and supporting innovative research, one day, we will defeat this terrible disease; and,

THEREFORE, we, the commissioners of Upshur County proclaim the month of October 2020, as Breast Cancer Awareness Month.

Dated: September 24, 2020

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Samuel R. Nolte  
Commissioner

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Kristie G. Tenney  
Commissioner

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Terry B. Cutright  
Commission President

In Re: The Estate of Sarah Downes, deceased

**RECOMMENDATION TO REMOVE FIDUCIARY COMMISSIONER**

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

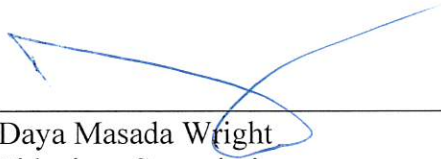
1. On May 23, 2019, the Will of Sarah Downes, deceased, was filed and offered for probate.
2. On May 23, 2019, Catherine Hesser, qualified as Administratrix with the Will Annexed of the estate of Sarah Downes, deceased, with bond.
3. On June 24, 2019, Michael R. Alborano filed a claim, against the estate of Sarah Downes, deceased.
4. On July 11, 2019, Catherine Hesser, Administratrix, objected to the claim filed.
5. On July 22, 2019, the estate of Sarah Downes, deceased, was referred to Daya Masada Wright, Fiduciary Commissioner.
6. On September 9, 2019, Daya Masada Wright, Fiduciary Commissioner, held a hearing to determine the validity of the claim and the objection.
7. On September 17, 2019, Daya Masada Wright, Fiduciary Commissioner, filed the Final Hearing Recommendations regarding the claim.
8. On October 3, 2019, the Upshur County Commission approved Fiduciary Commissioner's Final Hearing Order.
9. On August 24, 2020, the Clerk of the Upshur County Commission released the claim, filed by Michael R. Alborano, against the estate of Sarah Downes, deceased.
10. On August 27, 2020, Daya Masada Wright, Fiduciary Commissioner, requested to be removed as Fiduciary Commissioner citing that her services of the same are no longer statutorily required.

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

1. Daya Masada Wright be removed as Fiduciary Commissioner for the Estate of Sara Downes.

ENTERED:

8/27/2020

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

## **Appendix B**

West Virginia Statewide Implementation,  
Enhancement, and Evaluation Projects (SIEEP)  
FY 2019 Application Forms



**West Virginia SIEEP  
Grant Program Application**

**General Administrative Information  
Page 1**

**Applicant Agency:**

26<sup>th</sup> judicial circuit  
community  
corrections

Address: 91.  
W Main Street,  
Suite 101  
Buckhannon,  
WV 26201

Phone: 304- 472-  
9548

Fax  
Number: 304-  
472-8735

**Type of Agency:**

☐ Non-Profit

☒ County

**Project Director:**

PD Title: Sgt. Rodney Rolenson  
Address: 43 WBUC Rd  
Buckhannon, WV 26201

Phone: 304-472-9548

Fax: 304-472-8735

Email: chevellegirl90@gmail.com

**Fiscal Officer:**

FO Title: Carrie Wallace  
Address: 91 W. Main Street, Suite  
101, Buckhannon, WV 26201

Phone: 304-472-0535

Fax: 304-472-2399

Email: clwallace@upshurcounty.org

Funds Requested: 277,744.00

Amount Awarded:

Local Funds Committed: 119,033.00

(for JCS use only)

Project Period: October 1, 2020 – September 30, 2022

Number of years previously funded: 0

Previous Year Number admitted: 0

Geographic Area(s) Served: Lewis/ Upshur Counties

Total Population: 41,250

Project Title: SIEEP receiving site for telehealth services

**Project Description:** To provide psychiatric evaluations and medical assessments for substance use treatment, and co-occurring mental health

*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.*

<b>Authorized Official:</b> <u>Terry B. Cutright</u>	<b>AO Title:</b> <u>Commission President</u>
Address: 91 W. Main Street Suite 101, Buckhannon, WV	Phone: 304-472-0535
	Fax: 304-472-2399
	E-Mail:
Signature:	Date:

<b>West Virginia SIEEP Grant Program Application</b>	<b>Budget Summary Page 2</b>
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Applicant:	<b>Upshur County Commission</b>	FEIN Number:556000406
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Budget Category	SIEEP Requested Funds (A)	Local (Match) Funds (B)	Total Budget (A + B)
Personnel/Contractual	219,054.00		219,054.00
Travel/Training			
Equipment	58,690.00	59,517.00	118,207.00
Other		59,517.00	59,517.00
Totals	277,744.00	119,033.00	396,777.00

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

#### Funding Strategy

Funding Source(s)	Amount	Status
SIEEP Grant	277,744.00	P
Local Funds	119,033.00	C
Total	396,777.00	

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 **(apart from this Grant Application)** and under review

C – Funds Committed

**West Virginia SIEEP  
Grant Program Application**

**Budget Detail  
Page 3**

R – Funds received, appropriated or on hand

Detailed Project Cost by Budget Category	Requested JCS Funds	Local Funds Utilized	Grant Funds Approved
<b><u>Personnel / Contractual:</u></b> <u>Attached are excel sheets with detailed budgets for grant and local funds</u>  <u>Telehealth coordinator</u>   <b><u>Travel / Training:</u></b>          <b><u>Equipment (\$1,000/unit):</u></b> <u>2x desktops with webcams and 1 laptop</u>  <b><u>Other:</u></b> <u>Medical/ sanitation supplies</u> <u>Remote drug testing supplies</u> <u>Cell phone</u> <u>Program supplies</u>			(JCS Use Only)
Total Requested JCS Funds	277,744.00		
Total Local Matching Funds		119,033.00	
Total Funds APPROVED for Project			(For JCS Only)





<b>West Virginia SIEEP</b> <b>Grant Program Application</b>	<b>Budget Justification</b> <b>Page 4</b>
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Provide specific information that explains each proposed expense for the project. State clearly and in concise detail the breakdown and justification of need for each item requested for funding in the Budget Detail pages. Also, provide an identified breakdown of matching funds. Be sure to label the breakdown of matching funds as such. Attach additional pages if necessary.

### Telehealth Coordinator

This full-time position will coordinate the schedules for behavioral health and medication assisted treatment services provided through telehealth to the designated "receiving" sites. The position will verify insurance information, consult with clinical staff (physician/nurses) on medication orders, coordinate medication orders with the pharmacy, and communicate with case managers at the "broadcast" and "receiving" sites.

#### Telehealth Coordinator- full time/ 40 hours, 52 weeks, Upshur and Lewis Counties DRC, \$18.00/hr

Base- \$ 37,440.00

FICA 6.20%-\$2,321.00

WC 3.19%-\$1,194.00

FMED 1.45%-\$543.00

U/E 1.50%-\$562.00

Health Insurance-\$26,840.00

Retirement 11%-\$4,118.00

TOTAL per year-\$73,018.00

3yr Total \$219,054.00

### Equipment

The cost of two desktop computers and one laptop computer and scanner is estimated at \$2,250.00

### Cell phone

The cost of a cell phone for the CCM to contact patients via phone calls and text, and after office hour contact availability. The estimated cost is \$1,080.00 per year through ATT

3yr Total \$3,240.00

### Medical/Sanitation Supplies

The cost of personal protective equipment and supplies to disinfect treatment areas is estimated at \$2,000.00

**Remote Drug Testing Supplies/ Analysis**

The cost of drug screens that can be administered remotely to monitor drug use during COVID-19 when transportation to the Lewis/Upshur Day Report Centers is not feasible is estimated at **\$50,000.00** this would allow us to do 500 remote drug tests or 166 per year for 3 years at 100.00 per device.

**Program Supplies and Copier/ Fax services**

The cost for a copier/fax contract and office supplies include: paper, ink, internet service, etc. **\$1,200.00**

Please provide information that describes the proposed project. State clearly and in concise detail the purpose and direction of the project, including all components described in the project narrative section of the application instructions. All components must be addressed in the order listed in the instructions. Attach additional pages if necessary and label additional pages as 5a, 5b, 5c, etc.

### Problem Statement

#### **Description of the specific problem to be addressed by the project.**

Substance and alcohol misuse are serious problems in Lewis and Upshur Counties. The effects of substance abuse have affected almost every resident of Lewis and Upshur County directly or indirectly. This crisis is resulting in loss of employment, safe communities, social ties, and has even resulted in death for many. Our small communities have experienced more overdose deaths each year and the numbers continues to rise across the state. As you may already know West Virginia leads the country in overdose deaths. The opioid epidemic has consumed our state and has left many people feeling helpless and worried. Our state now has an even bigger problem with Methamphetamine and Fentanyl being the most used substances. Our regional jails are overcrowded and we have very limited access to rehabilitation centers in our area. Lack of funding has caused many programs to seek alternative routes of counseling, classes, and supervision. This is a huge obstacle we face in our area because many times our offenders have longer wait times to get into a rehabilitation center or may not be able to be seen as often by counselors as they need due to extreme high volumes of need with lack of staff. Many barriers are faced when trying to get an offender into a rehabilitation center or detox center as most of them will not accept someone that is only addicted to Methamphetamine. This is a huge problem across our state and makes it much more challenging to help with the rehabilitation process. In 2010 West Virginia's drug overdose death rate was the highest in the country (Trust for America's Health, 2013). Between 2001-2007, West Virginian's death rate from overdose increased 275 percent to 25.3 per 100,000 persons; in comparison, the national rate rose 180 percent to 12.7 per 100,000. Death by accidental poisoning was the leading cause of death for West Virginian's ages 25-44 in 2013 (world life expectancy, 2015), with the vast majority of these due to drug overdose (West Virginia Health Statistics Center, 2013). Lewis and Upshur Counties are both very rural areas, this causes a huge geographical barrier for offenders and staff to face. This barrier causes transportation issues, greater distances from treatment locations, and fewer outsourcing services available to offenders. All though our counties are very rural both have main highways running through them, Interstate 79 and Route 33. Due to these highways an increase in illegal substances being brought in from other areas has directly affected our counties. Another barrier for our offenders is that we have no public transportation offered in either county and it makes it very difficult for offenders to attend treatment programs.

### **Description of target population to be served.**

The population of focus for this program is Lewis and Upshur Day Report clients, offenders who demonstrate high risk for re-offense coupled with a need for substance use or behavioral health treatment. Lewis and Upshur Counties have a low racial diversity rate with the majority of the population being Caucasian. In the year of 2019 our offices served 369 Caucasians and 2 African Americans. Of the 371 offenders we served 211 were males and 160 were females. With all of the statistics given, it shows that our target population was primarily young to middle aged male Caucasians.

