UPSHUR COUNTY COMMISSION MEETING
January 06, 2011

The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, January 06, 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.

On motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved the recommendation for Donnie R. Tenney to serve as the Commission President for the 2011 calendar year.

After discussion, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved the hours of operation for the Courthouse as Monday-Friday, 8:00 a.m. to 4:30 p.m. The following exceptions will apply:

- Friday-April 22, 2011-Closed all day
- Friday-May 20, 2011-Close at 12:00 p.m.
- Friday-December 23, 2011-Close at 12:00 p.m.

After discussion, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved the 2011 calendar year holidays as submitted. (copy included)

After review by Donnie R. Tenney, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved the Commission appointments to the various boards as follows:

- Lewis-Upshur-Braxton Community Corrections Board-J. C. Raffety
- Lewis-Upshur Local Emergency Planning Committee- J. C. Raffety
- Mountain Cap of West Virginia- Creed G. Pletcher
- Region VI Workforce Local Elected Officials Board- Creed G. Pletcher
- Region VII Planning & Development Council-Donnie R. Tenney
- Stockert Youth Center-Youth Council Board-Donnie R. Tenney
- Upshur County 4H Foundation-Donnie R. Tenney
- Upshur County Development Authority-Creed G. Pletcher
- Upshur County Extension Service Committee-Donnie R. Tenney
- Upshur County Enhanced Emergency Telephone Advisory Board-Creed G. Pletcher
- Upshur County Family Resource Network- J. C. Raffety
- Upshur County Fire Board- J. C. Raffety
- Upshur County Senior Citizens Board- J. C. Raffety
After reading of the minutes, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved the regular meeting minutes of December 16, 2010 as submitted.

Jennifer Lloyd, Women’s Aid in Crisis representative, appeared before the Commission and presented the “National Stalking Awareness Month Proclamation”.

The purpose of the proclamation is to promote public consciousness concerning the importance of observation and prosecution of the crime of stalking. After discussion, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved and authorized the Commission to sign the proclamation. (copy included)

Joyce L. Harris-Thacker, Upshur County Family Resource Network representative, appeared before the Commission and provided an update and an invitation to attend the luncheon at West Virginia Wesleyan College to discuss with state legislators “The #1 Question-Is It Good For Children?” with a focus on child abuse and neglect prevention. (copies included) Ms. Harris-Thacker also acknowledged the generous donation of $500.00 for the Women's Aid In Crisis from Debra and James Huber. (Note: item not on agenda, report only)

Sheila Adams, Chief Tax Deputy, and Upshur County Sheriff, Virgil D. Miller, provided an update/report on the “Final Disposition of 2009 Delinquent Taxes” (real and personal). After discussion, per general consent rule, the Commission approved and authorized the Commission to sign the document. (List on file in the Office of the County Clerk)

Upshur County Sheriff, Virgil D. Miller, provided an update/review of the “Commission on Drunk Driving Prevention Grant Application” in the amount of $10,000.00 to be used for payment of overtime during the period from February 19, 2011 thru May 22, 2011. After discussion, on motion by J.C. Raffety, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the grant application and related documents. (copy included)

After discussion, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved the termination of Amanda L. Lewis as part time E911 Communications Center Dispatcher. Ms. Lewis worked only one day after being hired as part time dispatcher on December 5, 2010. Steve Linger, E911 Communications Center Director has been unable to contact her.

After discussion, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved the resignation of Joshua Oldaker, full time E911 Communications Center Dispatcher, effective December 23, 2010.

After discussion, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved Jennifer Anne Griffin as volunteer for the Lewis–Upshur Animal Control Facility. (copy included)

After discussion, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the “Governor's
Community Participation Grant and related documents in the amount of $5,000.00 for the benefit of the Upshur County Little League. (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 Upshur County Citizen Corps grant and related documents in the amount of $1,500.00. (copy included)

After discussion, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the Perdue Pharma Asset Forfeiture Grant and related documents in the amount of $50,000.00 for the Lewis-Upshur-Braxton Community Corrections Program. (copy included)

After discussion, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved the “Recommendation for the Removal of Douglas Craig Casto as Administrator for the Estate of Allen Casto, deceased and the appointment of Upshur County Sheriff, Virgil Miller as Administrator”. (copy included)

After discussion, no action was taken on the recommendation for removal of Oliver Wendell Howard, Jr. as Administrator for the Estate of Burl Blane Hoover, deceased. The Commission will follow up at a future meeting.

