The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, August 16, 2012 at 9:00 a.m. Donnie R. Tenney called the meeting to order. There were present Donnie R. Tenney, Commissioner; Creed G. Pletcher, Commissioner; JC Raffety, Commissioner; William A. Parker, 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 Creed G. Pletcher, seconded by JC Raffety, the Commission approved the regular meeting minutes of August 02, 2012 as submitted.

After reading of the minutes, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved the regular meeting minutes of August 09, 2012 as submitted.

Robert Sargent and Betty Sargent, representatives of the National Association of Parents of Murdered Children appeared before the Commission and presented a request to use the Courthouse Plaza area and/or the lobby of the Courthouse Annex building on September 25, 2012 for the purpose of holding a vigil for the National Day of Remembrance for Murder Victims. After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved the request.

William A. Parker provided a review of the maintenance agreement with Software Systems, Inc. After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the agreement (copies included).

William A. Parker provided a review of the correspondence from April Staniszewski, Head Swimming Coach at West Virginia Wesleyan College, requesting to use the pool at the Upshur County Recreational Park facility for training (dates and times listed-copy included). Mr. Parker advised the Commission of additional expenses which will result due to the maintenance and operational costs of keeping the pool open to accommodate the request. After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved the request free of charge as in previous years. The Commission will follow up and monitor the additional cost to evaluate the feasibility of granting free access to the college swim team in the future or if it will be necessary to charge a fee.

William A. Parker provided a review of correspondence from Micah Harris, Program Director/Case Manager, Lewis-Upshur-Braxton Community Corrections. After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved the 5% pay increase to employees of the Community Corrections Office as outlined. Funds for the salary increase will come from local Community Corrections funds (copy included).

The Commission discussed the appeal of the Commission's decision concerning the Contested Election Petition-David D. Taylor, Petitioner v. Michael R. Kelley, Respondent. William A. Parker provided a copy of WV Code §3-7-7 (copy included) and advised that a bond will be required from the appealing party and should be sufficient to satisfy any possible legal expense of the Commission. After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission authorized the bond to be in the amount of $1,500.

William A. Parker provided an update/status report on the establishment of Upshur County Appraisal-Assessment Advisory Board. The Commission will follow up and review the tax assessment book for Union District before taking action.

The Commission reviewed additional applications and resumes received for the position of Assistant County Administrator.

Dennis Cortes, Mt. State Video Imaging representative, announced that he will be retiring January 2, 2013. Mr. Cortes has videotaped the Upshur County Commission meetings for a number of years for televising on the local television station. Mr. Cortes advised that he will train his replacement and is seeking a qualified person.

The Commission reviewed the following “For Your Information” items:
1. Home Confinement Report-June 2012
2. Upshur County Communication Center Reports
UPSHUR COUNTY COMMISSION MEETING  
August 16, 2012

- Monthly Call Summary Report-June 2012
- Monthly Departmental Call Summary Report-July 2012
- Monthly Wrecker Rotation Report-July 2012

3. Agendas and/or Notice of Meetings:
- Buckhannon River Watershed-August 21, 2012
- Buckhannon-Upshur Airport Authority-August 17, 2012
- City of Buckhannon-August 16, 2012
- Community Corrections-Day Report Center-August 13, 2012

4. Meeting Minutes and/or Financial Reports
- Elkins Road Public Service District-June 05, 2012
- Elkins Road Public Service District-June 26, 2012
- Elkins Road Public Service District-July 02, 2012
- Upshur County Solid Waste Authority-August 13, 2012