### **Description of unique characteristics, barriers, or challenges of the applicant's locality as they relate to the identified problem.**

Lewis and Upshur Counties are both very rural areas, this causes a huge geographical barrier for offenders and staff to face. This barrier causes transportation issues, greater distances from treatment locations, and fewer outsourcing services available to offenders. All though our counties are very rural both have main highways running through them, Interstate 79 and Route 33. Due to these highways an increase in illegal substances being brought in from other areas has directly affected our counties. Another barrier for our offenders is that we have no public transportation offered in either county and it makes it very difficult for offenders to attend treatment programs.

## **Program Description and/or Solution to the Problem**

### **Brief background summary of the program.**

The 26th Judicial Circuit Community Corrections Program has been serving Lewis and Upshur Counties for the past fifteen years. Whether it's assisting the judiciary system with providing a sentencing alternative for offenders or providing bond supervision for offenders, the Community Corrections program benefits everyone in Lewis and Upshur County. Creating positive community outreach and assisting with the current drug epidemic; Community Corrections plays a huge role in our area. In our counties Community Corrections is highly recognized for its efforts to keep our communities, streets, and roadways clean by removing litter and participating in the Adopt a Highway program. Offenders spend countless hours at our local animal shelter where they donate time and supplies to help maintain a clean facility for everyone to enjoy. Our programs are involved with numerous community service and outreach programs which are crucial to offenders getting re-involved in their communities. The programs have also had a huge impact on our counties providing services to help fight the drug epidemic, participating in community service projects, and giving some financial relief for the County Commissions. The programs strive to provide evidence based treatment to individuals involved in the criminal justice system, in hopes that sobriety and crime free living will become a new way of life. Strategies the engage offenders with treatment needs, in the least restrictive community-based environment, address the cycle of

<p style="text-align: center;"><b>West Virginia SPCIP Grant Program Application</b></p>	<p style="text-align: center;"><b>Project Narrative Page 5</b></p>
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reoffending and improve the health and quality of life for the individual, their family and the community. The Lewis/ Upshur Community Corrections Programs strive to treat, prevent, and eliminate the substance abuse epidemic that has taken a huge toll on our communities. We have made a huge impact on our communities over the years and continue to grow and offer more help in every way possible.

**Description of how the proposed project will address the needs identified in the problem statement**

The proposed project will remove numerous barriers that our clients face on a day to day basis by creating a therapeutic clinical environment that supports personal change and recovery by utilizing accountability systems, evidence-based treatment interventions, and graduated sanctions and incentives to reinforce compliant behavior and successful completion of the 26<sup>th</sup> Judicial Circuit Community Corrections Program. The objective of the additional services for which funds are requested is to expand access to substance use disorder treatment, medication assisted treatment via telehealth and intensive case management. The delivery of treatment services by highly credentialed mental and behavioral health professionals provides justice agencies with sentencing alternatives that reinforce community-based treatment versus institutional custody. This would ultimately remove barriers like transportation, lack of treatment services, and lack of medication assisted treatment services.

**Description of the program's anticipated impact on the target population**

Community Corrections is always evolving to better accommodate our offenders to increase their rate of success. Our evidence based practices have made an impact on both Lewis and Upshur Counties with having 215 successful completions in 2019 with no known recidivating. By utilizing telehealth technology, specialized providers are available within a short period of time resulting in less time to do intake and initiation services. Having shorter wait times allows providers to capitalize on criminal justice referrals and maximizes the external motivation provided by the courts and other agents to engage patients in care, while under community supervision.

**Describe the major activities necessary to implement the project.**

Community Corrections mission of providing services in hopes of producing behavioral changes which include maintaining sobriety, building and continuing healthy relations, obtaining employment and education is what sets our programs apart from others. Each offender has a case plan based off of their LSCMI scores. Offenders have an initial, re-evaluation, and discharge LSCMI completed throughout their time on the Community Corrections Program. Staff collaborates with Probation, Parole, and Drug Court Officers to generate a treatment plan that gives the offender a greater chance of succeeding. In designing a plan that is measurable, the anticipated impact on the target population will be the overall reduction of each offender's risk needs established by the LSCMI. Targeting this population may produce long term benefits for the offender and

communities. The overall substance abuse crisis may be minimized, education and employment rates may increase, and domestic related arrest rates may decrease. We strive to see a reduction in recidivism rates which would result in an overall decrease of jail and prison overcrowding. The Lewis/Upshur Community Corrections program continues to offer treatment such as individual counseling, substance abuse assessments and counseling, intensive outpatient program (IOP), Batterers Intervention Prevention Program (BIPP), family counseling, relapse prevention, financial management, assisting in in-patient treatment, job skills training, employment assistance, educational opportunities, and parenting skills, life skills, anger management, healthy relations, trauma services, men's recovery group, and a women's recovery group. Many of these classes have phases such as relapse prevention phase I, II, and III, which provide more in-depth treatment for offenders. These services are offered to all offenders regardless of their court status. The addition of intensive clinical case management provided through this funding would support quicker engagement in care and service availability outside of the typical case manager's schedule. Other services that this program would be able to implement include the following:

- Clinical intake assessment conducted by a qualified substance abuse counselor or licensed behavioral professional
- Referrals to behavioral health providers for psychiatric or extended behavioral health services
- Referrals to the community health providers for primary care as needed
- Assessments and treatment plan reviews at least every month to determine progress and adjust frequency of contact
- Psychoeducational and cognitive-behavioral groups with clinical oversight to ensure fidelity to evidence-based practice
- Training of clinical staff in evidence-based practices to ensure consistency and quality of care as well as training with nonclinical staff on topics of confidentiality, motivational interviewing, and trauma-informed interactions with patients.

### **Describe the evidence-based programs that will be offered**

The supervised substance use treatment is delivered in the appropriate dose or level based on the need of the participant. The evidence-based practices of this project are specifically tailored to the target population with their needs in mind. The successful outcomes of the 26<sup>th</sup> Judicial Circuit Community Corrections Program have generated confidence in the program as it is reflected by our increasing referral numbers from local justice agencies. For those enrolled in programs provided through this funding, they will be met with trauma-informed care at every encounter and evidence-based trauma specific therapy which is available to them such as cognitive processing therapy and prolonged exposure. Evidence based programs include:

- Individual psychotherapy with licensed behavioral health providers and emphasis on cognitive-behavioral intervention and addressing criminogenic needs
- Drug and alcohol education group (Hazelton)

<b>West Virginia SPCIP Grant Program Application</b>	<b>Project Narrative Page 5</b>
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- 12-step facilitation (Hazelton)
- Relapse prevention group (Hazelton)
- Criminal and addictive thinking group (Hazelton)
- Socializing (Hazelton)
- Cognitive-behavioral substance abuse treatment (University of Cincinnati Corrections Institute, 2014)
- Recovering families parenting group
- T4C Thinking for Change
- Anger management
- Batter's intervention and prevention program
- Wellness groups including tobacco cessation
- Medication for substance use disorder (Vivitrol)
- Psychiatric consultation for other behavioral health disorders
- Multimodal drug screening procedures

### **Project Assessments/ Evaluation**

#### **Data to be collected**

The information collected provides sound assessment and evaluation of the program effectiveness to determine the need for changes to the program curriculum and dosage. Demographic information, admissions, discharges, and other relevant factors (e.g., substance use, employment, housing, length of sobriety, medications) are some of the forms of information we collect.

#### **Methodology for data collection**

Data collection is done by the Day Report Center staff through the initial intake process, file review, LSCMI, WVOCMS, and mental health assessments would be administered by substance use treatment specialists or mental health clinicians.

#### **Who will be responsible for performing the assessment?**

Providers engage in monthly peer review ratings to ensure quality of care and effective documentation. Immediate feedback is provided to each provider and corrections or consultations are recommended as needed. Summary memos are created by the clinical supervisor and provided to the Project Director monthly with aggregate findings.

#### **How the results will be used to enhance the project**

The overall goal of the project evaluation is to monitor services and interventions for quality and fidelity as well as identify opportunities for improving program outcomes.

### **Plan of Sustainability**

#### **Illustrate the willingness and capacity to continue the project after grant funds are no longer available**

The Day Report Centers continue to provide services even when faced with new obstacles every year and often times budget cuts. The County Commissions would help sustain the program, but I am unsure to what extent their budgets would allow. We heavily rely on data collection which is beneficial when presenting the annual savings reports. The numbers visibly outline the need for Community Corrections, the data proves our worth if the grant ceases to exist. With our office being the service provider for the Adult Drug Court Program I believe it would also hold weight with the importance of keeping our offices open. Our offices would work together to apply for any additional grant funding to continue operations beyond the grant funding period.

#### **Describe any working relationships that would be maintained because of the prior grant funding**

The 26<sup>th</sup> Judicial Circuit Community Corrections Program has established contracts with the WV DHHR and is currently funded by the West Virginia Community Corrections Grant Program. We have maintained very successful working relationships with these organizations for the past 15 years as an effort to return funding to the program through billing and reimbursable services.

**West Virginia SIEEP  
Grant Program Application**

**Grant Goals and Objectives  
Page 6b**

- Goal - Broad statement about what the program intends to accomplish. This statement should state the long-term desired impact of the program, set scope or foundation, state long-range target or purpose, identify target population, and state the condition to be changed.
- Objective - A specific statement of the desired short-term, immediate outcome of the program which will show accomplishment of the goal. Each objective must be **S.M.A.R.T.** (Specific, Measurable, Attainable, Results-oriented and Time bound).
- Outcome Measure - The data or tool used to measure achievement of the objective. How will data be collected, analyzed, and results shared.
- Activities - What will be done and who will accomplish it. **You must have at least one (1) activity per objective.**
- Timeline - When will the activity begin and end? **You must have a timeline for each activity.**

Goal Number:	<u>1</u>	<b>To expand access to SUD and MAT for the target population</b>
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Objective Number:	<u>1</u>	Identify individuals that will benefit from SUD and MAT treatment
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Outcome Measure:	Census data on program participants, drug screen results, patient feedback
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Activities to meet objective:

Timeline for each activity:

1. determine program eligibility
2. schedule needs assessment

1. within a week of referral
2. within a week of program eligibility determination

3. schedule appointment w/broadcast site
4. follow up with service providers

3. within a week of program needs assessment
4. at minimum monthly/ on going

Objective Number:	<u>2</u>	To reduce SUD and relapse
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Outcome Measure:	Reduce SUD and relapse by offering SUD and MAT treatment
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Activities to meet objective:

Timeline for each activity:

1. determine program eligibility
2. schedule needs assessment

1. within a week of referral
2. within a week of program eligibility determination

3. schedule appointment w/broadcast site
4. follow up with service providers

3. within a week of program needs assessment
4. at minimum monthly/ on going

**West Virginia SPCIP  
Grant Program Application**

**Grant Goals and Objectives  
Page 6b**

Goal Number: 2 To reduce barriers preventing access to SUD and MAT treatment

Objective Number: 1 To remove transportation barriers

Outcome Measure: Reduce SUD and relapse by providing telehealth services

Activities to meet objective:

