The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, September 06, 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 30, 2012 as submitted.

Mary Albaugh, Post Adjutant, Frank B. Bartlett Post #7 of the American Legion, appeared before the Commission and extended an invitation to the Commission to attend the celebration of fifty years of service for American Legion members, Conard St. Clair and Eugene Suder. The event will be held on September 14, 2012 at 11:00 a.m. and will coincide with the 93rd Anniversary of the American Legion (copy included).

Ms. Albaugh read “The American Legion Day” proclamation designating September 16, 2012 as The American Legion Day in Upshur County. Ms. Albaugh also reviewed the “National POW/MIA Recognition” proclamation which designates September 21, 2012 as POW/MIA Recognition Day in Upshur County and “A Day to Remember” proclamation, a memorial to the victims of the September 11, 2001 terrorist attacks. After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved and authorized the Commission to sign the proclamations (copies included).

After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved and authorized the President to sign the Software Maintenance Agreement with ESRI, Incorporated in the amount of $6,350.00 for support of software used by the Upshur County Assessor’s Office and the Upshur County Addressing and Mapping Office (copy included).

After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved West Virginia Wesleyan College students, Jacob Foster, Nicholas Benges and Leah Adams as volunteer interns for the Lewis-Upshur-Braxton Community Corrections Day Report Center.

After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved the request from Patricia L. Adams, President, Central West Virginia Republican Women, to use the Courthouse Plaza area for a “Take Back Our Country” rally on September 15, 2012 from 10:00 a.m. to 1:00 p.m.

After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved the reappointment of Carey A. Wagner as board member of the Elkins Road Public Service District as recommended by Elkins Rd PSD members (copy included). Ms. Wagner’s term will expire on September 30, 2018.

After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved the resignation of John Jenkins and the appointment of Elmer Tenney as board member of the Tennerton Public Service District to fill the unexpired term of John Jenkins as recommended by Terry N. Gould, Manager, Tennerton PSD (copy included). Mr. Tenney’s term will expire on July 31, 2015.

William A. Parker provided a review of anonymous correspondence concerning exposed electrical cable located on property of the Middle Fork River Campground. Mr. Parker also reviewed correspondence from R. Ruth Almond complimenting the Upshur County Youth Camp and Doug (Greg) Woody as Director (copies included).

Mr. Tenney provided a review of anonymous correspondence concerning exposed electrical cable located on property of the Middle Fork River Campground. Mr. Tenney’s term will expire on July 31, 2015.

The Commission reviewed the following “For Your Information” items:
1. Building Permit Report-August 2012
2. Agendas and/or Notice of Meetings:
   - City Council of Buckhannon-September 06, 2012
   - Upshur County Family Resource Network-September 10, 2012
   - Upshur County Farmland Preservation Board-September 27, 2012
   - Upshur County Solid Waste Authority-September 10, 2012
3. Meeting Minutes and/or Financial Reports
   - Upshur County Family Resource Network-August, 2012
4. Meetings:
   - TBA-6:00 p.m.-Region VII Planning & Development Council
   - 09/04/12-6:00 p.m.-Hodgesville Public Service District
   - 09/05/12-7:00 a.m.-Upshur County Development Authority-Executive Board
   - 09/05/2012-12:00 p.m.-Upshur County Senior Center Board
   - 09/06/12-7:00 p.m.-Banks District Volunteer Fire Department
   - 09/06/12-7:00 p.m.-Selbyville Volunteer Fire Department
   - 09/10/12-12:00 p.m.-Upshur County Family Resource Network
   - 09/10/12-4:30 p.m.-Upshur County Solid Waste Authority
   - October-6:00 p.m.-Lewis-Upshur-Braxton Community Corrections Board
   - 09/10/12-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
   - 09/11/12-6:00 p.m.-Elkins Road Public Service District
   - 09/11/12-7:00 p.m.-Ellamore Volunteer Fire Department
   - 09/11/12-7:00 p.m.-Adrian Volunteer Fire Department
   - 09/12/12-1:30 p.m.-Upshur County Conventions & Visitors Bureau
   - 09/12/12-7:30 p.m.-Warren District Volunteer Fire Department
   - 09/13/12-1:00 p.m.-Adrian Public Service District
   - 09/13/12-3:00 p.m.-Tennerton Public Service District
   - 09/13/12-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   - 09/13/12-7:30 p.m.-Buckhannon Volunteer Fire Department
   - 09/14/12-7:00 a.m.-Buckhannon Upshur Airport Authority
   - 09/16/12-7:30 p.m.-Washington District Volunteer Fire Department
   - 09/17/12-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
   - 09/17/12-7:00 p.m.-Upshur County Fair Association
   - 09/18/12-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
   - 09/18/12-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
   - 09/19/12-7:00 p.m.-Lewis Upshur LEPC
   - 09/20/12-6:30 p.m.-Upshur County Youth Camp Board
   - 09/20/12-6:30 p.m.-Upshur County Fire Board
   - 09/24/12-6:30 p.m.-Upshur County Firefighters Association
   - 09/25/12-4:00 p.m.-Upshur County Public Library Board
   - 09/26/12-7:00 p.m.-Upshur County Development Authority-Full Board
   - 09/26/12-10:00 a.m.-James W. Curry Advisory Board
   - 09/27/12-4:00 p.m.-Upshur County Farmland Preservation Board
   - TBA-Buckhannon River Watershed Association