5. Meetings:
- 07/30/12-7:00 p.m.-Region VII Planning & Development Council
- 08/01/2012-12:00 p.m.-Upshur County Senior Center Board
- 08/01/12-12:00 p.m.-Upshur County Development Authority-Annual Meeting
- 08/02/12-7:00 p.m.-Banks District Volunteer Fire Department
- 08/02/12-7:00 p.m.-Selbyville Volunteer Fire Department
- 08/08/12-6:00 p.m.-Elkins Road Public Service District
- 08/07/12-6:00 p.m.-Hodgesville Public Service District
- 08/08/12-1:30 p.m.-Upshur County Conventions & Visitors Bureau
- 08/08/12-7:30 p.m.-Warren District Volunteer Fire Department
- 08/09/12-1:00 p.m.-Adrian Public Service District
- 08/09/12-3:00 p.m.-Tennerton Public Service District
- 08/09/12-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
- 08/09/12-7:30 p.m.-Buckhannon Volunteer Fire Department
- 08/10/12-7:00 a.m.-Buckhannon Upshur Airport Authority
- 08/13/12-12:00 p.m.-Upshur County Family Resource Network
- 08/13/12-4:30 p.m.-Upshur County Solid Waste Authority
- 08/13/12-6:00 p.m.-Lewis-Upshur-Braxton Community Corrections Board
- 08/13/12-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 08/14/12-4:00 p.m.-Upshur County Public Library Board
- 08/14/12-7:00 p.m.-Ellamore Volunteer Fire Department
- 08/14/12-7:00 p.m.-Adrian Volunteer Fire Department
- 08/15/12-7:00 p.m.-Lewis Upshur LEPC
- 08/16/12-6:30 p.m.-Upshur County Youth Camp Board
- 08/16/12-6:30 p.m.-Upshur County Fire Board
- 08/19/12-7:30 p.m.-Washington District Volunteer Fire Department
- 08/20/12-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 08/20/12-7:00 p.m.-Upshur County Fair Association
- 08/21/12-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
- 08/21/12-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 08/22/12-10:00 a.m.-James W. Curry Advisory Board
- 08/23/12-4:00 p.m.-Upshur County Farmland Preservation Board
- TBA-7:00 a.m.-Upshur County Development Authority-Executive Board
- TBA-Buckhannon River Watershed Association
6. Appointments Needed or Upcoming:

- Buckhannon-Upshur Airport Authority - (Richard Clemens-06/30/12) - City
- Buckhannon-Upshur Health Department- (Dalton Cutright- 06/30/12) - City
- Buckhannon-Upshur Parks & Recreation Board- (Richard Edwards-06-30-12) - City
- Buckhannon-Upshur Parks & Recreation Board- (Doug Bush - 06-30-12) - Bd. of Education
- Buckhannon-Upshur Parks & Recreation Board- (Joe Fealy-06-30-12) - County
- Buckhannon-Upshur Parks & Recreation Board- (Laura Reed-06-30-12) - County
- Buckhannon-Upshur Parks & Recreation Board- (Vacant Position- 06-30-13) - County
- Buckhannon-Upshur Parks & Recreation Board- (Vacant Position- 06-30-13) - County
- James W. Curry Advisory Board- (William A. Parker- 12-30-12) - County
- James W. Curry Advisory Board- (Mark Riggs-12-30-12) - County
- James W. Curry Advisory Board- (Vacant-12-30-12) - County
- Elkins Road Public Service District- (Carey Wagner- 09-30-12) - County
- Region VII Planning & Development Council- (William A. Parker- 12/31/12) - County
- Region VII Planning & Development Council- (Connie Tenney- 12/31/12) - County
- Region VII Planning & Development Council- (Sam Nolte- 12/31/12) - County
- Region VII Planning & Development Council -(Dr. Pamela Balch- 12/31/12) - County
- Region VII Planning & Development Council- (A.G. Trusler- 12/31/12) - County
- Upshur County Building Commission (Richard Ralston II-11-10-12) - County
- Upshur County Civil Service Board- (Terry D. Reed- 12-31-12) - County Bar Association
- UC Enhanced Emergency Telephone Advisory Board- (Rodney Rolenson 06-30-12)- Law Rep
- Upshur County Library Board- (Dennis Xander- 06-30-12)- County or Bd. of Education
- 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:

- Clyde Howes-Final Settlement
- Louis Earl Goff-Final Settlement
- Xenna G. Loudin-Final Settlement

The Commission approved the following “Exonerations and/or Refunds”:

(copy included)

- Phillip S. or Tina Tenney-#3077-$111.49
- Paula Hinzman-#3078-$76.58
- Arnold or Marjorie Chewning-#3079-$23.60
- Howard J. and Sheila K. Smith Johns-#3080-$320.62
- Rickey and Ruth Armentrout-#3081-$85.40
- Ralph L. and Judith Ann Kennedy-#3082-$393.92
- Peterson D L Trustee-#3083-$306.02
- Robert K. Cutright III-#3084-$24.38
The Commission approved the following “Request to Attend Meeting” for Commission employees: (copies included)
- James Farr—September 11 thru 13, 2012
- James Farr—September 17 thru 19, 2012

The Commission approved the following “Consolidation of Land Tracts”: (copy included)
- Meade District—Map 5R Parcel 24.1 with Map 5R Parcel 24.2 to make Map 5R Parcel 24.1—owners Lloyd W. Jr. and Dianna G. Staton
- Union District—Map 7H Parcel 101.4 with Map 7H Parcel 102, Map 7H Parcel 101.1, Map 7H Parcel 109 and Map 7H Parcel 102.1 to make Map 7H Parcel 101.1—owners William D. and Carolyn Hamilton

With no further business, on motion by JC Raffety, seconded by Donnie R. Tenney, the Commission meeting adjourned at 11:30 a.m.