1. determine program eligibility
2. schedule needs assessment
3. schedule appointment w/broadcast site
4. receive services via telehealth

Timeline for each activity:

1. within a week of referral
2. within a week of program eligibility determination
3. within a week of program needs assessment
4. weekly/as needed

Objective Number: 2 Remove in person barriers caused by COVID-19

Outcome Measure: Provide telehealth services when in-person is not possible

Activities to meet objective:

1. determine program eligibility
2. schedule needs assessment
3. schedule appointment w/broadcast site
4. receive services via telehealth

Timeline for each activity:

1. within a week of referral
2. within a week of program eligibility determination
3. within a week of program needs assessment
4. weekly/as needed

Goal Number: 3 To reduce recidivism of program participants within the grant funded counties

Objective Number: 1 To operate programs that are specifically designed to meet treatment needs of offenders

Outcome Measure: Reduce recidivism rates by using LSCMI to create specific plans for each offender

Activities to meet objective:

1. determine program eligibility
2. schedule needs assessment
3. schedule appointment w/broadcast site
4. receive services via telehealth

Timeline for each activity:

1. within a week of referral
2. within a week of program eligibility determination
3. within a week of program needs assessment
4. weekly/as needed

**West Virginia SPCIP  
Grant Program Application**

**Grant Goals and Objectives  
Page 6b**

Objective Number: 2 To provide evidence based treatment as per recommendation of the LSCMI assessments

Outcome Measure: Reduction of drug and alcohol related factors as per LSCMI

Activities to meet objective:

1. determine program eligibility
2. schedule needs assessment
3. schedule appointment w/broadcast site
4. receive services via telehealth

Timeline for each activity:

1. within a week of referral
2. within a week of program eligibility determination
3. within a week of program needs assessment
4. weekly/as needed

**West Virginia Community Corrections  
Grant Program Application****Operational Budget  
Attachment A**

Attach the operational budget for the local community corrections program along with a brief 3-year strategic financial and programmatic plan of operation. An operational budget must be submitted for each county with a physical program site; however, only one 3-year plan is required as long as all counties included in the application is sufficiently covered in the plan. The operational budget should include ALL funds to support the program.

Attached is the operational budget along with three year strategic financial and programmatic plan of operation.

## ***Strategic Plan of Operation***

2020-2021:

I believe that we will peak financially this year with our continually growing program. In starting a new program we will also have to budget for an additional staff member to coordinate the telehealth services, that person will need a laptop, scanner, and cell phone for constant availability. Our offices will require new equipment such as desktops with webcams, medical equipment to check vitals, and numerous office supplies to be able to provide telehealth services. We will be adding remote drug testing and blood drug testing to our program which requires a lot of funding and PPE to keep our staff and clients safe. The increase in numbers is projected to come from an influx of new drug related offenders and past drug offenders now parolees, being released from prison. The Adult Drug Court Program is also well established in our judiciary circuit, which results in clientele increase also. The COVID-19 pandemic is also causing an influx of offenders as to depopulate the jails and SUD in clients is increasing due to different circumstances in our area.

**Attached the 2020-2021 proposed (Grant) budget**

2021-2022:

In 2021-2022, we expect to continually grow programmatically. We do not anticipate a large increase in clientele. Though activities will be added and modified to meet changing needs, there should not be a drastic dollar amount involved. This will insure our individual counties that there will be a continuity of services which can be maintained by a foreseeable amount of match funds. Services will remain high quality and focused on evidence based practices.

**Attached the 2021-2022 purposed (Grant) budget**

2022-2023:

In 2022-2023, we expect a lot of growth within our program. We do not anticipate a large increase in clientele but expect to remain having large caseloads as we have in our previous years. I foresee more evidence based practices being implemented by our staff as to their caseloads will be more manageable. Services will remain high quality and our partnerships with other programs will be fully established and functioning well together. This will insure our individual counties that there will be a continuity of services which can be maintained by a foreseeable amount of match funds. I foresee needing additional equipment or equipment upgrades at this point.

**Attached the 2022-2023 purposed (Grant) budget**





**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](mailto: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](http://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](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. 10<sup>th</sup> 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](http://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](http://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]:

Terry B. Cutright

Authorized Official Signature:

Date:



**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 (EEOP) 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 EEOP Certification form and, if required, an EEOP 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](http://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]: Terry B. Cultright

Authorized Official Signature: \_\_\_\_\_

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

# CERTIFICATION FORM

39

## 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: <u>Upshur County Commission</u>	
Address: <u>91 West Main St. Suite 101, Buckhannon, WV 26201</u>	
Is agency a: <input checked="" 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: <u>028608099</u>	Vendor Number (only if direct recipient)
Name and Title of Contact Person: <u>Cheyenne Walters - Project Director</u>	
Telephone Number: <u>304-472-9548</u>	E-Mail Address: <u>chevelleair190@gmail.com</u>

### 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

### 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, Terry B. Cutright, Commission President [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. Suite 101, Buckhannon, WV 26201  
[address].

Terry B. Cutright, Commission President  
Print or Type Name and Title

Signature

9/24/2020  
Date

### 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

**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](mailto: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).

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.



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 subrecipients 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:

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

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

STEEP

4. Typed Name and Title of Authorized Representative

Terry B. Cutright, Commission President

5. Signature

9/24/2020

6. Date



James W. Curry Advisory Board

1721 Brooks Hill Road  
French Creek, WV 26218  
Phone: 304-924-6724

August 26, 2020

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

RE: Request for 10% appropriation from the James W. Curry Trust

Honorable Commissioners:

As you are aware, 2020 meetings of the James W. Curry Advisory Board were postponed due to concerns with the Coronavirus (COVID-19). Our meetings resumed in June, at which time the Board began reviewing the FY 21 budget. After review of expected revenues and expenditures, it has become evident that the Board will be unable to pass a balanced budget without an additional appropriation from the James W. Curry Trust held and managed by Fulton Financial Advisors. Therefore, we respectfully request that the Commission request an additional ten percent (10%) distribution from the Trust for fiscal year (FY) 2021. If approved, we anticipate these funds will provide sufficient revenue for operations through FY 2025 when we plan to have our next timber sale.

Your consideration and on-going support for the James W. Curry Library is sincerely appreciated.

Sincerely,

Sara Collins

Lori Ulderich Harvey

Ervin Lake

Lewis Simmons

Patricia Tolliver

Carrie Wallace

**HODGESVILLE PSD**  
**188 FAYETTE STREET**  
**BUCKHANNON WV 26201**  
**304-472-1904**

August 18, 2020

At the August 4th, 2020 monthly meeting of the Hodgesville PSD, the Board Members approved the new term of Board Member, Roger Ward. His current term ended on August 5, 2020, a day after the monthly board meeting.

Mr. Ward's new term will be 8/5/2020-8/5/2026.

Thank you,

A handwritten signature in black ink that reads "Terry N. Gould". The signature is written in a cursive style with a large, stylized "T" and "G".

Terry N. Gould, Manager

**Case Manager**

On behalf of the Community Corrections Board for the 26<sup>th</sup> Judicial Circuit Community Corrections Program, we are accepting applications for one full-time Case Manager position. This position will be 40 hours per week with a beginning rate of pay of \$12.50/hr., and the office location will be in Lewis County, under the direction of the Program Director. Duties will include, but are not limited to, answering phone calls, creating correspondence, assisting with drug screening and transportation, scheduling client services, and other general office duties. Bachelor's degree is preferred but not required, a valid driver's license is mandatory, and have the ability to interact well with others and pass a criminal background check and driving history check.

- Schedules counseling appointments
- Arranges community service
- Updates BIPPS attendance sheet weekly
- Performs intakes for BIPPS clients
- Takes in home confinement money
- Assists in routine monitoring of home confinement clients
- Answers phones
- Supervises drug screening
- Administers the LSCMI case assessment tool
- Attends trainings as required by Community Corrections Subcommittee
- Prepares routine office documentation
- Enters all case information into database
- Provides testimony for court purposes

Individuals may obtain an application from the Office of the Upshur County Commission located at 91 W. Main Street, Suite 101 Buckhannon, WV 26201 during normal business hours of 8:00 am until 4:00pm., Monday through Friday, or at the Upshur County Day Report Center at 43 WBUC Rd Buckhannon, WV 26201, between 8:00 am and 4:00pm., Monday through Friday or at the Lewis County Day Report Center at 111 Court Ave, Weston, WV 26452 between 8:00 am and 4:00pm., Monday through Friday. Applications must be received at the Upshur County Day Report Center or the Lewis County Day Report Center on or before the close of business on October 5, 2020.

Office of the Upshur County Commission  
Carrie Wallace Upshur County Administrator  
91 W. Main Street, Suite 101, Buckhannon, WV 26201

Please do not make phone inquiries about this position

Employment with Upshur County is available to all qualified applicants without regard to actual or perceived race, creed, color, national origin, sex, gender identity, sexual orientation, disability, age, or handicap. Upshur County has established a drug free and tobacco free work environment.

**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION****Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • (304) 558-3505

Byrd E. White, III  
Secretary of Transportation/  
Commissioner of Highways

September 14, 2020

Jimmy Wriston, P. E.  
Deputy Secretary/  
Deputy Commissioner

To Whom It May Concern:

The Statewide Transportation Improvement Program (STIP) is a financially constrained document required to show planned Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) expenditures for Federal Fiscal Years 2020-2025. One of the requirements to funding any project with FHWA or FTA funds is that each proposed project undergoes a public "review and comment period." Therefore, additions or deletions to the STIP and certain changes to projects currently in the STIP must meet this requirement before federal funds can be obtained. Accordingly, I am again requesting your assistance in making available (to anyone who wishes to review them) the attached listing of proposed amendments to the approved 2020-2025 STIP.

All written comments are to be received no later than September 24, 2020 and should be addressed to:

Ryland Wayne Musick, Jr., Ph.D., P. E.  
Chief Engineer of Programs/  
Deputy State Highway Engineer  
West Virginia Division of Highways  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0430

Thank you for your assistance with this matter. Should you need additional information, please feel free to contact my office at (304) 414-5295.

