The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, January 07, 2010 at 9:00 a.m. Donnie R. Tenney called the meeting to order. There were present Donnie R. Tenney, Commissioner; Eugene C. Suder, Commissioner; Creed G. Pletcher, 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 Eugene C. Suder, the Commission approved the recommendation for Donnie R. Tenney to serve as the Commission President for the 2010 calendar year.

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, 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 02, 2010-Closed all day
- Friday-May 14, 2010-Close at 12:00 p.m.
- Friday-December 23, 2010-Close at 12:00 p.m.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the 2010 calendar year holidays as submitted. (copy included)

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

- 26th Judicial Circuit Community Corrections Board-Eugene C. Suder
- Lewis-Upshur Local Emergency Planning Committee-Creed G. Pletcher
- Mountain Cap of West Virginia-Eugene C. Suder
- Region VI Workforce Local Elected Officials Board-Eugene C. Suder
- 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-Donnie R. Tenney
- Upshur County Fire Board-Creed G. Pletcher
- Upshur County Senior Citizens Board-Donnie R. Tenney
After reading of the minutes, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the regular meeting minutes of December 17, 2009 as submitted.

James Farry, Interim Director of E911 Communications Center, appeared before the Commission to discuss/review the following topics:

- interoperable radio communication equipment and grant funds- request for three (3) radios for the 911 center
- suggestion to add a second fire frequency in the county- request to get a second channel into the system-FireF2 at an estimated cost of $8,000.00 to $10,000- via General Consent Rule, the Commission approved and authorized Mr. Farry to follow up with a price quote and proceed with the purchase order process
- Office of Emergency Management Construction Grant for including the department into the new 911 center- via the General Consent Rule, the Commission approved and authorized Mr. Farry to proceed with the grant application process and report back at a future meeting. (copy included)

Virgil D. Miller, Upshur County Sheriff, appeared before the Commission to review the Commission on Drunk Driving Prevention Grant application in the amount of $9,870.87 for payment of overtime salaries. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the grant application. (copy included)

Sheriff Miller reviewed the Justice Assistance Grant in the amount of $19,647.00 for the purpose of purchasing night vision equipment. After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the President to sign the grant application. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved an extension of 20 (twenty) days for the completion time of the Upshur County Library HVAC project as requested by Rice Enterprises. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the Commission to join the membership of the North Central West Virginia Trade Development Association. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the Office of the Upshur County Assessor and/or the Property Tax Division of the West Virginia Department of Revenue to make necessary corrections to the 2010 assessment records during the month of February, 2010 as requested by Helen R. Phillips, Assessor. (copy included)

(Note: the Upshur County Commission to receive copies of any changes to be part of the Board of Review and Equalization minutes)
After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the request from Jacob E. Reger, Prosecuting Attorney, to hire Bryan Hinkle as full-time Assistant Prosecuting Attorney effective January 4, 2010 at an annual salary of $45,000.00 per year. (copy included)

Timothy Higgins, Upshur County resident, appeared before the Commission to request funding for Expert Witness fees in connection with the PATH (Potomac Appalachian Transmission Highline) hearings. Mr. Higgins provided an update on the application status. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved a donation of $1,000.00 (One Thousand Dollars). William A. Parker will draft a letter of request to Barbour and Lewis Counties to follow up with similar action.

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the Public Notice and schedule for the Board of Review and Equalization. (copy included)

William A. Parker provided a review of Waste Coal Severance Grant Program for the Upshur County Commission ($61,718.00 to be used for the Upshur County Courthouse HVAC project and the Upshur County Development Authority $6,857 for a concrete pad and/or improvements at the Upshur County Industrial Park). After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the grant agreement and all related documents. (copy included)

After review by William A. Parker, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the Commission to sign correspondence to the Office of the Upshur County Clerk concerning the Estate of Clyde Harper, deceased. (copy included)

The Commission reviewed and discussed correspondence from the Property Valuation Training & Procedures Commission concerning the 2010-2011 Proposed Budget for the Assessor’s Valuation Fund. After review of the proposed budget, the Commission expressed concerns regarding the following items: 1) Projected Fund Balance and Other Revenues; 2) General Fund Budget for 2009-2010 and 3) Other Post Employment Benefits (OPEB). On motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign and send a letter to Jeffrey A. Amburgey, Chairman of the Property Valuation Training & Procedures Commission stating the concerns. (copy included)

The Commission reviewed and discussed the “Order Regarding the Dissolution of the Elizabeth Coplin Leonard Memorial Hospital, Inc.” in the Circuit Court of Upshur County. William A. Parker will provide a copy to the Assessor.

Eugene C. Suder inquired about the status concerning lighting renovations at the Curry Library. William A. Parker will follow up.
Donnie R. Tenney provided a review of the gas/heating issue at the Curry Library. Donnie R. Tenney will follow up with the gas company.

