The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, April 04, 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.

Samantha Dalton, Women’s Aid in Crisis (WAIC) representative, appeared before the Commission and provided a review of the “Sexual Assault Awareness Month” proclamation. The purpose of the proclamation is to promote awareness of the increasing incidence of sexual violence in Upshur County and nationwide. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the proclamation designating April as “Sexual Assault Awareness Month” in Upshur County (copy included). Ms. Dalton provided an update on the programs associated with “Women’s Aid in Crisis”.

After reading of the minutes, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the regular meeting minutes of March 28, 2013 as submitted. After reading of the minutes, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the special meeting minutes of March 26, 2013 as submitted.

Donnie R. Tenney provided a review of the Notification of Termination (NOT) of coverage under the National Pollutant Discharge Elimination System (PDES) General Permit for storm water discharge associated with construction activity at the Upshur County Wellness Center Complex-Permit Registration number WVR105036 as of August 23, 2012. After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved and authorized the President to sign the Notification of Termination (copy included).

Lt. Joey Baxa presented several concerns as follows (copy included): 1) Upshur County Volunteer Fire Departments request “access to all mapping and addressing data for Upshur County that is relevant and useful to the fire departments…made available to them in digital copy for use on fire department owned computers and mobile devices.” 2) …request for “…cooperation of the Upshur County Commission” for merging with E911 Communications CAD system for text message instruction. Lt. Baxa pointed out that this system would eliminate a lot of unnecessary radio traffic and other communication problems; and 3) expedite the installation of the wireless link between the 911 Center and radio towers. Problems currently exist due to “dead spots” where communication is essential. William A. Parker advised that addressing and mapping information can easily be made available to the departments. A “Memo of Understanding” would be required from each department. In addition, the fire departments (if they participate) would need to submit a Certificate of Insurance with the County listed as an additional insured. Donnie R. Tenney advised that the Commission will follow up with Steve Linger, E911 Communications Center Director, regarding the
request for text messaging and radio and tower information. Mr. Tenney stressed that better communication between the Commission and the departments/Firefighters Association is needed and requested that any complaints and/or requests be forwarded to the Commission in writing.

The Commission reviewed the following “For Your Information” items:
1. "Correspondence from M. Gregory Hefner, Manager of External Affairs, with Mon Power, A First Energy Company, regarding the Derecho wind storm and Hurricane Sandy
2. Upshur County Sheriff's Financial Statement-February 2013
3. Financial Information-General County Fund
   • Fiscal Year-to-Date Revenues & Expenditures
   • Revenues-Expenditures-Cash Balance-February for Each Fiscal Year
   • Statement of Expenditures-encumbrances-Appropriations as of 02/2013
4. Upshur County Building Permits-February 2013
5. Upshur County Dog Warden Report-February 2013
6. Agendas and/or Notice of Meetings:
   • City Council of Buckhannon-April 04, 2013
   • Elkins Road Public Service District-April 02, 2013
7. Meeting Minutes and/or Financial Reports: None
8. Meetings:
   • 04/02/13-6:00 p.m.-Hodgesville Public Service District
   • 04/02/13-6:00 p.m.-Elkins Road Public Service District
   • 04/04/13-7:00 p.m.-Banks District Volunteer Fire Department
   • 04/04/13-7:00 p.m.-Selbyville Volunteer Fire Department
   • 04/08/13-12:00 p.m.-Upshur County Family Resource Network
   • 04/08/13-4:30 p.m.-Upshur County Solid Waste Authority
   • 04/08/13-6:00 p.m.-Lewis-Upshur-Braxton Community Corrections Bd.
   • 04/08/13-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Bd.
   • 04/08/13-6:00 p.m.-Buckhannon River Watershed Association
   • 04/09/13-7:00 p.m.-Adrian Volunteer Fire Department
   • 04/09/13-7:00 p.m.-Ellamore Volunteer Fire Department
   • 04/10/13-7:30 a.m.-Upshur County Development Authority – Exec. Bd.
   • 04/10/13-12:00 p.m.-Upshur County Senior Center Bd.
   • 04/10/13-1:30 p.m.-Upshur County Conventions & Visitors Bureau
   • 04/10/13-6:00 p.m.-Upshur County Citizens Corp - CERT
   • 04/10/13-7:30 p.m.-Warren District Volunteer Fire Department
   • 04/11/13-1:00 p.m.-Adrian Public Service District
   • 04/11/13-1:00 p.m.-Tennerton Public Service District
   • 04/11/13-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Bd.
   • 04/11/13-7:30 p.m.-Buckhannon Volunteer Fire Department
   • 04/12/13-7:00 a.m.-Buckhannon Upshur Airport Authority
   • 04/15/13/ 2013-12:00 p.m.-Buckhannon Upshur Chamber of Commerce
   • 04/15/13-7:00 p.m.-Upshur County Fair Association
   • 04/16/13-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
   • 04/16/13-10:00 a.m.-Mandatory Budget Meeting—Lay the Levy Rate
   • 04/16/13-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Bd.
   • 04/17/13-12:00 p.m.-Lewis Upshur LEPC
   • 04/18/13-6:30 p.m.-Upshur County Youth Camp Bd.
   • 04/18/13-6:30 p.m.-Upshur County Fire Bd.
   • 04/21/13-7:30 p.m.-Washington District Volunteer Fire Department
   • 04/22/13-10:00 a.m.-Mt. CAP of West Virginia, CDC
   • 04/24/13-7:00 a.m.-Upshur County Development Authority – Full Bd.
   • 04/24/13-10:00 a.m.-James W. Curry Advisory Bd.
   • 04/25/13-4:00 p.m.-Upshur County Public Library Bd.
   • 04/25/13-4:00 p.m.-Upshur County Farmland Preservation Bd.
UPSHUR COUNTY COMMISSION MEETING  
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- 04/29/13-6:00 p.m.-Upshur County Firefighters Association  
- TBA-6:30 p.m.-Region VII Planning & Development Council