Sincerely,

Ryland Wayne Musick, Jr., Ph.D., P.E.  
Chief Engineer of Programs/  
Deputy State Highway Engineer

RWM:La

Attachment

**STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2020-2025  
PROGRAM AMENDMENT**

COUNTY	FFY	DISTRICT	GROUP	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	FEDERAL DOLLAR COST	TOTAL PHASE COST	FEDERAL COST CHANGE
<b>PROJECT COMMENTS</b>														
BOONE	2021	1		4/28/2021	NHPP	CON	NA999	ROCK CREEK I/C - NEW INTERCHANGE	CONSTRUCT NEW INTERCHANGE	X303 119 1515 02	NHPP0119447D	\$20,000,000	\$25,000,000	\$5,600,000
2020-2025 AMD 3 - 39% COST INCREASE (>2M) ; 2016-2021 ADJ 26 - MOVE PROJECT TO FFY 2021														
CABELL	2025	2		2/28/2025	NHPP	CON	1064	GIMLET HOLLOW O/P	REPLACE BRIDGE	U306 64 599 00	NHPP0641410D	\$25,600,000	\$32,000,000	\$0
2020-2025 AMD 3 - ADD NEW PROJECT (>10M)														
FAYETTE	2020	9		9/28/2020	AUG REDIST	CON	WV006	EARL M VICKERS BR	DECK REHAB	S310 006 00012 00	STP0006049D	\$11,004,057	\$13,755,072	\$11,004,057
2020-2025 AMD 3 - CHANGE TO FED AID FUNDS (>\$2M) & MOVE PROJECT TO FFY 2020														
JACKSON	2023	3		12/28/2022	NHPP	CON	1077	FAIRPLAIN - RIPLEY RD	RECONST RDWY W UNDERDRAINS, GORL	S318 77 13251 00	NHPP0773487D	\$15,000,000	\$18,750,000	\$0
2020-2025 AMD 3 - ADD NEW PROJECT >10M														
JEFFERSON	2023	5		12/28/2022	NHPP	CON	US340	US 340 ROCK SLIDE INVESTIGATION	SLIDE REPAIR	S319 340 01578 00	NHPP0340065D	\$11,200,000	\$14,000,000	\$10,000,000
2020-2025 AMD 3 - CORRECT COST TO MATCH TIP (>2M)														
LOGAN	2022	2		12/28/2021	NHPP	CON	WV010	WV 17 CONNECTOR (AC PAYBACK)	UPGR TO 4 LN, BR	S323 10 01939 04	NHPP0010183	\$14,500,000	\$17,500,000	\$500,000
2020-2025 AMD 3 - REMOVE FROM STIP PUT PROJECT IN RESERVE														
LOGAN	2021	2		12/28/2020	NHPP	CON	WV010	WV 17 CONNECTOR (AUTH AC PROJECT)	UPGR TO 4 LN, BR	S323 10 01939 04	NHPP0010183	\$14,500,000	\$17,500,000	\$500,000
2020-2025 AMD 3 - REMOVE FROM STIP PUT PROJECT IN RESERVE														
MERCER	2021	10		12/28/2020	HSIP	CON	1077	EAST RIVER MTN - US 480	Install High Tension Cable Barrier (HTCB)	S328 77 004 00	HSIP0460067D	\$3,680,000	\$4,600,000	\$0
2020-2025 AMD 3 - ADD NEW SAFETY PROJECT														
MERCER	2023	10		11/28/2022	OTHER	CON	WV020	PRINCETON O/H BRIDGE (TPK BOND)	REPLACE BRIDGE	S328 020 01135 00	NFA2417029D	\$0	\$12,500,000	\$0
2020-2025 AMD 3 - COST INCREASE (>2M)														
MINGO	2023	2		10/28/2022	NHPP	CON	US119	PVT LAWRENCE OOTEN MEM BR	REHAB BRIDGE	S330 119 2069 00	NHPP0118479D	\$10,679,707	\$13,349,634	\$9,611,737
2020-2025 AMD 3 - ADD NEW PROJECT (>10M)														
MORGAN	2021	5		12/28/2020	OTHER	CON	US522	FAIRVIEW CONNECTOR (GO BOND 2/3)	MODIFY I/C	U333 522 1192 06	NFA2317233	\$0	\$5,400,000	\$0
2020-2025 AMD 3 - CANCEL PROJECT, COMBINE WITH U333-522-11.92														
RANDOLPH	2022	8		9/28/2022	NHPP-ADHS	CON	US048	CHEAT RIVER BRIDGE (AC PAYBACK)	CONST NEW BRIDGE	X342 H 04021 08	NHPP0484329	\$47,086,187	\$47,086,187	\$40,286,187
2020-2025 AMD 3 - FUNDING CHANGES (>2M)														
RANDOLPH	2023	8		9/28/2023	NHPP-ADHS	CON	US048	CHEAT RIVER BRIDGE (AC PAYBACK)	CONST NEW BRIDGE	X342 H 04021 08	NHPP0484329	\$47,086,187	\$47,086,187	\$30,155,229
2020-2025 AMD 3 - FUNDING CHANGES (>2M)														

**STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2020-2025  
PROGRAM AMENDMENT**

COUNTY	FFY	DISTRICT	GROUP	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	FEDERAL DOLLAR COST	TOTAL PHASE COST	FEDERALCOST CHANGE
<b>PROJECT COMMENTS</b>														
RANDOLPH	2024	8		9/28/2024	NHPP-ADHS	CON	US048	CHEAT RIVER BRIDGE (AC PAYBACK)	CONST NEW BRIDGE	X342 H 04021 08	NHPP0484328	\$47,086,188	\$47,086,188	\$30,155,230
<b>2020-2025 AMD 3 - FUNDING CHANGES (&gt;2M)</b>														
RANDOLPH	2025	8		9/28/2025	NHPP-EXEMPT	CON	US048	CHEAT RIVER BRIDGE (AC PAYBACK)	CONST NEW BRIDGE	X342 H 04021 08	NHPP0484328	\$47,086,188	\$47,086,188	\$7,486,188
<b>2020-2025 AMD 3 - FUNDING CHANGES (&gt;2M)</b>														
RANDOLPH	2021	8		9/28/2021	OTHER	CON	US048	CHEAT RIVER BRIDGE (AC PAYBACK) (GO BOND 2/3)	CONST NEW BRIDGE	X342 H 04021 08	NFA2317369	\$0	\$50,000,000	(\$39,600,000)
<b>2020-2025 AMD 3 - FUNDING CHANGES (&gt;2M)</b>														
RANDOLPH	2024	8		10/28/2023	NHPP-ADHS	CON	US048	WV 72 I/C-PARSONS (AC PAYBACK)	GR, DR, PAVE	X342 H 04021 05	NHPP0484323	\$35,933,500	\$45,000,000	(\$3,666,500)
<b>2020-2025 AMD 3 - COST DECREASE (&gt;\$2M)</b>														
RANDOLPH	2025	8		10/28/2024	NHPP-ADHS	CON	US048	WV 72 I/C-PARSONS (AC PAYBACK)	GR, DR, PAVE	X342 H 04021 05	NHPP0484323	\$35,933,500	\$45,000,000	\$29,133,500
<b>2020-2025 AMD 3 - COST DECREASE (&gt;\$2M)</b>														
RANDOLPH	2023	8		10/28/2022	NHPP-ADHS	CON	US048	WV 72 I/C-PARSONS (AC PAYBACK)(GO BOND)	GR, DR, PAVE	X342 H 04021 05	NHPP0484323	\$50,000,000	\$50,000,000	\$10,400,000
<b>2020-2025 AMD 3 - COST INCREASE (&gt;\$2M)</b>														
SUMMERS	2023	9		10/28/2022	STP	CON	CO012	BRADSHAW CREEK BRIDGE	REPLACE BRIDGE	S345 12 00121 00	STP0012057D	\$240,000	\$2,400,000	\$0
<b>2020-2025 AMD 3 - 800 % COST INCREASE (&gt;2M)</b>														
UPSHUR	2022	7		1/28/2022	NHPP	CON	US033	BUCKHANNON-ELKINS ROAD	RESURFACING	S349 33 682 00	NHPP0033420D	\$10,400,000	\$13,000,000	\$0
<b>2020-2025 AMD 3 - ADD NEW PROJECT (&gt;10M)</b>														
WEBSTER	2022	7		8/28/2022	STP-OFF	CON	CO026	BERGOO ROAD ARCH	REPLACE BRIDGE	S351 026 00359 00	STP0026054D	\$4,320,000	\$5,400,000	\$3,168,000
<b>2020-2025 AMD 3 - 380% COST INCREASE (&gt;2M)</b>														
WOOD	2021	5		10/28/2020	STP	ENG	WV014	28TH AVE - BLIZZARD DR	WIDEN, ADD LANES	U354 14 1043 00	STP0014174D	\$536,000	\$670,000	\$0
<b>2020-2025 AMD 3 - ADD NEW PROJECT PHASE</b>														



## UPSHUR COUNTY COMMISSION

### MONTHLY MILEAGE LOG

DEPARTMENT: Upshur 911

MONTH / YEAR: August 2020

Employee	Vehicle Description	VIN	Start Mileage	End Mileage	Total Mileage	Fuel (Gal.)
Doyle Cutright II	Ford Expedition	2CNDL73F556160712	123284	123660	376	16.6
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
			GRAND TOTALS		376	16.6



## UPSHUR COUNTY COMMISSION

### MONTHLY MILEAGE LOG

DEPARTMENT: Maintenance

MONTH / YEAR: August 2020

Employee	Vehicle Description	VIN	Start Mileage	End Mileage	Total Mileage	Fuel (Gal.)
GREG HARRIS	2008 Toyota Tundra	5TBBV541B8551	85,937	86,647	710	17.93
Chris Alkire		4917				17.89
Terry Boyd						16.60
Loretta Krone						
GRAND TOTALS					710	52.42

# UPSHUR

## UPSHUR COUNTY COMMISSION MONTHLY MILEAGE LOG

DEPARTMENT: Maintenance

MONTH / YEAR: August 2020

Employee	Vehicle Description	VIN	Start Mileage	End Mileage	Total Mileage	Fuel (Gal.)
GREG HARRIS	2019 Ford F-250	1FDBF2B69KEC81	5886	6129	243	0
Chris AlKire		902			0	24.8
Terry Boyd					0	25.0
Louetta Koone					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
			GRAND TOTALS		243	0
						49.8 0

# UPSHUR

County, West Virginia

## UPSHUR COUNTY COMMISSION

### MONTHLY MILEAGE LOG

DEPARTMENT: Maintenance

MONTH / YEAR: August 2020

Employee	Vehicle Description	VIN	Start Mileage	End Mileage	Total Mileage	Fuel (Gal.)
Greg Harris	2010 Ford F-150	1FTFW1E7VIAFC7	111446	111859	413	25.0
Chris Alkire		9153	1			26.0
Terry Boyd						
Loretha Korne						
GRAND TOTALS					413	51

EST.  1851

**U P S H U R**

*County, West Virginia*

## UPSHUR COUNTY COMMISSION

### MONTHLY MILEAGE LOG

DEPARTMENT: DHSEM

MONTH / Year July 2020

Employee	Vehicle Description	VIN	Start Mileage	End Mileage	Total Mileage	Fuel (Gal.)
B Shreves	2019 Chevy 2500	2GC2KREG1121064	4867	5367	500	36
			<b>GRAND TOTALS</b>		500	39

