The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, January 20, 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 13, 2011 with typographical corrections.

Drew Mason, Upshur County resident appeared before the Commission and expressed concerns with the Hodgesville Public Service District Waterline Extension Project.

Terry Gould, Manager of the Hodgesville Public Service District, appeared before the Commission and provided an update/timeline on the next waterline extension project. (copy included) Mr. Gould also provided an update on the Tennerton Sewer Project.

Ted Biser, Upshur County resident, was unable to attend the Commission Meeting as scheduled.

After discussion, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved the resignation of Marie Woodyard as full time Deputy Circuit Clerk effective January 21, 2011.

After discussion, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved the request from Brian P. Goudet, Upshur County Circuit Clerk, to hire Carissa L. Kelley as full time Deputy Circuit Clerk at the rate of $8.00 per hour. Effective date of employment is January 31, 2011. (copy included) (Note: Mr. Gaudet advised that Ms. Kelley was a candidate for the Deputy Clerk position in October 2010 and the hiring of Ms. Kelley is in compliance with county hiring guidelines.)

After discussion, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved the request from Helen R. Phillips, Upshur County Assessor, and the West Virginia State Tax Department to make corrections to the 2011 assessment records due to clerical errors with notation that the Board of Review and Equalization will receive written documentation of any corrections made to the assessment records. (copy included)

William A. Parker provided a review of the Budget Revisions to the General County Fund and Coal Severance Fund. After discussion, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved the revisions. (copy included)

The Commission recessed at 9:40 a.m.

The Commission reconvened at 9:45 a.m.

William A. Parker provided a review/update on the JM Eagle (Tax) Exoneration request for the current tax year due to an incorrect filing by the taxpayer on the Industrial Business Property Tax return. Jacob E. Reger, Upshur County Prosecuting Attorney, reviewed his recommendation that the Commission consider action to exonerate JM Eagle for the current tax year if an additional $25,000.00 is received. Eugene C. Suder, Upshur County resident, expressed concerns about granting the exoneration request. After discussion, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved to defer action pending review with the Upshur County Board of Education.

The Commission recessed at 10:25 a.m.

The Commission reconvened at 10:30 a.m.
Tim Higgins, Upshur County resident, appeared before the Commission to discuss the PATH (Potomac Appalachian Transmission Highline) project and requested the Commission to adopt the “Citizen Resolution” which suggests an alternative to the PATH. (copy included) No action was taken at this time. The Commission recessed at 12:00 p.m. The Commission reconvened at 1:15 p.m. The Commission reviewed the following “For Your Information” items:
1. Notice of Facility Security and Cyber Security Seminar sponsored by the West Virginia Counties Risk Pool
3. Agendas and/or Notice of Meetings:
   • Upshur County Public Library Board-January 19, 2011
   • Upshur County Youth Camp Board-January 20, 2011
4. Meeting Minutes and/or Financial Reports: None
5. 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
   • 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-5:00 p.m.-North Central WV Trade Development Assoc.-Clarksburg
   • 01/24/11-7:00 a.m.-Region VII Planning & Development Council
6. 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
7. 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-(Al Tucker as of 4/1/11 Term Ends 06-30-13)-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
- 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
The Commission approved all invoices for payment. (copy included)
The Commission approved the following Final Settlements:
- Richard G. Hoover-Final Settlement
- Mary Marie Murphy-Final Settlement
- Willard A. Walton-Final Settlement
- Sandra Kay Goldsborough-Final Settlement
- Ruby Eleanor Kremmel-Final Settlement
- Billy Joe Holtzworth-Final Settlement
- Leonard Burl Rifle-Final Settlement
- Evelyn B. Reed Miller-Annual Settlement

The Commission approved the following exonerations and/or refunds: (copies included)
- Toyota Motor Credit Corp-#2786-$187.14
- Toyota Motor Credit Corp-#2787-$156.34

The Commission approved the following “Request to Attend Meeting” for Commission employees: (copies included)
- James Farry-January 28, 2011
- James Farrell-January 28, 2011

With no further business, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission meeting adjourned at 2:30 p.m.