The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, May 22, 2014 at 9:00 a.m. JC Raffety called the meeting to order. There were present JC Raffety, Commissioner; Donnie R. Tenney, Commissioner; Troy A. Brady, Commissioner; Megan Pomeroy, County Administrator; Carrie Wallace, 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 Donnie R. Tenney, the Commission approved the regular meeting minutes of May 15, 2014 as submitted.

After discussion, on motion by Donnie R. Tenney, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the West Virginia Development Office Community Participation Grant application in the amount of $8,000 for the benefit of the Warren District Community Center (copy included).

After discussion, on motion by Troy A. Brady, seconded by Donnie R. Tenney, the Commission approved and authorized the President to sign the loan application and all related documents in the amount of $145,200 with Progressive Bank (copy included). The funds will be used for the replacement of the Condensing Unit for the Upshur County Courthouse Annex.

After discussion, on motion by Donnie R. Tenney, seconded by Troy A. Brady, the Commission approved and authorized the President to sign the Memorandum of Understanding (MOU) by and between Mountain CAP and the Upshur County Recreational Park (Upshur County Commission) for the establishment of a Summer Food Program for the period from May through the end of August, 2014 (copy included).

After discussion, on motion by Donnie R. Tenney, seconded by Troy A. Brady, the Commission approved the resignation of Sara Humphrey, Upshur County Dispatcher, effective May 19, 2014 (copy included).

After discussion, on motion by Troy A. Brady, seconded by Donnie R. Tenney, the Commission approved the resignation of Shannon Smith as part time seasonal lifeguard at the Buckhannon Upshur Recreational Park, effective June 27, 2014 (copy included).

Michael Morehead, Upshur County resident, appeared before the Commission and expressed concerns about excessive noise due to truck and drilling activities within his Spruce Fork Road neighborhood. Mr. Morehead advised that although the activity has been going on for several months, the duration and level of noise has increased in the last several weeks to the point it is going on throughout the night between the hours of midnight and 6 am and is interrupting sleep and quality of life. Mr. Morehead is seeking guidance from the Commission for resolution of the issue. Donnie R. Tenney advised that although there is probably no legal recourse, the Commission does have a good relationship with EQT and will address the noise complaint with company officials. Mr. Morehead expressed appreciation for any assistance the Commission can provide.

After discussion, on motion by Donnie R. Tenney, seconded by Troy A. Brady, the Commission approved the resignation of Cassandra McManus as full time E911 Communications Center Dispatcher, effective June 5, 2014 (copy included).

After discussion, on motion by Troy A. Brady, seconded by Donnie R. Tenney, the Commission approved the resignation of Sara Humphrey, full time Deputy Circuit Clerk, effective July 30, 2014 (copy included)

After discussion, on motion by Donnie R. Tenney, seconded by Troy A. Brady, the Commission approved the resignation of Joshua E. Koert, as part time E911 Communications Center Dispatcher, effective May 19, 2014 (copy included).

After discussion, on motion by Donnie R. Tenney, seconded by Troy A. Brady, the Commission approved the employment of Shannon Smith as part time seasonal lifeguard at the Buckhannon Upshur Recreational Park pool at the rate of $8.10 per hour. Effective date of employment is May 24, 2014 (copy included).

JC Raffety provided a review of the request from John Bowers to rent the Upshur County Youth Livestock Building (FFA Building) for the purpose of holding an auction on June 10th from 8 a.m. to 5 p.m. (copy included). After discussion, on motion by Donnie R. Tenney, seconded by Troy A. Brady, the Commission approved the request at the rate of $100 for the day.

JC Raffety reviewed the following “For Your Information” items: (copies included).
1. NACO Prescription Drug Discount Program—April 2014
2. Upshur County Sheriff’s Financial Statement—April 2014
3. Correspondence from Joshua Woofter, Justice Program Monitor concerning the STOP Violence Against Women Grant, on-site visit
4. Agendas and/or Notice of Meetings:
   • WesMonTy RC&D Board of Directors – May 20, 2014
   • City Council of Buckhannon, Special Meeting – May 22, 2014
5. Meeting Minutes and/or Financial Reports:
   • WesMonTy RC&D Board of Directors – April 15, 2014
6. Meetings:
   • 05/01/2014-7:00 p.m.-Banks District VFD
UPSHUR COUNTY COMMISSION MEETING  
May 22, 2014