SEP/16/2020/WED 12:02 PM

Officer	Cruiser	VIN	Start Mileage	End Mileage	Total Mileage	Fuel (Gal.)
DAVE COFFMAN - 900	2020 Ford Explorer		N/A	N/A	N/A	N/A
MIKE KELLEY - 901	2010 FORD Explorer	1FM5K8ARBGG844629	79518	81187	1669	72.1
MARK DAVIS - 902	2016 Ford Explorer	1FM5K8AR0GGB43426	76885	78656	1771	100.3
MARSHALL POWERS - 904	2016 Ford Explorer	1FM5K8AR4GGB44630	90370	92530	2160	135
Theron CAYNOR - 905	2017 FORD EXPLORER (NEW)	1FM5K8AR4HGC90351	62455	63623	1168	52.3
DEWAINE LINGER - 906		1FM5K8AR5KGA29379	24411	25481	1070	76.5
RODNEY ROLENSON - 907	2017 FORD F-150 (NEW)	1FTEW1EFOHFA12892	40754	42465	1711	137
TYLER GORDON - 908	2019 FORD TAURUS	1FAHP2M104KG102939	6488	8024	1536	0
DAN BARCUS - 909	2020 Ford Explorer	1FM5K8AB01GA20111	8678	10366	1688	105
COLE BENDER - 912	2017 Ford Taurus	1FAHP2MK5HG119855	45654	48082	2428	151.27
BOBBY HAWKINS-916	*2010 FORD CROWN VICTORIA	2FABP7BV2AX1006	115915	117210	1295	93
Jason Kniceley - 930	2019 Ram 4x4 CY6224	1C6RR7ST3KS692640	15032	Quarantine	Quarantine	Quarantine
RODNEY ROLENSON (dc)	2005 CHEVROLET EQUINOX	2CNDL73F556160712	N/A	N/A	N/A	N/A
Dakota Linger 913	2014 Ford Explorer	1FM5K8AR9EGA71008	53694	54418	724	58.5
Austin Nestor 914	Dodge Charger	2B3AA4CT9AH269160	120030	120085	55	12.50
Adam Glissy	Board of Education owns this vehicle		41110	41921	811	34.25
GRAND TOTAL					16519	936.6
Additional Vehicles						
	2005 Yamaha ATV	5Y4MO4Y55A013912				
	2005 Yamaha Grizzly 500- 4W	JY4AM03Y75C013912				
	2005 HMS Transport Trailer	5HABH20265N049282				
	2010 Ford Expedition	1FMJU1G50AEB66213	Gave to 911 Sold July 2019 Selling			
	2001 Ford Explorer	1FMZV72ZE41ZA57159				
	*2006 Fleetwood Mallard	1EF1B3020364011090				
	2006 Speed Trailer	5F15S091761003152				
	*2012 Ford Expedition	1FMJU1G50CEF29483				
	*S.W.A.T. 1991 International	1HT5LNEMOMH337402	Selling Sold Dec. 2017 Selling			
	2008 Ford Crown Victoria	2FAFP71V88X123105				
	2010 Ford Expedition	1FMJU1G52AEB6621				

County, West Virginia

**MONTH / YEAR:**

Aug. 2020

[illegible]

# UPSHUR

[illegible]

# UPSHUR COUNTY COMMISSION

## MONTHLY MILEAGE LOG

DEPARTMENT: FORD VAN  
COMM-CORR.

MONTH / YEAR: JUNE 2020 / July / Aug.

[illegible]

## LUACF – AUGUST 2020 MILEAGE

Same as July, 2020

Vehicle is in shop

**THE ELKINS ROAD PUBLIC SERVICE  
DISTRICT WILL HOLD ITS REGULAR  
MONTHLY MEETING ON MONDAY,  
OCTOBER 5, 2020 @ 5:00 P.M.**

**ANYONE WISHING TO ADDRESS THE BOARD SHOULD REQUEST TO BE PUT ON THE AGENDA BY FRIDAY, OCTOBER 2, 2020  
FOR ADDITIONAL INFORMATION, PLEASE CALL 304-472-3008 MONDAY THRU FRIDAY 9-1.**

**UPSHUR COUNTY DEVELOPMENT AUTHORITY  
BOARD OF DIRECTORS**

**Minutes of the Meeting**

7:00 am, Wednesday, January 22, 2020

Location: UCDA – 21 E Main St

Presiding: Skip Gjolberg, President

<i>Members Present:</i>	*Rob Hinton Sara Stankus *Wanda Bailey Rick Simon Kelly Davis	Dusty Zickefoose Skip Gjolberg CJ Martin Carrie Wallace Emiel Butcher	Bob Skinner Carrie Wallace *Connie Tenney Kathy McMurray Kristie Tenney
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<i>Members Absent:</i>	Glen Hawkins Laura Meadows Joel Thierstein Shane Whitehair	Doyle Tenney CJ Rylands Tammy Reger	Bobby Gompers Aaron Harris Lori Meadows
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*Guest:* Melodie Stemple \*By phone

- I. Skip Gjolberg, President welcomed everyone and called the meeting to order at 7:04 am. Melodie did roll call and confirmed a quorum. Welcomed new representative of County Commission, Kristie Tenney and board introduced themselves to Kristie.
- II. Minutes: Bob Skinner moved that the minutes of November 19, 2019 be approved as presented, seconded by Emiel Butcher, board approved.
- III. Financials: Rob Hinton presented the overview of the December financials to the board. Closed deal with Hinkle at Industrial Park so showing extra funds to help carry us through the year. All income invoices are current with IDEA Center and Old Armory. Financials filed for Audit review.
- IV. Old Business:
- V. Executive Director's Report – Robert Hinton
  - **AML:**
    - ✓ Walkersville is 80' in the air – power to site this week
    - ✓ Tower delivered to Upshur County Industrial Park site – lights to be worked in soon
    - ✓ Mike Ross site – clearing first week of February
    - ✓ Greenbrier – bid documents ready to go
    - ✓ Phase 2 – BB1 Fayette; BB4 Kanawha; BB56 McDowell
    - ✓ Site possibly at Tucker Co.
    - ✓ Discussion on Harrison award for \$18M for towers – largest to date to one location for grant. Fiber to home – 6500 residents 80 farms – 400 miles of fiber will help northern part of Upshur Co.
  - **Innovation Center:**
    - ✓ Boost Mobile build out completion this week – operational by end of February.
    - ✓ 3<sup>rd</sup> Floor tenants – committed – one will have approximately 3300 sq.ft. the testing lab will only have 1500 sq.ft. and then will allow for 3 offices upstairs mirrored to UCDA office space – will use this for either term lease or flex space.

- ✓ **New Market Tax Credit** – will not close in January but investor has been set up and they will oversee us and make sure their investment is 7 years sustainable.
- ✓ Suggestion to share status of Innovation with media – plus Capito's office is pushing for ribbon cutting but Rob wants to hold off until we have confirmation on future tenants. Bob Skinner to help with promoting/press release on news.
- **Booster Station:**
  - ✓ We are cursed!
  - ✓ Delivered in December – damaged – sent back – has to be rebuilt –
  - ✓ Meeting today with Thornberg (company)/Jay Hollen/Kelly Arnold/Roger Hull to discuss what can be done to move this project forward.
  - ✓ Site is ready to go – hoping for no more issues.
- **NMTC:**
  - ✓ Goal to close by January 30, 2020
- **Construction Process**
  - ✓ Final punch list November 21<sup>st</sup>
  - ✓ Begin Boost construction November 20<sup>th</sup> – rendering board approval
  - ✓ Bob Skinner moved to accept bid and move forward with construction by Vertas for Boost Mobile, seconded by Wanda Bailey, board approved.

VI. President's Report:

VII. New Business:

- ✓ Skip read the resolution stating that UCDA authorizes Robert R. Hinton IV to act on its behalf to negotiate, enter into and execute contractual Lease Agreements with future IDEA Members, Innovation Center Tenants, AML Tower Tenants and AML Tower Land Leases and all contracts are drafted and overseen by legal counsel provided by Spilman Thomas & Battle as well as Frost Brown and Todd. Kath McMurray moved to approve said resolution, seconded by Bob Skinner, board approved.
- ✓

VIII. Other:

- ✓ Rob brought the board up to date with the project with Rural Community Program with Community Care and the part UCDA has in the project which is economic development with job creation. Working with WVWC students on the project – 6 total. They are divided in to 3 groups of 2 each.
  - One group working with 3 counties: Braxton, Lewis & Upshur Counties. Checking with employers on workforce gaps – difficulty with hiring and keeping employees / training available / working with Wesleyan and Pierpont as well.
  - Another group working on identifying remote work areas – what it looks like – the environment for coding and what students are looking at.
  - Last group what jobs are out there; skills that are needed for each category
  - Then will put all info together for overview – Rob has been impressed with the groups so far.
- ✓ Bob Skinner said he attended the quarterly meeting of Corridor H last week working on 3 sections to complete Corridor H. current section now being worked on - Parsons to Davis looks like a 2040 completion and Wardensville to VA State line will be the 2<sup>nd</sup> section to work on next. Capito is busy trying to get the funds to complete the project – major delay at this time.

- ✓ Rob mentioned that a possibility of a special meeting before next full board due to New Market Tax Credits.

Meeting adjourned at 7:45 am.

Next Full Board Meeting - March 25, 2020

Respectfully submitted by:

Melodie Stemple, Asst. Director

Melodie Stemple

Wanda Bailey, Secretary

Wanda J Bailey

Upshur County Development Authority  
Executive Meeting

Wednesday, February 26, 2020  
7:00am – UCDA Office – 21 E Main St  
Presiding Skip Gjolberg, President

Members Present:	Skip Gjolberg	Joel Thierston	Wanda Bailey
	Rob Hinton	Kathy McMurray	CJ Rylands
	Kristie Tenney	Carrie Wallace	Bobby Gompers

Not Present: N/A

Guests: Melodie Stemple

Skip Gjolberg welcomed everyone and called the meeting to order at 7:02 am

Minutes: Kathy McMurray moved to accept December 18, 2019, board minutes as presented, seconded by CJ Rylands, board approved.

Old Business:

- Innovation Center NMTC
  - ✓ Rob reviewed the NMTC
  - ✓ 81% pricing
  - ✓ Pay up front – reimburse at end
  - ✓ 3<sup>rd</sup> Floor under design – out to bid next month
  - ✓ Approval to get WVEDA loan for \$2.1 vs \$1.7
  - ✓ June 30<sup>th</sup> – expiration date
  - ✓ CAN'T estimate construction costs
  - ✓ Plans to put out to bid soon to get all approvals before deadline – will include 1<sup>st</sup> floor as well as 3<sup>rd</sup> floor.
  - ✓ UCDA will be considered Master Tenant
  - ✓ Rob reviewed the diagrams with group
  - ✓ Joint entity with County Commission if they approve – No debts to either party
  - ✓ Overview of budget for next few years.
  - ✓ Bobby asked if info showed could be emailed to them. Rob said he would send out.
  - ✓ Rob will review to full board in March.

