The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, January 13, 2011 at 9:00 a.m. Donnie R. Tenney called the meeting to order. There were present Donnie R. Tenney, Commissioner; Creed G. Pletcher, Commissioner; J. C. Raffety, Commissioner; William A. Parker, Administrator and Terri Jo Bennett, Administrative Assistant. 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 J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved the regular meeting minutes of January 6, 2011 with typographical corrections.

Merrily Cheek, Program Director for the Lewis-Upshur-Braxton Community Corrections Program appeared before the Commission to request approval for the hiring of a part time staff member and West Virginia Wesleyan College interns. After discussion, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved the request from Merrily Cheek, to hire Jerry Lewis as part time Case Aide effective January 8, 2011 at the rate of $8.00 per hour. (copy included) On motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved Ms. Cheek’s request for interns Zack Perkey, Kayla Wagner and Adam Neugebauer from WVWC. Ms. Cheek also provided an update on the operations and overview of the Community Corrections Program and the Home Confinement Program.

After discussion, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved the recommendation to reappoint Richard Kitzmiller to the Upshur County Civil Service Board. (copy included)

After discussion, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved the request from Richard Clemens, City of Buckhannon representative, for the placement of a “Civil War Historic Marker” on the front lawn of the Upshur County Courthouse. (copy included)

After discussion, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved and authorized the President to sign the following grant contracts and related documents with the West Virginia Development Office-Governor’s Community Participation Grant Program: Literacy Volunteers of Upshur County in the amount of $2,000.00; Upshur County Historical Society in the amount of $3,000.00 and the Arlington Community Building in the amount of $1,000.00. (copies included)

Donnie R. Tenney reviewed the following “For Your Information” items:
1. Copy of Funding Subcommittee Report-West Virginia Volunteer Fire Department Workers Compensation Group
2. IRS Mileage Rates for 2011
3. Audit Reports for the Upshur Development Authority for the Period Ending June 30, 2009 and June 30, 2010
4. Upshur County Road Name Index as of January 12, 2011
5. Regional Jail Cost Information
6. Upshur County Sheriff's Financial Statement for December 2010
7. Financial Report Information:
   • General County Fund Fiscal Year-to-Date and December 2010
   • Coal Severance Fund Fiscal Year-to-Date and Quarterly Report
8. Lewis-Upshur Animal Control Facility Report for 2010
9. Upshur County E911 Communication Center Reports:
   • Monthly Call Summary Report-December 2010
   • Monthly Department Call Summary Report-December 2010
   • Yearly Call Summary Report-01/10-12/10
   • Yearly Departmental Call Summary Report-01/10-12/10
   • Yearly Wrecker Log Report-01/10-12/10
10. Agendas and/or Notice of Meetings:
    • Adrian Public Service District-January 13, 2011
    • Buckhannon-Upshur Airport Authority-January 12, 2011
    • Upshur County Fire Board-January 20, 2011
11. Meeting Minutes and/or Financial Reports:
    • Buckhannon-Upshur Airport Authority-December 08, 2010
12. Meetings:
    • 01/04/11-6:00 p.m. -Elkins Road Public Service District
    • 01/04/11-7:00 p.m. -Hodgesville Public Service District
    • 01/10/11-12:00 p.m. -Upshur County Family Resource Network
    • 01/10/11-4:30 p.m. -Upshur County Solid Waste Authority
    • 01/10/11-6:00 p.m. -Buckhannon-Upshur Recreational Park Advisory Board
    • 01/10/11-6:00 p.m. -Community Corrections Board-Lewis Co.
    • TBA-7:00 a.m. -Upshur County Development Authority – Exec. Board
    • 01/12/11-7:00 a.m. -Buckhannon-Upshur Airport Authority
    • 01/12/2011-1:30 p.m.-Upshur County Conventions & Visitors Bureau
    • 01/13/11-1:00 p.m. -Adrian Public Service District
    • 01/13/011-3:00 p.m. -Tennerton Public Service District
    • 01/13/11-6:30 p.m. -Upshur County Safe Sites & Structures Ordinance Board
    • 01/17/11-7:00 p.m. -Upshur County Fair Association
UPSHUR COUNTY COMMISSION MEETING
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- 01/18/11-10:00 a.m. -Wes-Mon-Ty RCD
- 01/18/11-5:00 p.m. -UC Enhanced Emergency Telephone Advisory Board
- 01/19/11-10:00 a.m. -James W. Curry Advisory Board
- 01/19/11-7:00 p.m. -Lewis Upshur LEPC
- 01/19/11-4:00 p.m. -Upshur County Public Library Board
- 01/19/11-6:30 p.m. -Upshur County Youth Camp Board
- 01/19/11-6:30 p.m. -Upshur County Fire Board
- TBA-3:00 p.m.-North Central WV Trade Development Assoc.-Clarksburg
- TBA-7:00 a.m.-Region VII Planning & Development Council

13. Board of Review and Equalization Meeting Schedule
- February 01, 2011-Tuesday-No Appointments-Review Property Books
- February 03, 2011-Thursday-Appointments May Commence at 13:30
- February 04, 2011-Friday-Appointments May Commence at 09:00
- February 09, 2011-Wednesday-Appointments May Commence at 09:00
- February 10, 2011-Thursday-Appointments May Commence at 14:30
- February 15, 2011-Tuesday-Appointments May Commence at 09:00
- February 17, 2011-Thursday-Appointments May Commence at 13:30
- February 22, 2011-Tuesday-Coal, Oil & Gas Appointments-09:00
- February 24, 2011-Adjournment as BORE