- 05/01/2014-7:00 p.m.-Selbyville VFD
- 05/06/2014-6:00 p.m.-Hodgesville PSD
- 05/06/2014-6:00 p.m.-Elkins Road PSD
- 05/08/2014-1:00 p.m.-Adrian VFD
- 05/08/2014-3:00 p.m.-Tennent PSD
- 05/08/2014-4:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
- 05/08/2014-6:30 p.m.-Upshur County Fire Board
- 05/08/2014-7:30 p.m.-Buckhannon VFD
- 05/09/2014-7:00 a.m.-Buckhannon Upshur Airport Authority
- 05/12/2014-12:00 p.m.-Upshur County Family Resource Network
- 05/12/2014-4:30 p.m.-Upshur County Solid Waste Authority
- 05/12/2014-6:00 p.m.-Buckhannon-Upshur Watershed Association
- 05/12/2014-6:00 p.m.-Lewis-Upshur-Braxton Community Connections Board
- 05/13/2014-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
- 05/13/2014-7:00 p.m.-Adrian PSD
- 05/13/2014-7:00 p.m.-Elamore VFD
- 05/14/2014-7:00 a.m.-Upshur County Development Authority – Exec. Board
- 05/14/2014-12:00 p.m.-Upshur County Senior Center Board
- 05/14/2014-1:30 p.m.-Upshur County Conventions & Visitors Bureau
- 05/14/2014-6:00 p.m.-Upshur County Citizens Corp - CERT
- 05/14/2014-7:30 p.m.-Warren District VFD
- 05/15/2014-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 05/15/2014-6:30 p.m.-Upshur County Youth Camp Board
- 05/18/2014-6:00 p.m.-Washington District VFD
- 05/19/2014-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 05/19/2014-7:00 p.m.-Upshur County Fair Association
- 05/20/2014-4:00 p.m.-Upshur County Public Library Board
- 05/20/2014-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 05/21/2014-7:00 p.m.-Lewis Upshur LEPC
- 05/22/2014-4:00 p.m.-Upshur County Farmland Preservation
- 05/26/2014-10:00 a.m.-Mountain CAP of West Virginia, CDC
- 05/28/2014-7:00 a.m.-Upshur County Development Authority – Full Board
- 05/28/2014-10:00 a.m.-James W. Curry Advisory Board
- TBA -6:00 p.m.-Upshur County Fire Fighters Association

7. Appointments Needed or Upcoming:
   - Buckhannon Upshur Airport Authority (Vacant Position- 06-30-13)- City
   - Buckhannon-Upshur Parks & Rec Advisory Board (Vacant Position (6/30/2014)- City
   - James W. Curry Advisory Board -(Vacant Position- 12-31-13)- County
   - Upshur County Civil Service Board-(Vacant Position- 12-31-13)- Commission
   - UC Enhanced Emergency Telephone Advisory Board-(Vacant Position- 06-30-13)- Community
   - Upshur County Youth Camp Board-(Vacant Position- 05-31-13)-3rd District
   - Upshur County Farmland Preservation Board (Vacant Position- 06-30-13)-Farm Bureau

Terri Jo Bennett, Addressing and Mapping Coordinator appeared before the Commission and provided a review of a road name request. After discussion, on motion by Donnie R. Tenney, seconded by Troy A. Brady, the Commission approved Panther Dr for a private driveway off of Finks Run Road.

The Commission approved all invoices for payment (copies included).
The Commission approved all Vacation Orders.
The Commission approved the following Settlements:
   - Thomas Lee Gibson-Final Settlement
   - Harold William Manley-Final Settlement

The Commission approved the following “Exonerations and/or Refunds”: (copies included)
   - Carolyn S. Zickefoose —#3374—$70.32

The Commission approved the following “Request for Time Out of Office” for Commission employees: (copies included)
   - Megan Pomeroy—June 19 and 23, 2014
   - Carrie Wallace—July 17 and 18, 2014
The Commission approved the following “Request to Attend Meeting” for Commission employees: (copies included)

- Carrie Wallace—June 22 and 23, 2014

The Commission recessed at 11:45 a.m.
The Commission reconvened at 5:45 p.m.

JC Raffety reviewed the results of the May 13, 2014 Primary Election. After discussion, on motion by Donnie R. Tenney, seconded by Troy A. Brady, the Commission approved and authorized the Commission to sign the certification of election results.

Sara Loudin, former E911 Communications Center Dispatcher appeared before the Commission for an exit interview and requested to meet in Executive Session per WV Code §6-9A-4. The Commission entered executive session at 6:00 p.m. Present were JC Raffety, Donnie R. Tenney, Troy A. Brady, Megan Pomeroy, Carrie Wallace and Sara Loudin. The Commission returned to open session at 8:30 p.m. No decisions were made in executive session.

With no further business, on motion by Troy A. Brady, seconded by Donnie R. Tenney, the Commission meeting adjourned at 8:30 p.m.