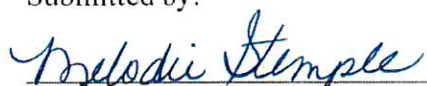
New Business:

Other:

- Question on Opportunity Zone. Not much new info currently.

Meeting adjourned at 8:15a

Submitted by:

  
Melodie Stemple, Asst. Director

  
Wanda Bailey, Secretary

**UPSHUR COUNTY DEVELOPMENT AUTHORITY  
BOARD OF DIRECTORS**

**Minutes of the Meeting**

7:00 am, Wednesday, March 25, 2020

Location: Call In Meeting Due to COVID-19

Presiding: Skip Gjolberg, President

<i>Members Present:</i>	Lori Meadows	Bob Skinner	Bobby Gompers
Call In - Video	Shane Whitehair	Skip Gjolberg	Carrie Wallace
	Wanda Bailey	CJ Martin	Joel Thierstein
	Rick Simon	Kathy McMurray	Tammy Reger
	Kelly Davis	Emiel Butcher	Kristie Tenney
	Kevin Campbell		

<i>Members Absent:</i>	Doyle Tenney	Dusty Zickefoose	Sara Stankus
	Laura Meadows	CJ Rylands	Aaron Harris
	Connie Tenney		

*Guest:* Melodie Stemple, Rob Hinton

- I. Skip Gjolberg, President welcomed everyone and thanked everyone for calling in and or tuning in for meeting due to the COVID-19 - the meeting called to order at 7:05 am. Melodie did roll call and confirmed a quorum.
- II. Minutes: Rick Simon moved that the minutes of January 22, 2020 be approved as presented, seconded by Kelly Davis, board approved.
- III. Financials: Rob Hinton presented the overview of the February financials to the board. Financials filed for Audit review. UCDA's single audit for year ending 6-30-2019 has been completed. UCDA hired Matheny & Co. who mainly works on government accounts to work on GASB for us and clean up this issue from our last audit. This audit has zero (0) findings / clean audit with AML & IDEA funds and we were able to finally take off the segregation of duties as a finding. Melodie will email out a copy of the audit to board (currently only have "draft" audit now).
- IV. Old Business:
- V. Executive Director's Report – Robert Hinton
  - **AML:**
    - ✓ Finishing up construction – Industrial Park pole is up
    - ✓ BB3 – need to finish up culvert at entrance for runoff BB62 Randolph Co. no excavation yet – hope to be completed in 45 days. Still looking at May 2020 to complete.
    - ✓ AT&T no lease to date – interested in BB3 & BB62
    - ✓ Raven Rock & Micrologic interested as well to Upshur site – BB3
    - ✓ Phase 2 – waiting on Environmental reviews; Lewis Co support towers and Preston County looks promising.
    - ✓ BB4-Kanawha Co – 95% sure for fiber for Facebook – will connect once they are thru Charleston area.
    - ✓ Expenditures to date \$1,747,074.04 – construction cost higher

- **Innovation Center:**
    - ✓ Letters of intent for 3<sup>rd</sup> floor; ICAT has committed; World's End – no agreement to date.
    - ✓ Leases will be executed once we have secured NMTC – goal is to have all completed by June 30, 2020. If we can get construction numbers back sooner, we can move more quickly on the project.
    - ✓ **New Market Tax Credit** – requires us to form a joint entity – a formality. Working with Upshur County Commission to be the other entity. No financial burden to County Commission. By-laws and articles of incorporation have been completed. This will be a \$6M for project. WVEDA increase in loan not to exceed \$2.1M.
    - ✓ Boost Mobile is now open, and business has been good so far
    - ✓ 3<sup>rd</sup> Floor bid for construction to go out hopefully March 31<sup>st</sup> – want to push forward for the project.
    - ✓ ICAT build out is simpler – holding on World's End at this time.
    - ✓ Request for copy of by-laws for joint entity – Rob will have Melodie to send out.
    - ✓ Reviewed expenses to date on this project.
  - **Booster Station:**
    - ✓ Still moving forward
    - ✓ Waiting on delivery of booster system – due for delivery in mid-April. Project should be complete in May if all goes okay.
- VI. President's Report:
- ✓ Skip reviewed with the board the current situation with the COVID-19 at the hospital and what they are doing. Have increased bed totals from 25 to 43 and increased to 7 critical beds. Hopefully will be able to do own testing results within the next week or so. Rick Simon update board as well for Community Care – sites at Rock Cave and Main Street. Currently WV has 39 confirmed cases. Direct numbers to call for questions regarding your health: St. Joseph's: 304-473-2161 / Community Care: 304-471-2240
- VII. New Business:
- ✓ Rob read the resolution stating that there was a quorum at today's meeting and the board authorizes Robert Hinton to act on its behalf to amend the WVEDA loan to not exceed \$2.1M and to sign necessary documentation required for amendments. Kathy McMurray moved to accept said resolution as read seconded by Emiel Butcher; Motion was approved, and resolution was adopted.
  - ✓ Resolution Joint Entity: Robert Hinton presented the resolution and asked if anyone needed it read aloud, no requests being made, Skip requested a motion to approve. Kathy McMurray moved to approve resolution and Second by Bob Skinner, During discussion the by-laws of the joint entity were brought up and it is required that there is a non-board member and non-employee of the authority. Rob suggested Carrie Wallace as one director as she is not a voting member for UCDA and suggested County Commission President can serve the independent role as well. Carrie suggested perhaps we do by position vs a person's name since that might change during the project. Rob said he would check with the lawyers to see if this is feasible.
  - ✓ Kathy McMurray moved to approve; seconded by Bob Skinner – Motion passed and Resolution was adopted.
- VIII. Other:
- ✓ Rob discussed with the board a call he received from RxRemedies regarding lowering rent on the armory. Discussion

- Motion to move the armory onto agenda for today's meeting – March 25, 2020 by Lori Meadows, seconded by Kevin Campbell, motion was approved.
- ✓ Bob Skinner moved to defer one-month payment for April and add 1/6 of payment to each month for next 6 months, seconded by Emiel Butcher – motion failed.
- ✓ Motion by Bob Skinner to extend RxRemedies a one-month grace period for 30 days to May 1<sup>st</sup> for April rent, seconded by Kevin Campbell, Motion was approved. It was noted that RxRemedies will still owe April month rent and be due on May 1 along with May rent.

Meeting adjourned at 8:11 am.

Next Full Board Meeting - May 27, 2020

Respectfully submitted by:

Melodie Stemple, Asst. Director

Handwritten signature of Melodie Stemple in blue ink, written over a horizontal line.

Wanda Bailey, Secretary

Handwritten signature of Wanda Bailey in blue ink, written over a horizontal line.

## Upshur County Development Authority Executive Meeting

Wednesday, April 29, 2020

7:00am – Call In Meeting

Presiding Skip Gjolberg, President

Members Present:	Skip Gjolberg	Wanda Bailey	Kristie Tenney
	Rob Hinton	Kathy McMurray	CJ Rylands
	Carrie Wallace	Bobby Gompers	

Not Present: Joel Thierston

Guests: Melodie Stemple

Skip Gjolberg welcomed everyone and called the meeting to order at 7:02 am

Minutes: Kathy McMurray moved to accept February 26, 2020, board minutes as presented, seconded by CJ Rylands, board approved.

### Old Business:

- Innovation Center NMTC
  - ✓ Going smoothly
  - ✓ Executed Lease Completed
  - ✓ Bids are back for 3<sup>rd</sup> floor – low bid came in at \$459,000 budgeted \$680,000
  - ✓ Total of 7 bids 2 under \$500,000
  - ✓ Waiting on CEE that holds NMTC funds – to start construction – close end of May
  - ✓ Will present to full board on May 27<sup>th</sup> meeting for final authorization
  - ✓ Group planning to be in 3<sup>rd</sup> floor space by October
  - ✓ **1<sup>st</sup> Floor** – ICAT Lab out to bid back by May 7<sup>th</sup> estimate \$200,000
  - ✓ **Parking lot** bid – out by May 15<sup>th</sup>
  - ✓ Final tenant – World's End Restaurant – being cautious due to current status economically.
  - ✓ NMTC – how to manage – spec space? Funds need to be used in 18-month timeframe – looking at October 2021.
  - ✓ Options to make commitment by December 31, 2020 to sign a lease/letter of intent – with possible option to find another tenant – discussion right of first refusal – attorneys pushed back on this option. Will due a 48-hour notice.
- Booster Station
  - ✓ Delivered to Huntington
  - ✓ Will start 1<sup>st</sup> of May – completed by end of May
  - ✓ Thanks to County for their reimbursement to help pay Roger Hull for his first payout.
  - ✓ Will work to get discount from manufacturing company
  - ✓ Hopefully have pictures at May meeting
- Power Grant
  - ✓ Working during downtime on this power grant project with Tim Cronin brother to Callie Sams – met him past December – he used our facility while he was home for the holidays.

- ✓ Grant is to expand the market for products with minimal emissions – assess the opportunity for market expansion & diversification if current product offerings were differentiated by minimizing emissions in the production process.
- ✓ Does not cost UCDA any money – we may receive administration funds.
- ✓ Application has been submitted.
- ✓ Those who are involved with the AEMI Initiative are:
  - Tim Cronin at WVU Center for Energy & Sustainable Development (WVU CESD) – will be Managing Director
  - TechConnectWV
  - WVU LaunchLab
  - Encova Center for Innovation & Entrepreneurship at WVU John Chambers College of Business & Economics
  - High Technology Foundations' INNOVA Commercialization Group

New Business:

- RxRemedies called yesterday asking for reduced rent/lease payments
  - ✓ April only brought in \$35,000 vs norm of \$120,000 loss due to businesses who sell products are closed because of Covid-19
  - ✓ Asking for 3 months reduced rent of 50% monthly
  - ✓ Remaining balance due by December 31<sup>st</sup>
  - ✓ Discussion
  - ✓ Rob to set up payment plan and present to RxRemedies for remaining 2020.

Other:

- Rob would like to talk with Tom Nesselroade at Premier Bank regarding our upcoming bond/loan payment due in May to see if payment could be reduced due to our funds being cut. Group agreed that would be okay to ask.
- Skip said hospital is okay – losing about \$500,000 a week hopefully will make it thru next few weeks and with start up of surgeries etc will help
- Rob said a call on Monday mentioned West Virginia will be running out of cash by May 22<sup>nd</sup> – will be dipping into Rainy Day Fund
- CDC Center plans to reopen June 1st

Meeting adjourned at 7:40a - Moved by CJ Rylands, seconded by Wanda Bailey...

