UPSHUR COUNTY COMMISSION MEETING
April 25, 2013

The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, April 25, 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; 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 18, 2013 as submitted.

Andy and Grace Losh, Upshur County residents, appeared before the Commission to report on their concerns about a “vicious” dog that runs loose in their neighborhood. The Jack Lane residents reported that people in the neighborhood are fearful of the large Doberman and two other dogs that are running loose. Mr. and Mrs. Losh have reported that one of the animals, (a small dog named Coco) has bitten victims at least three times. Residents have reported the situation to Animal Control and have commended Mike Miller, Animal Control Officer, on his efforts in responding to their complaints. Mr. Miller has made numerous trips to the neighborhood and spoken to the owners of the dogs, requiring the dogs to be confined to the owner’s yard, except when being walked on a leash. With the latest offense, the owner will be required to obtain a “vicious” dog license and keep the animal(s) confined to their property. If further offenses occur, penalties can include seizure of the animal, fines and liability for any damages.

James Farry, Office of Emergency Management Director, appeared before the Commission concerning a request from Barbour County LEPC to merge with Lewis-Upshur LEPC. Mr. Farry advised that the merger would have many benefits which would include possible increase of funds from grants and pooling of resources and additional members for increased accomplishments. Mr. Farry said the cost of merging would be minimal. After discussion, Donnie R. Tenney advised that the Commission is in agreement that the merger would be beneficial and requested Mr. Farry to follow up.

Donnie R. Tenney requested Megan J. Pomeroy to follow up with Family Court personnel concerning Item #1, “Review and consider request from Family Court personnel regarding location of Circuit Court witness area” for a future agenda.

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved Jennifer Allison Lafferre as volunteer for the Lewis-Upshur Animal Control Facility.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved and authorized the Commission to sign correspondence to Brooks Hill Community Center representatives concerning their request for a donation for the funding of a stage as discussed at the April 11, 2013 Commission meeting (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved Shane R. Shaver as volunteer of the Community Corrections Day Report Center.

The Commission discussed the letter of recommendation from the Adrian Public Service District for the position of Board of Directors member. After discussion, the
Commission postponed the appointment to further review and research a possible conflict of interest of one of the candidates.

Ron Pugh, appeared as City Counsel member on behalf of the City of Buckhannon, to request that the Commission meet with the City concerning matters of interest and/or joint projects between the City and County. After discussion, Donnie R. Tenney advised that the Commission would meet with City Counsel on the 5th Thursday (quarterly) at 7 p.m. alternating locations. The Commission will meet with City Counsel on May 30, 2013 at City Council Chambers.

Tom Simons, the Woda Group, Inc. Senior Vice President, appeared before the Commission and presented a proposal for a senior housing development project, Pringle House (copy included). Mr. Simons requested a “Letter of Support” for the construction of up to 48 units for seniors 55 and over. After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved and authorized the President to sign the “Letter of Support”.

The Commission reviewed the following “For Your Information” items:
1. Correspondence from Region VII Planning and Development Council—Strategic Broadband Plan
2. Correspondence from West Virginia Classic Wheels Car Club regarding “Blast from the Past” event and funding request—Jerry Kimble, car club member, provided a review of activities and events and advised that proceed raised will benefit several charitable causes
3. Correspondence from Saint-Gobain SEFPRO regarding “Notice of Mass Layoff”
4. Agendas and/or Notice of Meetings:
   - James W. Curry Advisory Board-April 24, 2013
   - Upshur County Solid Waste Authority-May 13, 2013
   - Upshur County Youth Camp-April 18, 2013
5. Meeting Minutes and/or Financial Reports:
   - Elkins Road Public Service District-March 05, 2013
   - James W. Curry Advisory Board-February 27, 2013
6. Meetings:
   - 05/02/13-7:00 p.m.-Banks District Volunteer Fire Department
   - 05/02/13-7:00 p.m.-Selbyville Volunteer Fire Department
   - 05/06/13-10:00 a.m.-Mt. CAP of West Virginia, CDC
   - 05/07/13-6:00 p.m.-Hodgesville Public Service District
   - 05/07/13-6:00 p.m.-Elkins Road Public Service District
   - 05/08/13 -7:30 a.m.-Upshur County Development Authority – Exec. Bd.
   - 05/08/13-12:00 p.m.-Upshur County Senior Center Bd.
   - 05/08/13-1:30 p.m.-Upshur County Conventions & Visitors Bureau
   - 05/08/13-6:00 p.m.-Upshur County Citizens Corp - CERT
   - 05/08/13-7:30 p.m.-Warren District Volunteer Fire Department
   - 05/09/13-7:30 p.m.-Adrian Public Service District
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- 05/09/13-1:00 p.m.-Tennerton Public Service District
- 05/09/13-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Bd.
- 05/09/13-7:30 p.m.-Buckhannon Volunteer Fire Department
- 05/10/13-7:00 a.m.-Buckhannon Upshur Airport Authority
- 05/13/13-12:00 p.m.-Upshur County Family Resource Network
- 05/13/13-4:30 p.m.-Upshur County Solid Waste Authority
- 05/13/13-6:00 p.m.-Lewis-Upshur-Braxton Community Corrections Bd.
- 05/13/13-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Bd.
- 05/13/13-6:00 p.m.-Buckhannon River Watershed Association
- 05/14/13-7:00 p.m.-Adrian Volunteer Fire Department
- 05/14/13-7:00 p.m.-Ellamore Volunteer Fire Department
- 05/15/13-12:00 p.m.-Lewis Upshur LEPC
- 05/16/13-6:30 p.m.-Upshur County Youth Camp Bd.
- 05/19/13-7:30 p.m.-Washington District Volunteer Fire Department
- 05/20/13/ 2013-12:00 p.m.-Buckhannon Upshur Chamber of Commerce
- 05/20/13-7:00 p.m.-Upshur County Fair Association
- 05/21/13-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
- 05/21/13-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Bd.
- 05/22/13-7:00 a.m.-Upshur County Development Authority – Full Bd.
- 05/22/13-10:00 a.m.-James W. Curry Advisory Bd.
- 05/23/13-4:00 p.m.-Upshur County Public Library Bd.
- 05/23/13-4:00 p.m.-Upshur County Farmland Preservation Bd.
- 05/23/13-6:30 p.m.-Upshur County Fire Bd.
- TBA-6:00 p.m.-Upshur County Firefighters Association
- July 2013-6:30 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- 06-30-12)-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 approved all invoices for payment (copies included)
The Commission approved all Vacation Orders.
The Commission approved the following Settlements:
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- John D. Cain-Final Settlement
- Helen S. Snider-Final Settlement
- Mabel Grace Tenney-Final Settlement
- Charles Clay Krum-Final Settlement
- John William Rigby-Final Settlement

