The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, April 18, 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 Troy A. Brady, seconded by JC Raffety, the Commission approved the regular meeting minutes of April 11, 2013 as submitted.

Donnie R. Tenney provided a review of the Fair Housing Resolution which encourages all citizens to support the practice and policy of fair housing in their personal lives as well as in their work day duties and to discourage discriminatory housing practices. After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved and authorized the President to sign the “Fair Housing Resolution”, which designates the month of April 2013 as “Fair Housing Month” in Upshur County (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the request from Vicky Kelley, President, West Virginia Strawberry Festival Association, Inc., to use the plaza area of the Courthouse complex from May 11 thru 19, 2013 for entertainment and activities and to use picnic tables from the Upshur County Park. After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the request pending documentation of required insurance.

Approval of the Upshur County Employee Handbook of Personnel Guidelines was postponed to later in today’s meeting. Helen R. Phillips, Assessor, requested to meet with the Commission at 11:00 a.m. to discuss issues related to the matter.

Donnie R. Tenney reviewed the “Upshur County Certificate of Compliance for a Building Permit or Floodplain Permit” pertaining to the Upshur County Building Permit Ordinance and/or the Upshur County Flood Plain Ordinance (copy included). After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the document.

Donnie R. Tenney provided a review of requests from Debbie Thacker Wilfong, Upshur County Clerk concerning the staffing of her office. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved Quayla Bennett (currently part time Deputy County Clerk) to move into the position of full time Deputy County Clerk at the rate of $8.87 per hour, effective April 21, 2013 (copy included). After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved Christine Loudin-Edwards as part time Deputy County Clerk at the rate of $8.00 per hour effective April 21, 2013 not to exceed 910 hours per year, or an average of 17.5 hours per week (copy included). After discussion, on motion by JC Raffety, seconded by Donnie R. Tenney, the Commission approved advertising for the position of part time Deputy County Clerk, average of 17.5 hrs weekly not to exceed 910 hours per year, as submitted (copy included). (Note: Raffety and Tenney for, Brady against)

The Commission reviewed the following “For Your Information” items:
1. Correspondence from Nicholas W. Leftwich, Justice Programs Specialist, regarding receipt of FY 2013 Community Corrections Grant Application in the amount of $379,140
2. Correspondence from G. Paul Richter, Buckhannon River Watershed Association—Gratitude for Support of BRWA’s Smooth Rock Lick Phase 2 Project
3. Upshur County 911 Communication Center:
   - Monthly Call Summary Report-March 2013
   - Monthly Departmental Call Report- March 2013
   - Monthly Wrecker Log Rotation Report- March 2013
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4. Agendas and/or Notice of Meetings:
   • Buckhannon-Upshur Airport Authority—April 13, 2013
   • Upshur County Enhanced Emergency Telephone Adv. Bd.—April 16, 2013
   • Upshur County Fire Board—April 16, 2013

5. Meeting Minutes and/or Financial Reports:
   • Adrian Public Service District—March 13, 2013
   • Upshur County Development Authority—March 27, 2013
   • Upshur County Solid Waste Authority—April 08, 2013

6. 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.
   • 04/29/13-6:00 p.m.—Upshur County Firefighters Association
   • TBA-6:30 p.m.—Region VII Planning & Development Council

7. 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
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- 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 9:40 a.m.
The Commission reconvened at 10:00 a.m.

David Coffman, Upshur County Sheriff, appeared before the Commission to request approval for the employment of a Fire Fee Assistant. On motion by JC Raffety, seconded by Troy A. Brady, the Commission entered into executive session at 10:05 a.m. for discussion. Present were Donnie R. Tenney, JC Raffety, Troy A. Brady, David Coffman, Sheila Adams, William A. Parker and Megan J. Pomeroy. The Commission returned to open session at 11:15 a.m. No decisions were made in executive session.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the employment of Sharon O’Hearn as Fire Fee Assistant at the rate of $8.00 per hour effective April 21, 2013. Ms. O’Hearn will work 30 hours per week through May 4th thereafter will be employed as full time Fire Fee Assistant. Sheriff Coffman introduced Ms. O’Hearn and reviewed her numerous qualifications.

At 11:20 a.m., Donnie R. Tenney opened a public hearing on the Small Cities Block Grant application in the amount of $1,500,000 (copies on file in the Office of Region VII Planning and Development Council). Shane Whitehair, Region VII representative, provided an update on the Elkins Road Public Service District Water Extension Project. Mr. Whitehair and Greg Belcher, Chapman Technical Group representative, reviewed the project and answered questions from area residents concerning additional and/or upgraded services and the possibility of future rate increases. The project will improve current service (resolve low pressure problems), increase fire protection service (via additional hydrants), add new customers, and add new office and storage facilities.

At 11:35 a.m. the public hearing was adjourned.

Helen R. Phillips, Assessor, appeared before the Commission to discuss her concerns about the Upshur County Employee Handbook of Personnel Guidelines. After discussion, Ms. Phillips submitted her signed acknowledgement and approval of current revisions as discussed during the March 14, 2013 and April 11, 2013 Policy Board meetings. Acknowledgement and approval documents have been received from Policy Board members, Jacob Reger, Prosecuting Attorney; David Coffman, Sheriff and Brian Gaudet, Circuit Clerk.

The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders.
The Commission approved the following Settlements:
  - Lenny Jones Gregory aka Lenny J. Gregory-Final Settlement
  - Vernon Larry Grove-Final Settlement
  - Melvin Ray Hunt-Final Settlement
  - Anneta Lynn Landis-Final Settlement
  - Margaret Joy Owens-Final Settlement
  - Genevieve M. Smith-Final Settlement
  - Allen Richard Wright-Final Settlement
  - Gary Eugene Bailey-Final Settlement

The Commission approved the following “Request to Attend Meeting”: (copies included)
  - Steve Linger-April 30, 2013
  - Megan J. Pomeroy-May 19 and 20, 201
  - William A. Parker-May 19 and 20, 2013

The Commission recessed at 12:45 p.m.
The Commission reconvened at 1:45 p.m.

The Commission discussed the Upshur County Employee Handbook of Personnel Guidelines. The majority of elected officials/Policy Board members have submitted acknowledgement and approval of revisions as outlined and discussed during Policy Board meetings, with the exception of Debbie Thacker Wilfong, Upshur County Clerk.
After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the revisions as outlined (copy included).

The Commission discussed Small Cities Block Grant application in the amount of $1,500,000 for the Elkins Road Public Service District Water Extension Project. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign all documents related to the grant application (copy in the Office of the Region VII Planning and Development Office).

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the “Agreement between the Division of Culture and History for and on behalf of Archives and History for and on behalf of Records Management and Preservation Board and the Upshur County Commission” for a previously submitted grant (copy included).

Upshur County Sheriff, David Coffman, appeared before the Commission and presented correspondence concerning personnel issues. William A. Parker was requested to follow up with scheduling item for discussion on a future agenda. (Note: A special meeting has been scheduled for Tuesday, April 23, 2013 —Executive Session per WV Code §6-9A-4—for discussion of Sheriff Coffman’s concerns.)

With no further business, on motion by JC Raffety, seconded by Troy A. Brady, the Commission meeting adjourned at 2:15 p.m.