9. Appointments Needed or Upcoming:  
- Adrian Public Service District-(Vacant Position-10-31-17)-County  
- Buckhannon-Upshur Parks & Recreation Bd.-{(Vacant Position- 06-30-13)-County  
- James W. Curry Advisory Bd.-{(Vacant- 12-30-12)- County  
- James W. Curry Advisory Bd.-{(Vacant- 12-30-12)- County  
- Upshur County Solid Waste Authority-(Robert Wines-06-30-12)-Soil Conservation District

The Commission recessed at 10:30 a.m.  
The Commission reconvened at 11:00 a.m.

Donnie R. Tenney opened the public hearing on the “Amendment to Enhanced 911 Ordinance-Increase from current monthly fee of $2.65 to: Residential $4.50 Business and Centrex $6.50.  Mr. Tenney provided a review of the current and estimated future revenues and expenditures of the E911 Communications Center.  William A. Parker provided a review of the past fee increases and pointed out that while costs have significantly increased, fees have not risen proportionately.  Questions and comments were heard from Jerry Kimble, Ron Pugh, Jerry Ables, Tim Higgins, Dirk Burnside, Joe Malcolm, Steve Linger, Terri Jo Bennett and others.  At the closing of the hearing and after discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the Commission to sign the amendment to the Enhanced 911 Ordinance to increase the monthly fee to Residential-$4.50 and Business and Centrex $6.50 effective July 1, 2013 (copy included). The public hearing adjourned at 12:10 p.m.

The Commission recessed at 12:15 p.m.  
The Commission reconvened at 1:30 p.m.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the February 2013 Board of Review and Equalization (BORE) meeting minutes as submitted. (Copy included)

The Commission approved all invoices for payment (copies included)  
The Commission approved all Vacation Orders.

The Commission approved the following Settlements:  
- Calvin Andrew Bailey-Final Settlement  
- Oleta Teets Mick-Final Settlement  
- Eldon R. Tenney-Final Settlement  
- Robert Carl Fauber-Final Settlement  
- Pearlie Ray Messenger-Final Settlement

The Commission approved the following “Request for Exoneration or Refund”: (copies included)  
- Melvin and Holly Perry-#3179-$37.56  
- Melvin and Holly Perry-#3180-$38.81  
- Derry or Mildred or Jessica or Kesley Wagoner-#3181-$70.80  
- Shon A. and Shelley R. Butler-#3182-$265.62

Terri Jo Bennett, Upshur County Addressing and Mapping Coordinator, appeared before the Commission and provided a review of a road name request from county residents, Robert and Barbara Kincaid.  After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved Lauren Ln as a private driveway off of Thornwood Ln as per established guidelines (copy included).

William A. Parker reviewed, and the Commission and Mr. Parker signed, the “Property Damage Release” from Erie Insurance, an acknowledgement of payment (in full) in the amount of $19,400.00 for damages to the West Virginia University Extension Service Office Building, as discussed and approved at the March 28 meeting of the Upshur County Commission (copy included).

With no further business, on motion by JC Raffety, seconded by Troy A. Brady, the Commission meeting adjourned at 3:30 p.m.