The Commission approved the following “Request to Attend Meeting” for Commission employees: (copies included)
- James Farry-April 30, 2013
- James Farrell-April 30, 2013

The Commission approved the following “Consolidation of Land Tracts”: (copies included)
- Union District-Map 9G Parcel 43 with Map 9G Parcel 44 and Map 9G Parcel 45 -Owners Nicholas U. and Theresa Ann Paschella

Debbie Thacker Wilfong, Upshur County Clerk, appeared before the Commission and advised that per her email inquiry (copy included) to Barbara Gandy, Fair Labor Board representative, concerning payroll distribution, that employees who currently receive a paycheck (vs. Direct Deposit) may submit a written request to pick up their check in person (or to a designated person) and receive their check on payday instead of by mail delivery in order to ensure timely payment of wages. The item will be placed on a future agenda for discussion and/or action.

The Commission recessed at 10:25 a.m.

The Commission reconvened at 10:30 a.m.

Steve Linger, E911 Communications Center Director, appeared before the Commission with Dirk Burnside, Office of Emergency Management, Telecommunications Advisor, to discuss radio communications issues. Mr. Burnside discussed solutions and options for more dependable communications. Mr. Linger suggested a “Radio Summit” to solve communications issues.

Steve Linger provided a review of the quote from EmergiTech for Text/Paging software in the amount of $3,605 with a yearly maintenance fee of $242. No action was taken at this time. Donnie R. Tenney advised Mr. Linger to meet with the Fire Fighter’s Association/fire chiefs for their input.

Steve Linger requested to meet in executive session to discuss staffing issues. On motion by JC Raffety, seconded by Troy A. Brady, the Commission entered executive session at 11:20 a.m. per WV Code 6-9A-4. Present were Donnie R. Tenney, JC Raffety, Troy A. Brady, Megan J. Pomeroy and Steve Linger. The Commission returned to open session at 11:40 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 Jodi L. Martin, Gloria A. Burr and Benton O. Wingler as part time (weekly average of 29.5 hours or less) E911 Communications Center Dispatchers. Effective date of employment for all is May 6, 2013 at the rate of $10.00 per hour.

George Roessing, county resident appeared before the Commission and presented a note from William Parker that was given to him by a third party. Donnie R. Tenney
advised the since Mr. Parker was not available at this time for discussion, he will follow up and get back with Mr. Roessing at a future date.

Megan A. Pomeroy advised that she had received a call from Nina Monroe, county resident, concerning Daygo Road. Ms. Monroe said that residents had complained about the road name as being an ethnic slur. Terri Jo Bennett, Addressing and Mapping Coordinator advised that the road name was chosen by landowners per E911 Addressing and Mapping Ordinance guidelines and no ethnic slur was intended.

Terri Jo, Bennett, Building Permit Officer/Addressing and Mapping Coordinator, appeared before the Commission to request permission to include notices concerning building permits and address display information with Fire Fee mailings (Sheriff’s Tax Office) and Assessment information (Assessor’s Office). After discussion, Donnie R. Tenney advised that the Commission staff will follow up with appropriate personnel and put the item on a future agenda for action.

With no further business, on motion by JC Raffety, seconded by Troy A. Brady, the Commission meeting adjourned at 11:30 a.m.