The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, January 31, 2013 at 9:00 a.m. Donnie R. Tenney called the meeting to order. There were present Donnie R. Tenney, Commissioner; JC Raffety, Commissioner; Troy A. Brady, Commissioner; William A. Parker, County Administrator; Megan J. Pomeroy, Assistant County Administrator and Jacqueline Dinklocker, Secretary. The meeting began with a moment of silent meditation and prayer, followed by the Pledge of Allegiance. All motions passed unanimously unless otherwise stated.

After reading of the minutes, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the regular meeting minutes of January 24, 2013 as submitted.

Laura Woods, Director of the Randolph County Senior Center appeared before the Commission and provided an update/status report on the Country Roads Transit. Ms. Woods reported increased usage by college students and elderly patrons, but an overall decrease in usage during the 2011-2012 fiscal year. Country Roads Transit will again provide free transportation to and from the Upshur County Recreational Park with specific pick up and drop off locations for the upcoming pool season. Ms. Woods also requested funding for the 2013-2014 fiscal year. No action was taken at this time. The Commission will review the request during budget sessions in March 2013.

Terry Gould, Tennerton Public Service District Manager and Sam Ludlow, City of Buckhannon Sewer Department Director, appeared before the Commission and reviewed information concerning the Tennerton PSD's request for a boundary adjustment to increase their service territory—Red Rock Road area, Lorentz area, Finks Run area and other areas west of Corporation limits. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission postponed indefinitely, the boundary adjustment issue, effectively leaving it as is.

The Commission recessed at 9:45 a.m.
The Commission reconvened at 9:50 a.m.

Gary Rapping and Craig Presar, representatives of the Upshur County Office of the West Virginia University Extension Service, appeared before the Commission and reviewed their options for the replacement of retiring Administrative Assistant, Jill Bentley. No action was taken at this time. The Commission will discuss the issue later in today’s meeting.

Upshur County resident, Tim Higgins, appeared before the Commission and expressed concerns about Commission memberships in the County Commissioners’ Association of West Virginia (CCAWV) and the West Virginia Association of Counties (WVACo). Each Commissioner expressed his opinion about how memberships in the organizations benefit/affect the Commission and/or citizens. Donnie R. Tenney advised that he would address the concerns to the agencies involved on behalf of Mr. Higgins.

Virgil D. Miller, Chief Deputy of Administration, appeared before the Commission to resubmit his request for service credit for usage of sick time (120 Days) earned as Deputy Sheriff to be credited to the Public Employees Retirement System (PERS). The Commission heard comments from Jacob Reger, Prosecuting Attorney,
Mike Coffman, Magistrate and Terry Reed, Attorney. The Commission deferred action until later in today’s meeting.

Martin and Jean Rohr appeared before the Commission to request that their address revert back and be addressed off of Fishing Camp Road. Mr. and Mrs. Rohr argued that they never intended to name their driveway Cattle Crossing Lane. Terri Jo Bennett, Addressing and Mapping Coordinator, reviewed information concerning the history of naming Cattle Crossing Lane. Donnie R. Tenney advised that due to the current moratorium, the road name cannot be changed until January 2015.

The Commission recessed at 11:20 a.m.

The Commission reconvened at 11:30 a.m.

William A. Parker provided a review of the request for a “Letter of Unqualified Support” for a multifamily housing project as reviewed by Joe Leighton, Red Clay Development of West Virginia, LLC, at previous county commission meetings. Commissioners discussed the need for adequate low income housing. After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the request. William A. Parker was requested to follow up with drafting the letter.

The Commission recessed at 11:45 a.m.

The Commission reconvened at 1:00 p.m.

Gregory B. Harris, Director of Facilities Operations, appeared before the Commission to discuss maintenance issues concerning the fire panel located in the Annex building.

Brian Gaudet, Upshur County Circuit Clerk, appeared before the Commission and provided a report on the selection of jurors using DMV (Department of Motor Vehicles) records. The Commission requested Mr. Gaudet to follow up and report back at a future meeting.

Debbie Thacker Wilfong, Upshur County Clerk, met with the Commission concerning Audit findings pertaining to her office. Upshur County Attorney, Terry Reed, provided input concerning how the County policy for refunding of overpayments affects his operations. After discussion, Ms. Wilfong was requested to follow up with a written response to the audit “drafts” (copies included) which apply to the Office of the County Clerk.

David Coffman, Upshur County Sheriff, met with the Commission concerning Audit findings pertaining to his office (copies included).

The Commission reviewed the advertisements for the positions of part time Grounds Keeping – Seasonal position and of part time Housekeeping/Janitorial Services. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the advertisements to be submitted for publication (copies included).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the Audit Adjustments for Fiscal Years 2011 and 2012.

The Commission discussed payroll payment procedures-recommended modification—“Effective with payroll period covered by March 1, 2013 Payroll Direct Deposit or Payroll Check—All Current Employees with Direct Deposit to remain and new employees required to enroll for Direct Deposit—Current employees (approximately six as of March 1st check) not enrolled in Direct Deposit will have checks mailed to payroll address on file”. After discussion, on motion by Donnie R. Tenney, seconded by JC Raffety, the Commission approved the modification of payroll procedure (Note: Tenney and Raffety for, Brady against).

After review and discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the “Lease Agreement” by and between Craig A. Smith and the Upshur County Commission for premises located at 203 Second Street, Sutton, West Virginia for the benefit of the Lewis-Upshur-Braxton Community Corrections-Braxton County location. The lease agreement contains a rental increase to $325 from $310 (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved Carey A. Wagner as volunteer for the Office of Emergency Management/CERT.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the President to sign the grant application and all related documents with Volunteer West Virginia in the amount of $2,000 for the benefit of Upshur County Citizens Corp.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the commission approved the Upshur County Office of the West Virginia University Extension Office to advertise for a full time benefitted employee at the rate of $8.00 per hour (Note: Raffety and Brady for, Tenney against).

