The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, May 09, 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 special meeting minutes of April 23, 2013 with typographical corrections.

After reading of the minutes, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the regular meeting minutes of May 02, 2013 as submitted.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the employment of seasonal part time Youth Summer Camp employees as follows: Whitney D. Sayre @ $7.80 per hour, Elsie D. Sayre @ $7.65 per hour, Bonnie Crouse @ $7.35 per hour, Roberta Huffman @ $ 7.35 per hour, Christopher Hungerford @ $7.35 per hour, Dillon McDaniels @ $7.25 per hour, Jessica McDaniels @ $7.25 per hour, Nicole Champion @ $7.25 per hour and Rosalyn Freeman @ $7.25 per hour. Effective date of employment for all is May 28, 2013 (copy included).

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the employment of Michael P. Gitzen as seasonal Upshur County Pool Manager for the 2013 pool season. Effective date of employment is May 05, 2013 at the rate of $10.00 per hour as a part time employee. Effective May 19, 2013, Mr. Gitzen will be employed as seasonal full time Pool Manager at the rate of $500.00 per week.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved Ashley B. Ware as volunteer for the Lewis-Upshur-Braxton Community Corrections, Day Report Center.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission deferred action concerning the resignation of William A. Parker as Upshur County Administrator until later in today’s meeting.

Steve Linger, E911 Communications Center Director, appeared before the Commission and provided a review of his request to purchase and implement EmergiTech PageGate Software for text/paging interface communication as discussed at the April 25 meeting of the Upshur County Commission. Mr. Linger advised that he has met with the service providers and received “enthusiastic” support for the proposal (copy included). After reading of the minutes, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the purchase of the EmergiTech software as quoted at $3,605.00 plus a yearly maintenance fee of $242.00 (copy included).

Mitch Tacy, Chief of the City of Buckhannon Fire Department, commented on the proposed implementation of the EmergiTech-INTERCad Text/Paging Interface and thanked the Commission for their support on behalf of area fire departments.

Steve Linger requested a pay rate increase for Cecilia V. Stewart, E911 Communications Center Dispatcher, in the amount of $.25 per hour (copy included). Mr. Linger advised that Ms. Stewart has completed requirements for certification as “Emergency Medical Dispatch Manager” (copy included) and will be given increased responsibilities. After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the pay rate increase with and effective date of May 05, 2013.

The Commission discussed the request from Debbie Thacker Wilfong, Upshur County Clerk, to amend payroll distribution procedure. Action was deferred pending clarification from Ms. Wilfong.

The Commission reviewed the following “For Your Information” items:
1. Executed Grant Award---Public Library Community Participation Grant---13LEDA0238 in the amount of $5,000 grant period July 1, 2012 through June 30, 2013
3. Building Permits—April 2013
6. Upshur County E911 Communications Center Reports:
   - Monthly Call Summary Report—April 2013
   - Monthly Departmental Call Summary Report—April 2013
   - Monthly Wrecker Log Report—Through April 2013
7. Agendas and/or Notice of Meetings:
   - Elkins Road Public Service District—May 07, 2013
   - Upshur County Convention and Visitor’s Bureau—May 08, 2013
   - Adrian Public Service District—May 09, 2013
   - Family Resource Network—May 13, 2013
   - Upshur County Youth Board—May 13, 2013
8. Meeting Minutes and/or Financial Reports:
   - Upshur County Convention and Visitor’s Bureau—April 15, 2013
9. 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
   - 05/09/13-1:00 p.m.—Adrian Public Service District
   - 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
10. 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

Doug Pauley, Harbinger Developments, appeared before the commission and presented a proposal for a housing development project, Casey Court Apartments (copy included). Mr. Pauley requested a “Letter of Support” for the construction of a three story building containing 40 units for elderly, handicapped and disabled renters. Mr. Pauley discussed some “bad publicity” concerning one of his past projects. After discussion, Donnie R. Tenney advised Mr. Pauley to submit information for clarification concerning previous legal issues. The Commission will defer action pending their review.

The Commission approved all invoices for payment (copies included).
The Commission approved all Vacation Orders.
The Commission approved the following Settlements:
   - Lovena Alta “Jean” Crawford-Final Settlement
   - Mable M. Skinner-Final Settlement
   - Charles Edward Bevins, III.-Second Annual Settlement
   - Charles Clay Krum-Final Settlement

The Commission approved the following “to Attend Meeting” for Commission employees:  (copies included)
   - James Farry-June 07, 2013
   - James Farrell-June 07, 2013

Debbie Thacker Wilfong, Upshur County Clerk, appeared before the Commission concerning payroll check distribution. Ms. Wilfong clarified her request as follows:
   - All new employees are required to use direct deposit-no change to current employees using direct deposit
   - Any remaining, current employees who receive paychecks can pick up their paychecks
   - If the employee would like to designate someone else to pick up the check, they must submit a written request.
   - If the employee would like their paycheck mailed, they must submit a written request.

After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved Ms. Wilfong’s request. Donnie R. Tenney requested Megan J. Pomeroy, to follow up with the required modification to the “Employee Handbook of Personnel Guidelines”.

The Commission recessed at 12:00.
The Commission reconvened at 1:00.

On motion by JC Raffety, seconded by Troy A. Brady, the Commission entered executive session at 1:00 p.m. per WV Code 6-9A-4 to discuss discrimination allegations. Present were Donnie R. Tenney, JC Raffety, Troy A. Brady, Megan J. Pomeroy and Kay, Casto and Chaney, PLLC attorneys, Timothy Stranko, and Shannon Smith. The Commission returned to open session at 1:25 p.m. No decisions were made in executive session.

After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved the resignation of William A. Parker, effective May 08, 2013

With no further business, on motion by JC Raffety, seconded by Troy A. Brady, the Commission meeting adjourned at 1:25 p.m.