Submitted by:

  
Melodie Stemple, Asst. Director

  
Wanda Bailey, Secretary

**UPSHUR COUNTY DEVELOPMENT AUTHORITY  
BOARD OF DIRECTORS**

**Minutes of the Meeting**

7:00 am, Wednesday, May 27, 2020

Location: UCDA – 21 E Main St – Call Ins/Video

Presiding: Skip Gjolberg, President

<i>Members Present:</i>	Rob Hinton	Bob Skinner	Bobby Gompers
	Sara Stankus	Skip Gjolberg	Carrie Wallace
	Wanda Bailey	Kevin Campbell	Tammy Reger
	Rick Simon	Carrie Wallace	Kathy McMurray
	Kelly Davis	Kristie Tenney	Joel Thierstein
	Shane Whitehair		

<i>Members Absent:</i>	Doyle Tenney	Emiel Butcher	CJ Martin
	Laura Meadows	CJ Rylands	Aaron Harris
	Lori Meadows	Connie Tenney	Dusty Zickefoose

*Guest:* Melodie Stemple Amy Condaras

- I. Skip Gjolberg, President welcomed everyone and called the meeting to order at 7:04 am. Melodie did roll call and confirmed a quorum.
- II. Minutes: Kathy McMurray moved that the minutes of March 25, 200 be approved with adding Kevin Campbell to members present, seconded by Bobby Gompers, board approved.
- III. Financials: Rob Hinton presented the overview of the April financials to the board. Financials filed for Audit review.
- IV. Old Business:
- V. Executive Director's Report – Robert Hinton
  - **AML:**
    - ✓ Phase 1 Sites Under Construction – BB11 Greenbrier working on property issue at the moment.
    - ✓ Programmatic Environmental Assessment was due April 15<sup>th</sup> (tax day) looks like it will now be July 15<sup>th</sup> (extended tax day).
    - ✓ AT&T – were hopeful that they would lease 2 of the towers but they have backed off at this time. Rob to find a contact for T-Mobile to see if there would be an interest in a tower or two.
    - ✓ Phase 2 – doing okay
    - ✓ Lewis County has about a dozen towers but more than likely only about 50% of the towers will be built.
    - ✓ Reviewed AML expenses to date. Project is more expensive due to all of the sub-contracts that had to be done to do the project. Project going slower than had hoped / complicated endeavor.
  - **Innovation Center:**
    - ✓ Letters of Intent from LHC Group (3<sup>rd</sup> Floor) and ICAT (1<sup>st</sup> Floor)

- ✓ Construction started on 3<sup>rd</sup> Floor – framed out – working on plumbing this week. Plan to be completed by end of August with occupancy by October perhaps month sooner if all goes well.
- ✓ World's End is still at a pause due to current environment conditions. Will continue to work with them and see what it looks like by December 2020. Will still market area and give them 48-hour notice in case they still want to proceed.
- ✓ ICAT – under negotiation due back this week for final review. NMTC have reviewed and believe this is a value service to the market.
- ✓ 3<sup>rd</sup> floor leasing 6000 sq ft to hospice/health area 600 sq ft “donated” since it would be hard to lease the small area.
- ✓ Bid came in at \$459,000 budgeted it for \$680,000.
- ✓ LHC will take care of their own janitorial services.
- ✓ ICAT bid came in at \$207,000 will have 2 bays
- ✓ Latham House Parking Lot Project came in at \$259,000 – trees to be removed and new landscaping. Question on signage - will address. LHC will require 20 parking spaces. Worked with City and FEMA regarding water issues on Madison Street – design to accommodate water slowly.
- ✓ Invest \$5M but our debt will be \$2.1 – 40% of cost.
- **Booster Station:**
  - ✓ Booster station is in Huntington WV adding valves and gauges
  - ✓ Deliver in June
  - ✓ Completion by July 1, 2020.
- **NMTC:**
  - ✓ Deadline to close June 30, 2020
  - ✓ To cover expenses from 2 years back need to close no later than June 22, 2020
  - ✓ New joint entity created – Upshur County Development Association – with Upshur County Commission.
  - ✓ New entity to protect NMTC for 7 years resolutions under new business.

VI. President's Report:

VII. New Business:

- **Budget:**
  - ✓ Rob reviewed the 2020/2021 draft budget to the board. Additional additions related to NMTC will need to be added as well.
  - ✓ Discussion on budget
  - ✓ Rick Simon moved that the budget be approved at the June 24, 2020 by Executive Board; seconded by Joel Thierston, board approved.
- **Latham House**
  - ✓ Payoff amount is \$33,732 – to move forward with the parking lot with NMTC it is best that we have a clear deed on the property without bank loan.
  - ✓ Kathy McMurray moved to payoff the Latham House loan from First Community Bank, seconded by Rick Simon; board approved.
- **Resolution NMTC**
  - ✓ Instead of reading the resolution that was emailed out earlier Rob let Amy Condaras give an overview of the resolution to the board on what it all meant.
  - ✓ Bobby Gompers moved to accept the Resolution Regarding NMTC Transactions for the Innovation Center Project; seconded by Kathy McMurray; board approved.

- **Officers Certificate**

- ✓ This certificate is to just verify UCDAuthority and its board and resolutions for NMTC needs.
- ✓ Amy reviewed with board.
- ✓ Joel Thiersten moved to approve the Officers' Certificate of Upshur County Development Authority; seconded by Bob Skinner; board approved.

VIII. Other:

- ✓ Discussion on next full board meeting. Will schedule for July 29<sup>th</sup> and will be our annual board meeting at 7:00am. Location to be determined.
- ✓ Sara Stankus said that the Covid monies are being used to purchase iPads for the students and new laptops for the teachers. Rob will get with Sara to work on connectivity and what else can be done.
- ✓ June 9<sup>th</sup> Election
- ✓ Rob mentioned some of the issues with the connectivity – just the full process is painful.

Meeting adjourned at 8:40 am. (Bobby Gompers)

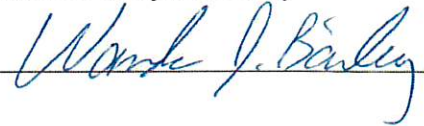
Next Full Board Meeting – July 29, 2020

Respectfully submitted by:

Melodie Stemple, Asst. Director

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Wanda Bailey, Secretary

\_\_\_\_\_

## Upshur County Development Authority Executive Meeting

Wednesday, June 24, 2020

7:00am – Call In Meeting

Presiding Skip Gjolberg, President

Members Present:	Skip Gjolberg Rob Hinton Bobby Gompers	Wanda Bailey Kathy McMurray
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Not Present:	Joel Thierston Kristie Tenney	Carrie Wallace CJ Rylands
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Guests:                      None

Skip Gjolberg welcomed everyone and called the meeting to order at 7:07 am.

Minutes: Kathy McMurray moved to accept April 29, 2020, board minutes as presented, seconded by Bobby Gompers, board approved.

### Old Business:

- Innovation Center NMTC
  - ✓ Closing will take place on 6/24/2020
  - ✓ The closing was supposed to be on 6/22/2020 but there were issues with getting the bank account set up.
  - ✓ \$5,820,000 will be wired into the new bank account and then wires will go back out to pay expenses. After expenses there should be a balance of \$1,508,878.75.
- Booster Station
  - ✓ Delivered to Hall's Construction on 6/23/2020
  - ✓ Will work to get discount from manufacturing company
  - ✓ Rob will let everyone know once the project is completed.

### New Business:

- Budget
  - ✓ Discussed draft budget
  - ✓ Rob to make a couple of adjustments and recirculate for review
  - ✓ Budget approved as adjusted- Motion by Bobby Gompers, seconded by Wanda Bailey, board approved.

### Other:

- Board Members
  - ✓ The slate of members to be presented to the Upshur County Commission for approval are Skip Gjolberg, Wanda Bailey, Connie Tenney, Rick Simon, Kelly Davis.
  - ✓ Wanda Bailey made a motion to present this slate of members, seconded by Kathy McMurray, board approved.

- Annual Meeting Date
  - ✓ Various dates were discussed, but agreed that 8/19/2020 @ 7:00 am worked well for everyone
  - ✓ There will be no July meeting
- Other items
  - ✓ Rob will not be seeking reappointment to the Broadband Council Board.
  - ✓ July 16, 2020 will be his last day Rob will be on the Broadband Board.

Meeting adjourned at 7:49 am - Moved by Wanda Bailey, seconded by Kathy McMurray...

Submitted by:

  
Melodie Stemple, Asst. Director

  
Wanda Bailey, Secretary

Buckhannon - Upshur Parks and Recreation  
Advisory Board Meeting

Date: July 13, 2020

Meeting Location: Pavilion At BUHS

Attending: Josh Hinchman, Dennis Cortes, JJ Ford, Katie Loudin

Absent: Brett Robinson, William Squires, Mary Hull

Guests: Kristie Tenney, Callie Sams, Rachel Weber, Laura Meadows

The meeting was called to order by Chairman Josh Hinchman at 5:30 pm. All motions passed unanimously unless otherwise stated.

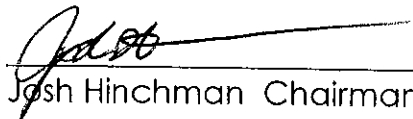
The meeting minutes from June 2020, were approved on motion by JJ Ford and second by Dennis Cortes

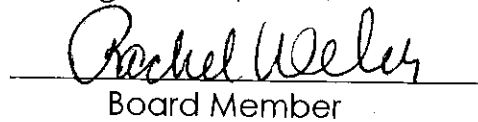
- Josh Hinchman discussed the sign at the end of the road, colors were discussed. Josh is going to check prices and get colors and samples. Katie Loudin made a motion for Josh to get the samples and send to the group and second by Dennis Cortes.
- Ideas were discussed for a triatholon for 2021. Callie Sams provided information and ideas.
- Rachel Weber provided information on the Upshur County Trails Group. Rachel asked if the Parks and Recreational board would consider allowing them to work together and the Upshur County Trails could be an umbrella under Parks and Recreation. Kristie Tenney stated she would look into this further and report back at the next meeting. Rachel discussed teaming up together for a virtual event in the fall.
- Laura Medows provided ideas for the Rack Cards. She is checking on containers. Added the logo was discussed. JJ made a motion 2<sup>nd</sup> by Katie to add the logo.
- Josh discussed the prices for disk golf. \$275.00 per hole. Josh looked at having 9 holes. Total would be \$2475.00. Josh discussed asking businesses for sponsors. Sponsor and if now was a good time was discussed. Josh was going to look into making a flyer for the board to look at to ask businesses in the near future.