After discussion, via the General Consent Rule, the Commission approved the recommendation to offer the planning and execution of the Upshur County Commission’s Easter Egg Hunt to the CEOS Clubs. The Commission will reimburse up to $700.00 for expenses and make a $300.00 donation to the CEOS. (copy included)

The Commission approved all invoices for payment. (copy included)

The Commission approved the following purchase orders:

- James & Law Co.-#20101166-$1,200.00
- Quill Corporation-#20101167-$1,268.30
- Alterations By Kathy-#20101168-$100.00
- WV Uniforms-#20101169-$500.00
- A.F. Wendling, Inc.-#20101170-$125.00
- Appalachian Tire Products-#20101171-$581.80
- Wal-Mart Community BRC-#20101172-$50.00
- Lowe’s Home Center Inc.-#20101173-$40.00
- CSSI-#20101174-$1,796.00
- Staples Credit Plan-#20101175-$3,000.00
- WV Correctional Industries-#20101176-$300.00
- The Carpet Studio-estimate-$344.50

The Commission approved the following exonerations and/or refunds: (copies included)

- Reta Burkhammer-#2617-$46.88
- Virgil or Patricia (Elders) Murphy-#2618-$36.06

The Commission approved the following Final Settlements:

- Jane P. Burke-Final Settlement
- William Ray Fowler-Final Settlement
- Robert A. Halterman-Final Settlement
- James L. Vogel-Final Settlement

The Commission approved the following “request to attend meeting” for Commission employees: (copies included)

- Terri Jo Bennett-January 19, 2010

The Commission received the following information: (copies included)

1. Correspondence from the US Department of Homeland Security-Federal Emergency Management Agency concerning receipt and approval of the Upshur County Multi-Jurisdictional Hazard Mitigation Plan
2. Correspondence from the West Virginia Development Office concerning the Monitoring Visit for the Small Cities Block Grand Funding of the Phase V Water Line Extension Project by the Adrian Public Service District


4. Feline Activity Report-November 2009

5. Spay & Neuter Report-November 2009


7. Agendas and/or Notice of Meetings:
   - Elkins Road Public Service District-January 05, 2010
   - Upshur County Fire Board-January 21, 2009

8. Meeting Minutes and/or Financial reports:
   - Adrian Public Service District-November 12, 2009
   - Adrian Public Service District-November 19, 2009
   - Buckhannon River Watershed Association-November 17, 2009
   - Upshur County Courthouse HVAC Project-December 15, 2009
   - Upshur County Courthouse HVAC Project-December 15, 2009

9. Meetings:
   - 01/05/10-6:00 p.m. -Elkins Road Public Service District
   - 01/05/10-7:00 p.m. -Hodgesville Public Service District
   - 01/11/10-12:00 p.m. - Upshur County Family Resource Network
   - 01/11/10-4:00 p.m. - Upshur County Solid Waste Authority
   - 01/11/10-6:00 p.m. - Buckhannon-Upshur Recreational Park Advisory Board
   - 01/12/10-7:00 a.m. -Buckhannon-Upshur Airport Authority
   - 01/13/10-7:00 a.m. - Upshur County Development Authority – Exec. Board
   - 01/13/10-7:00 p.m. - Upshur County Litter Control Committee
   - 01/14/10-1:00 p.m. -Adrian Public Service District
   - 01/14/10-3:00 p.m. -Tennerton Public Service District
   - 01/14/10-6:30 p.m. -Upshur County Safe Sites & Structures Ordinance Board
   - 01/18/10-7:00 p.m. -Upshur County Fair Association
   - 01/19/10-10:00 a.m. -Wes-Mon-Ty RCD
   - 01/19/10-5:00 p.m. -UC Enhanced Emergency Telephone Advisory Board
   - 01/19/10-6:00 p.m. -Buckhannon-River Watershed Association
UPSHUR COUNTY COMMISSION MEETING
January 07, 2010

- 01/19/10-6:00 p.m. - 26th Judicial Circuit Community Corrections Board-Lewis Co.
- 01/20/10-10:00 a.m. -James W. Curry Advisory Board
- 01/20/10-4:00 p.m. -Upshur County Public Library Board
- 01/20/10-7:00 p.m. -Lewis Upshur LEPC
- 01/21/10-6:30 p.m. -Upshur County Youth Camp Board
- 01/21/10-6:30 p.m. -Upshur County Fire Board
- 01/27/10-7:00 a.m.-Region VII Planning & Development Council
- TBA-7:00 a.m.-Region VII Planning & Development Council

10. Appointments Needed or Upcoming:
    - James W. Curry Advisory Board — (2 Vacant Positions) — County

The Commission recessed at 11:20 a.m.

The Commission reconvened at 1:15 p.m. to conduct interviews for the position of Director of the E-911 Communications Center. Nine (9) applicants were interviewed. The interviews concluded at 5:00 p.m.

With no further business, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission meeting adjourned at 5:00 p.m.