After discussion, on motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved the “Recommendation for the Removal of Kennie Summers, Jr. and Linda M. Lattea as Co-Administrators for the Estate of Alice L. Summers, deceased and the appointment of Upshur County Sheriff, Virgil Miller as Administrator”. (copy included)

After discussion, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved the “Recommendation for the Removal of Ernest Glen Fisher and James Edward Fisher as Co-Executors for the Estate of Cosbie R. Fisher, deceased and the appointment of Upshur County Sheriff, Virgil Miller as Executor”. (copy included)

The Commission reviewed the proposed Valuation Fund Budget for Fiscal Year 2011-2012. (copy included)

James Farry, Office of Emergency Management Director, provided an update and “After Action Improvement Plan” on the “West Virginia Wesleyan Functional Exercise”. (copy included)

Mr. Farry also provided an update on the West Virginia Homeland Security Grant. (Note: item not on agenda, report only)

After discussion, on motion by Creed G. Pletcher, seconded by J. C. Raffety, the Commission approved the following board appointments: James W. Curry Advisory Board- Michael Quinn, whose term will expire on December 31, 2013; Region VII Planning & Development Council appointments-William A. Parker, Connie Tenney, Dr. Pamela Balch and A. G. Trusler whose terms will expire
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December 31, 2011 and Upshur County Building Commission-Dennis Xander whose term will expire on November 10, 2015.

William A. Parker provided a review of email correspondence from Carey Wagner, Elkins Road Public Service District which reported the approval from the WVJIDC (West Virginia Infrastructure and Jobs Development Council) for the Public Service Districts Phase III Water Extension Project. (copy included)

The Upshur County Commission members, Upshur County Board of Education Superintendent, Scott Lampinen, Upshur County Board of Education Finance Officer, George Carver, Upshur County Assessor, Helen Phillips and Upshur County Prosecuting Attorney, Jacob Reger entered into discussion concerning the (Tax) Exoneration for JM Eagle for the 2011 tax year due to an incorrect filing by the taxpayer on the 2010 Industrial Business Property Tax return. On motion by J. C. Raffety, seconded by Creed G. Pletcher, the Commission approved the postponement of action until Jacob Reger can review the return.

The Commission recessed at 11:45 a.m.
The Commission reconvened at 1:30 p.m.
The Commission approved all invoices for payment. (copy included)
The Commission approved the following Final Settlements:
- Eulah Lucille Sturm Dean-Final Settlement
- Darlene L. Fowler-Final Settlement
- Pat Richard Gould-Final Settlement
- Rickey Eugene Holley-Final Settlement
- Ancil J. Kesling-Final Settlement
- Elizabeth Ann McCann-Final Settlement
- Virginia H. Nicoll-Final Settlement
- Anageline Marple-Final Settlement
- Connie K. Duke-Final Settlement

The Commission approved the following exoneration and/or refunds: (copies included)
- Voris Andrew or Voris A. Hawkins-#2782-$25.58
- Matthew Kerner-#2783-$13.94
- Matthew Haymon-#2784-$134.23
- Matthew Haymond-#2785-$121.04

The Commission approved the following “Request to Attend Meeting” for Commission employees: (copies included)
- William A. Parker-January 29, 30 and 31 and February 1, 2011
- Steve Linger-January 7, 2011
- William A. Parker-February 6, 7 and 8, 2011
The Commission approved the following “Time Out of Office” for Commission employees: (copies included)


The Commission received the following information: (copies included)

1. Correspondence to Rodney Irvin, Jr., owner of Mountain State Video Imaging, regarding airing of the County Commission meetings online at ch3ondemand.com
2. Public Notice-Board of Review and Equalization
4. Home Confinement Report-November 2010
5. Building Permit Report-December 2010
6. Dog Warden Report-December 2010
7. After Action Report and Improvement Plan for the April 26th Functional Exercise
8. Agendas and/or Notice of Meetings:
   - Elkins Road Public Service District-January 04, 2011
   - Community Corrections Program-January 10, 2011
9. Meeting Minutes and/or Financial Reports:
   - Upshur County Citizen Corps-December 08, 2010
10. 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
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- 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

11. Board of Review and Equalization Meeting Schedule
- February 01, 2011-Tuesday-No Appointments-Review of 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-Monday- 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 and Gas Appointments May Commence at 09:00
- February 24, 2011-Thursday-Adjournment as BORE

12. Appointments Needed or Upcoming:
- James W. Curry Advisory Board — (2 Vacant Positions) — County
- Region VII Planning & Development Council — (William A. Parker 12-31-10) — County
- Region VII Planning & Development Council — (Connie Tenney 12-31-10) — County
- Region VII Planning & Development Council — (French Armstrong 12-31-10) — County
- Region VII Planning & Development Council — (Dr. Pamela Balch 12-31-10) — County
- Region VII Planning & Development Council — (AG Trusler 12-31-10) — County
- Upshur County Building Commission — (Dennis Xander 11-10-10) — Deputies Association
- Upshur County Civil Service Board — (Richard Kitzmiller 12-31-10) — Deputies Association
With no further business, on motion by Creed G. Pletcher, seconded by Donnie R. Tenney, the Commission meeting adjourned at 2:20 p.m.