5. Appointments Needed or Upcoming:
   - 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
   - James W. Curry Advisory Board- (William A. Parker- 12-30-12)-County
The Commission approved all invoices for payment (copies included).

The Commission approved all Vacation Orders.

The Commission approved the following Settlements:
- Jason Riley Crites-Final Settlement
- David Ingram Cummings-Final Settlement
- Artie R. Grose Moore-Final Settlement
- Harold Edward Walton Sr.-Final Settlement
- Pauline Frances Baxa-Final Settlement
- Doris L. Brown-Final Settlement

The Commission approved the following “Exonerations and/or Refunds”:
- Forest Beer-#3100-$5.51
- Charles N. and Donna L. Norman-#3101-$557.34
- Anthony D. or Leah Chidester-#3102-$156.57
- Christina Marie Noblit-#3103-$174.84
- Michael A. Ellis-#3104-$13.92

The Commission approved the following “Consolidation of Land Tracts”:

The Commission recessed at 10:00 a.m.
The Commission reconvened at 10:30 a.m.

William A. Parker provided a review of correspondence from Robert J. Rose, county resident, to Helen R. Phillips, Upshur County Assessor, expressing concerns about tax/title issues. Helen R. Phillips, Assessor; Virgil Miller, Upshur County Sheriff; Sheila Adams, Chief Tax Deputy and Debbie Thacker Wilfong, Upshur County Clerk, appeared before the Commission for discussion on the matter. Ms. Wilfong advised that Mr. Rose’s deed does not contain all information required by WV Code to consider it a “legal” document for recording purposes and therefore, property transfer for tax listing cannot be completed. After discussion, the Commission requested Helen R. Phillips to follow up with Mr. Rose and send him and the West Virginia Tax Commissioner a certified letter stating the reasons for not listing the property in question in Mr. Rose’s name.

Steven M. Linger, E911 Communications Center director, appeared before the Commission and requested to meet in executive session to review background information concerning part time employees authorized to begin work on September
16, 2012. At 11:00 a.m., the Commission entered into executive session per WV Code §6-9A-4. Present were Donnie R. Tenney, Creed G. Pletcher, JC Raffety, William A. Parker and Steven M. Linger. The Commission returned to open session at 11:30 a.m. No decisions were made in executive session.

The Commission recessed at 11:30 a.m.

The Commission reconvened at 1:30 p.m.

The Commission reviewed the Union District Property Tax Books for consideration in determining a need for the establishment of the Upshur County Appraisal-Assessment Advisory Board. The Commission will follow up at a future meeting.

With no further business, on motion by JC Raffety, seconded by Donnie R. Tenney, the Commission meeting adjourned at 2:30 p.m.