The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, May 23, 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, 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 May 16, 2013 as submitted.

Megan J. Pomeroy read the “Proclamation-An Armed Forces Day Celebration” which calls on Upshur County citizens to recognize the sacrifices and contributions of those who serve and “proclaim(s) May 18th through May 27th, 2013 as a Special Salute to all members of the Armed Forces.” After discussion, on motion by Troy A. Brady, seconded by JC Raffety, the Commission approved and authorized the Commission to sign the proclamation.

Donnie R. Tenney reviewed the request from Tappan Squires, Buckhannon Swim Club Meet Director, to use the Upshur County Recreational Park pool on Saturday June 29th fro 7:30 a.m until approximately 1:30 p.m. for the purpose of hosting the Catherine “Splash” Williams Invitational Long Course Swim Meet (copy included). After discussion, on motion by JC Raffety, seconded by Troy A. Brady, the Commission approved the request.

Donnie R. Tenney provided an update/status report on the meeting of the County Commissioner’s Association of West Virginia which was held May 19 and 20. The topic of reducing regional jail costs was an item of discussion. Mr. Tenney advised that a law has been passed to recover magistrate fines through the withholding of income tax refunds.

JC Raffety provided an update/status report on a recent meeting of the Assessor’s Association of West Virginia. Discussion highlights included the impact of Marcellus Shale in West Virginia. Job creation and economic opportunity in the natural gas industry continues to increase; however, problems are arising in filling the job openings due to a very high percentage of applicants being unable to pass drug screening tests.

The Commission reviewed the following “For Your Information” items:

1. Agendas and/or Notice of Meetings:
   - Lewis-Upshur LEPC-May 15, 2013
2. Meeting Minutes and/or Financial Reports:
   - Lewis-Upshur LEPC--April 17, 2013
   - Upshur County Fire Board - April 18, 2013
3. Meetings:
   - 05/02/13-7:00 p.m.-Bucks 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.
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

4. 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:
   - Eugene Newman Harris-Final Settlement
   - Karen Ann Phipps-Final Settlement
   - Freta Merle Roby-Final Settlement
   - Michael Francis Sharpolisky-Final Settlement
The Commission approved the following “Request for Time Out of Office” for Commission employees: (copies included)


The Commission approved the following “Consolidation of Land Tracts”: (copies included)

- Union District—Map 12 Parcel 13.1 with Map 12 Parcel 20—owners, Emiel H. and Alexis R. Butcher

Greg Harris, Director of Facility Operations appeared before the Commission and provided a status report on maintenance and staffing issues. Topics of discussion included the following:

- Repair/replacement of boiler at the pool facility—recommend repair will take about 2 weeks, replacement will involve much more expense with little increased efficiency—Commission advised repair of the unit
- Cooling unit at library—has never worked, recommend replacement of unit—Troy A. Brady inquired “Can compressor be checked?”—Commission advised Mr. Harris to use his discretion concerning repair or replacement
- Chiller on Courthouse Annex Building—roof is fixed, no longer leaking-expect that chiller will need to be replaced within the next few years—Cost of replacing unit will be in the range of $200,000 to $333,000—recommend moving location of the unit when replacement is required—start thinking about finding funds
- Staffing Issues
  - Seasonal part time Maintenance personnel-no response to advertisement
  - Janitorial/Custodial services-need someone for cleaning various off site locations (E911 Center, Extension Office, etc.)—Talked to Lee Dixon for pricing—Donnie R. Tenney Requested Mr. Harris and Megan J. Pomeroy to follow up with various janitorial services for pricing quotes

The Commission discussed the cost of operating the Upshur County Recreation Park pool facility. The cost of operating the facility does not justify the expense. Donnie R. Tenney advised consideration of increasing rates and fees for the 2014 season.

Megan J. Pomeroy advised that she received a reply from the “Ethics Board” concerning her inquiry about the Adrian Public Service District recommendations of board members as discussed at the March 25, 2013 meeting. Ms. Pomeroy advised that the board found no problem with either candidate. Donnie R. Tenney requested Megan R. Pomeroy to follow up with the Adrian Public Service District for their preference for the appointment.

Donnie R. Tenney discussed the request from Doug Pauley, Harbinger Developments representative, for a “Letter of Support” for a proposed senior housing development as discussed at the May 09 meeting. After discussion, per general consent rule, the Commission declined to approve the request due to similarity of a proposal from Tom Simons, the Woda Group, Inc., as discussed at the April 25, 2013 Commission meeting. The Commission also declined a request from Joe Leighten, Red Clay Developments representative, for and additional letter, with reason of unfair preferential treatment.

Carol Smith, Bookkeeping Department, appeared before the Commission to discuss budget items/revisions and insurance options.

The Commission discussed staffing issues concerning the County Commission Office and requested Megan J. Pomeroy to follow up with Alicia Carr.

Other discussion items included the Corridor H Authority Board appointee, Stockert Youth donation and agenda items for the joint meeting of the City of Buckhannon/Upshur County Commission.

With no further business, on motion by JC Raffety, seconded by Troy A. Brady, the Commission meeting adjourned at 12:30 p.m.