14. Appointments Needed or Upcoming:
- Adrian Public Service District-(Sharon Bowen 10-31-11)-County
- Buckhannon-Upshur Airport Authority-(Robert Baker 06-30-11)-County
- Buckhannon-Upshur Airport Authority-(Glenn Davis 06-30-11)-City
- Buckhannon-Upshur Airport Authority-(Charles Anderegg 6-30-11)-County
- Buckhannon-Upshur Board of Health-(Amy Rohr-Queen 06-30-11)-County
- Buckhannon-Upshur Parks & Recreation Ad. Bd-(Tappan Squires 06-30-11)-City
- Buckhannon-Upshur Parks & Recreation Ad. Bd-(Alan Suder 06-30-11)-Bd. Of Education
- Buckhannon-Upshur Parks & Recreation Ad. Bd-(Bill Roby 06-30-11)-County
- James W. Curry Advisory Board-(Craig Presar 12-31-11)-County
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- James W. Curry Advisory Board-(Jerry Reynolds 12-31-11) County
- James W. Curry Advisory Board-Debra Brockelman 12-31-11) County
- Region VII Planning & Development Council-(William A. Parker 12-31-11) County
- Region VII Planning & Development Council-(William A. Parker 12-31-11) County
- Region VII Planning & Development Council-(Connie Tenney 12-31-11) County
- Region VII Planning & Development Council-(Vacant Position 12-31-10) County
- Region VII Planning & Development Council-(Dr. Pamela Balch 12-31-11) County
- Region VII Planning & Development Council-(A.G. Trusler 12-31-11) County
- Tennerton Public Service District-(Rex Reeder 07-31-2011) County
- Upshur County Building Commission-(Joe Malcolm 11-10-11) County
- Upshur County Development Authority-(Glenn Hawkins 06-30-11) County
- Upshur County Development Authority-(Sue Johnson-Phillippe 06-30-11) County
- Upshur County Development Authority-(Don Nestor 06-30-11) County
- Upshur County Development Authority-(Dennis Xander 06-30-11) County
- Upshur County Development Authority-(Sharon McNemar 06-30-11) County
- Upshur County Development Authority-(William Wellings 06-30-11) County
- UC Enhanced Emergency Telephone Ad. Bd.-(Joey Baxa 06-30-11) County-EMS
- UC Enhanced Emergency Telephone Ad. Bd.-(Betty Hinkle 06-30-11) County-Comm
- Upshur County Fire Board-(George Smith 06-30-11) County-3rd District-Community
- Upshur County Library Board-(Neil Brake 06-30-11)-County/Bd. of Ed.
- Upshur County Solid Waste Authority-(Jacqueline McDaniels 06-30-11) PSC
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- Upshur County Youth Camp Board-(Debbie Miller 05-31-11) County-Nomination Req.
- Upshur County Youth Camp Board-(Debbie Hull 05-31-11) County-Nomination Req.

After discussion, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved the recommendation from Donnie R. Tenney to appoint Sam Nolte to the Region VII Planning & Development Council. Mr. Nolte’s term will expire on December 31, 2011.

The Commission recessed at 9:50 a.m.
The Commission reconvened at 10:05 a.m.

Jacob E. Reger, Upshur County Prosecuting Attorney appeared before the Commission to discuss the (Tax) Exoneration for JM Eagle for the 2011 tax year due to an incorrect filing by the taxpayer on the Industrial Business Property Tax return. After recommendation from the Prosecuting Attorney, the Commission will consider action to exonerate JM Eagle for the 2011 tax year if an additional $25,000.00 is received. William A. Parker was requested to follow-up with JM Eagle representatives and the Upshur County Board of Education and report back at a future meeting.

Upshur County Sheriff, Virgil D. Miller, appeared before the Commission and requested an Executive Session per WV Code 6-9A-4 to discuss a pending and/or ongoing investigation. At 10:40 a.m., on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission entered Executive Session. Present were Donnie R. Tenney; Creed G. Pletcher; J. C. Raffety; Virgil D. Miller; William A. Parker; Terri Jo Bennett; Jeff Wamsley; Mitch Tacy and Buddy Brady. No decisions were made in Executive Session and the Commission returned to open session at 11:15 a.m.

The Commission recessed at 11:15 a.m. to attend the Upshur County Policy Board meeting.

The Commission reconvened at 11:50 a.m.

Brian Gaudet, Upshur County Circuit Clerk, appeared before the Commission to discuss personnel levels. (Note: item not on the agenda, report only.) Mr. Gaudet will follow-up at a future meeting.

The Commission recessed at 11:55 a.m.
The Commission reconvened at 1:30 p.m.
The Commission approved all invoices for payment. (copy included)
The Commission approved the following purchase orders:
- US Postal Service-#20112126-$20,000.00
- Ware’s Glass Shop-#20112127-$1,468.00
- Suder’s Welding-#20112128-$1303.50

The Commission approved the following “Request to Attend Meeting” requests: (copies included)
UPSHUR COUNTY COMMISSION MEETING
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- Terri Jo Bennett – January 30 and 31 and February 1, 2011
With no further business, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission meeting adjourned at 1:45 p.m.