The Commission reviewed the following “For Your Information” items:

1. “Notice of Public Hearing”—Amendment to Enhanced 911 Ordinances—11:00 a.m. on Thursday, February 21, 2013—Increase from current monthly fee of $2.65 to: Residential $4.50 Business and Centrex $6.50
2. Copy of correspondence from FEMA to the Office of the Governor concerning Denial of Appeal for Individual Assistance Under Fema-4093-DR
3. Confirmation from the West Virginia Development Office on the signed contract for the Small Cities Block Grant ($700,000) for the Adrian Public Service District project
4. Correspondence from the Upshur County Board of Education concerning the appointment of Rick Reynolds to the Buckhannon-Upshur Parks and Recreation Advisory Board—After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the Board of Education’s recommendation. The appointment fills the position left open by the resignation of Doug Bush. Mr. Reynolds’ term will expire June 30, 2014
5. Agendas and/or Notice of Meetings:
   • Upshur County Solid Waste Authority-February 11, 2013
6. Meeting Minutes and/or Financial Reports: None
7. Board of Review & Equalization:
UPSHUR COUNTY COMMISSION MEETING
January 31, 2013

- February 01, 2013 - 09:00 a.m. - Friday—Review Property Books-no appointments
- February 06, 2013 – 09:00 a.m. – Wednesday
- February 07, 2013 – 01:00 p.m. – Thursday
- February 12, 2013 – 09:00 a.m. – Tuesday—Mineral Hearings
- February 15, 2013 – 09:00 a.m. – Friday
- February 21, 2013 – 01:00 p.m. – Thursday
- February 22, 2013 – 09:00 a.m. – Friday
- February 27, 2013 – 09:00 a.m. – Wednesday – Adjourn

8. Meetings:
- 01/08/13-6:00 p.m.-Hodgesville Public Service District
- 01/08/13-6:00 p.m.-Elkins Road Public Service District
- 01/02/13-12:00 p.m.-Upshur County Senior Center Board
- 01/03/13-7:00 p.m.-Banks District Volunteer Fire Department
- 01/03/13-7:00 p.m.-Selbyville Volunteer Fire Department
- 01/08/13-7:00 p.m.-Adrian Volunteer Fire Department
- 01/08/13-7:00 p.m.-Ellamore Volunteer Fire Department
- 01/08/13-7:00 p.m.-WVLA-Upshur County Chapter-Hinkle Drive
- 01/09/13-7:30 a.m.-Upshur County Development Authority – Exec. Board
- 01/09/13-1:30 p.m.-Upshur County Conventions & Visitors Bureau
- 01/09/13-6:00 p.m.-Upshur County Citizens Corp - CERT
- 01/09/13-7:30 p.m.-Warren District Volunteer Fire Department
- 01/10/13-1:00 p.m.-Adrian Public Service District
- 01/10/13-1:00 p.m.-Tennerton Public Service District
- 01/10/13-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
- 01/10/13-7:30 p.m.-Buckhannon Volunteer Fire Department
- 01/11/13-7:00 a.m.-Buckhannon Upshur Airport Authority
- 01/14/13-12:00 p.m.-Upshur County Family Resource Network
- 01/14/13-4:30 p.m.-Upshur County Solid Waste Authority
- 01/14/13-6:00 p.m.-Lewis-Upshur-Braxton Community Corrections Board
- 01/14/13-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 01/14/13-6:00 p.m.-Buckhannon River Watershed Association
- 01/15/13-4:00 p.m.-Upshur County Public Library Board
- 01/15/13-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
- 01/15/13-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 01/16/13-7:00 p.m.-Lewis Upshur LEPC
- 01/17/13-6:30 p.m.-Upshur County Youth Camp Board
- 01/17/13-6:30 p.m.-Upshur County Fire Board
- Feb. 2013-7:00 p.m.-Buckhannon Upshur Chamber of Commerce
UPSHUR COUNTY COMMISSION MEETING
January 31, 2013

- 01/20/13-7:30 p.m.-Washington District Volunteer Fire Department
- 01/21/13-7:00 p.m.-Upshur County Fair Association
- 01/23/13-7:00 a.m.-Upshur County Development Authority – Full Board
- 01/24/13-4:00 p.m.-Upshur County Farmland Preservation Board
- 01/28/13-6:00 p.m.-Upshur County Firefighters Association
- Feb. 2013-10:00 a.m.-James W. Curry Advisory Board
- TBA-6:30 p.m.-Region VII Planning & Development Council

9. Appointments Needed or Upcoming:
   - Buckhannon-Upshur Parks & Recreation Board-(Vacant Position- 06-30-13)-County
   - Elkins Road Public Service District-(Vacant Position-09-30-16)
   - James W. Curry Advisory Board-(Vacant- 12-30-12)-County
   - James W. Curry Advisory Board-(Vacant- 12-30-12)-County
   - Upshur County Solid Waste Authority-(Robert Wines - 06-30-12)-Soil Conservation District

The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders.
The Commission approved the following Settlements:
   - Zeward Copelan-Final Settlement
   - Mary Jane Cupp-Final Settlement
   - Freda Jeannette Lamb-Final Settlement
   - Ida Weigand McDaniels-Final Settlement

After discussion, the Commission deferred action concerning Virgil D. Miller’s request for Service Credit for Sick Leave. The item will be placed on next week’s agenda for action.

With no further business, on motion by JC Raffety, seconded by Troy A. Brady, the Commission meeting adjourned at 4:30 p.m.