- JJ made motion to keep everyone the same in the board seat Dennis 2<sup>nd</sup>, Josh Hinchman for the 2020 Board Chairman President position and JJ Ford for the 2020 Vice President position. Mary Hull for the secretary position.

Nominations were closed and those candidates were elected by the Board.

There being no further business the meeting adjourned at 7:30 p.m. The next meeting of the Board will be August 10th, 2020.

  
Josh Hinchman Chairman

  
Board Member

**Upshur County Youth Camp Board**  
**July 26, 2020**

The Upshur County Youth Camp Board met on Thursday, July 16 at the camp. Members present were Craig Presar, Debbie Hull and Thanna Wentz. Greg Woody, camp caretaker also attended. Members Gini Croaff and Glen Hawkins did not attend.

Vice President, Craig called the meeting to order at 6:30 pm. The secretary's report was approved through a motion made by Debbie and seconded by Thanna With the following corrections: (1) Carrie Wallace is the County Administrator, not Coordinator, (2) Tabatha Perry spells her name with two "a's" no "I's" (3) the secretary's typo misspelled Gini's last name: it should have been Croaff and finally (4) Jo Ann Hawkins spells her name without an "e". The financial report was approved as presented through a motion made by Debbie and seconded by Thanna.

**Old Business:**

1. Another tele-conference between Brownfield and the county is scheduled for July 23.
2. There is still nothing to report the CPG money that is owed to us.
3. Gini and Craig have not been able to work together on getting the camp brochures printed.

**New Business:**

1. Another Weyerhaeuser grant application has been submitted. We probably won't hear anything about it for several months. If/when it is granted, we will replace another roof on one of the cabins on the hill. If there is any money left over, Greg would like to use it to purchase new lights for the cabin porches. He said that would take twenty (20) lights.
2. The County recommended that the "tar pit" be transformed into an archery complex. They are paying for it. This project is well underway and must be completed by September 30, when Brownfield again inspects their project.
3. Greg said Rick Wentz had spent an afternoon at the camp working on our scissor lift and felt he should be compensated. He stated that Rick has come several times to work of the lift. Debbie made a motion to give Rick \$200.00 Craig seconded this motion. Motion passed. (Rick refused the check)

## **UPSHUR COUNTY YOUTH CAMP BOARD AGENDA**

July 16, 2020

Call to order

Pledge to the Flag

Secretary report

Financial statements May & June

Old Business:

1. Brownfield Project tele-conference/new developments
2. CPG grant money
3. Brochures
4. Other old business

New Business:

1. Weyerhaeuser grant submitted
2. Other new business

Greg's Comments:

Adjournment

Next meeting August 20, 2020 6:30 pm

Place: to be decided

# Upshur County Fire Board Meeting

August 18, 2020

Members Present: Joe Gower, Kristie Tenney, Rick Harlow, Clifton Shaw, and Larry Alkire (via telephone)

Members Absent: Tom O'Neill

Others Present: Art Wilson and Toni Newman-Fire Fee Clerk

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

The meeting minutes from July 21, 2020, were approved on motion by Rick Harlow and second by Kristie Tenney.

The Fire Fee Clerk reported the 2020 fees are at 43 percent collected. My Buckhannon provided statistics for the Board: 393 clicks and 70,002 impressions.

The checking account balance as of 7/31/2020 was \$44,809.35. The disbursement from the Chief Tax Deputy for the month of July was \$60,410.46.

The following invoices were reviewed and approved upon motion by Rick Harlow and second by Larry Alkire:

- Software Systems---Invoice #34096---Maintenance Charge July and conversion of 2020 records---\$563.50
- Upshur County Commission---Reimbursement---Postage---April-June 2020---\$11.60
- Upshur County Commission---Reimbursement---Quill office supplies---\$161.98
- Quill LLC---Office supplies---Invoice 04289617---\$154.98

Pickens Fire Department will be picking up the copier/fax/printing machine.

The Board reviewed and approved financial statements of the following VFDs: Adrian, Banks, Ellamore, Selbyville, and Washington District. Buckhannon VFD and Warren District have not provided Statements to date.

There were three corrective tickets this month approved on motion by Rick Harlow and second by Clifton Shaw. There were 16 exoneration requests approved by the Board.

The Board review the list of CPAs for the next 3 years of audits and approved sending RFPs to Carolyn L. Gandee CPA; Ferrari and Associates, PLLC; and Tetrick and Bartlett, PLLC. These agencies are close in proximity to Upshur County.

There being no further business the meeting adjourned at 7:30 p.m. The next meeting of the Board will be September 15, 2020.

Joe Gower, Chairman, Upshur County Fire Board

Kristie L Tenney  
Board Member

**Upshur County Public Library Board of Trustees Meeting  
August 19, 2020**

The regular meeting of the Upshur County Public Library Board of Trustees was held on Wednesday, August 19, 2020 at 4:00 p.m. at the library. Board members in attendance were Carol Smith, John Haymond, Kenna Leonard, Linda Riegel, and Katie Loudin. Also in attendance were Paul Norko, Director; Beth Rogers, Assistant Director; and Connie Cutright, Business Manager

The minutes of the July meeting were approved on a motion made by John and seconded by Carol.

The financial reports for July were accepted on a motion made by Carol and seconded by Linda. Connie noted that while our fund balance looks high this month, fifty five thousand dollars of the funds do not belong to the Upshur County Public Library but to the affiliates. In July, we receive the first quarter allotment of grants in aid for not only our library but for all 13 affiliate libraries.

Director's Report – see attachment

Concerning signature cards for bank accounts, Carol made a motion which was seconded by Katie to authorize the following to be signatures on all accounts for the Upshur County Public Library: Carol Smith, John Haymond, Kenna Leonard, Linda Riegel, Katie Loudin, Paul Norko, and Elisabeth Rogers.

Paul reported the flagpole has been ordered but we are still working on a design for the circle. Paul is going to contact Highland for plant recommendations. It may also be possible to work with the Boy Scouts and the FFA organization from the high school. Also concerning the parking lot, we opted to lose a few parking spaces in order to have spaces that were large enough for vehicles to park comfortably and the occupants able to exit their vehicles without banging the next car.

Paul presented an Emergency Plan. After discussion, it was tabled until the next meeting so edits could be completed. It was also suggested that the library should have guidance procedures for Covid 19 related issues.

On a motion made by Katie and seconded by John, a Display Case Policy was approved.

The next meeting will be Wednesday, September 16, 4:00 p.m. at the library.

Approved,



Connie Cutright,  
Business Manager

Approved,



Kenna Leonard,  
President

## I. Facilities issues

## A. Friends of the Library garage

1. Deanna has cleaned up the bat-related refuse in the Friends of the Library garage. We have decided to give her a lump sum of \$250 as additional compensation beyond her normal salary for this task. This additional money will come out of the Building Maintenance account.

## B. Parking Lot

1. The parking lot is now mostly striped as the County Maintenance people have time to dedicate to it.
2. The flagpole that we have ordered has arrived and has been stored in the unattached garage until County Maintenance can install it. The installation may not be completed this year.
3. Several staff members have put our heads together and come up with an idea for how we would like the concrete work to look in the traffic circle and around the flagpole. We are thinking of a wedge shape that takes up about 25-30% of the total circle as being our best option. The other option we were thinking of using was an hourglass shape. The difference between the two options is that the wedge shape would likely be cheaper to purchase the concrete, but take more overall maintenance, since there is more green space, while the hourglass shape would take more concrete, but be less maintenance.
4. We have contacted Bobby Gompers at Highland Landscaping, and he will be providing us an estimate of work for the project, including suggestions of types of plants, layout, etc., hopefully before the board meeting (we will send it out as a separate email attachment if needed). Mr. Gompers did mention that his company has worked with the local Boy Scout troop on other projects, and can include them on our landscaping project as needed.
5. Rotary and Lions Club offers of help
  - a. As mentioned last meeting, we have a grant application from the local Rotary, offering us possibly up to \$10,000 in assistance for the completion of this project.
  - b. Ann Slaughter has also offered the Tennerton Lions Club as a potential partner in helping us complete the landscaping part of the project. The Lions Club would be willing to provide a smaller amount of money plus potentially offering to do some of the work.
6. One possibility we were thinking of pursuing to tie up all of these loose ends and involve everyone mentioned may be to use the Rotary grant to help with the purchase and installation of the new library sign, and use the Lions Club and the Boy Scouts to complete the landscaping, using the recommendations from Highland Landscaping as a blueprint.

## II. Programming

## A. Book Club

1. The UCPL Book Club has been attempting to restart, with a "hybrid" meeting option (in person meeting with the addition of Zoom for those uncomfortable with attending in person), but has not had much luck getting people to use Zoom as yet and only one or two people showing up in person. More work will need to be done to get this back to being a successful program.

## B. Story time

1. We have had success with creating a digital preschool Story Time using Zoom. We have held two digital Story Time tests, with six and seven attendees. Bobbi has reported no technical issues and seems pleased with the feedback she is getting from the test participants. We will be beginning to advertise these events more publicly on Facebook, etc., starting next week, now that we have had some successful test runs.
2. The other story time option we have been promoting for children is our Story Time to Go Kits, which has seen some moderate success, with about five of these kits being checked out each week. These are kits with a book and a small activity that can be checked out. The included book would be the only part that needs to be returned to the library.

## C. Yoga

1. We have now held two successful in-person Yoga classes at the library. They are held on our back lawn each Saturday morning, weather permitting, and have had five and six attendees, with very good feedback from participants. The instructor for these classes is paid for using our Pallotine Foundation grant money from last year.

## III. Virtual school help

- A. We have contacted the Board of Education and offered any help the library can provide to parents and students participating in the virtual learning environment.
- B. One thing that the Board of Education was able to partner with us on immediately was placing our Libby eBook app in the "Safe to Download" app section for the iPads that the students are using. The hope will be to promote our electronic resources. I am also awaiting approval for a grant award to purchase children's eBooks and eAudiobooks.

## IV. Affiliates

- A. By the end of this month, I will have completed one visit to all of our affiliates (except for Charles Gibson, which I have been at many more times than the rest this year) of the four that I am required to do each calendar year by the Library Commission. With COVID-19 and the travel restrictions that were in place, this made visiting out of county affiliates much more difficult, especially as almost all of them were closed for about as long as we were.
  1. August 26 – Visited Five Rivers (Parsons), Mountaintop (Thomas), Pioneer Memorial (Harman) and Elkins-Randolph Public Libraries
  2. September 1 – Visited Philippi for a board meeting and Belington Public Library afterwards
  3. September 9 – Visited Gassaway, Burnsville and Sutton
  4. September 24 – Scheduled visit to Russell Memorial (Mill Creek), Valley Head and Helvetia.