The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, October 25, 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, County Administrator; Megan J. Pomeroy, Assistant County 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 JC Raffety, seconded by Creed G. Pletcher, the Commission approved the regular meeting minutes of October 18, 2012 as submitted.

Joyce Harris-Thacker, Upshur County Family Resource Network Director, appeared before the Commission and presented a request that the Commission provide payroll services for a temporary part time Substance Abuse Prevention Grant part time employee. Ms. Harris-Thacker provided an update/status report on activities and services that the grant provides and the duties of the proposed employee. After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved Ms. Harris-Thacker’s request.

Patty Adams, Pancreatic Cancer Action Network representative, presented the “Pancreatic Cancer Awareness Month” proclamation. The purpose of the proclamation is to bring increased awareness of the incidence of pancreatic cancer as the fourth leading cause of cancer deaths in America, with a goal of increased funding for “research, patient services and public awareness and education related to developing effective treatments and a cure for pancreatic cancer.” After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved and authorized the Commission to sign the proclamation.

William A. Parker provided a review of the West Virginia Records Management and Preservation Board Grant Guidelines and Application for Fiscal Year 2013-14 (copy included). The grant application in the amount of $14,438.00 is for the benefit of the office of the Upshur County Circuit Clerk for the purchase of a heavy duty cross-cut shredder and for the continuation of scanning and indexing of Chancery and Law case files (Phase II) for conversion to digital files. After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the grant application and related documents.

Agenda item #2, the approval of the Upshur County Financial Statement for Fiscal Year Ended June 2012 was not ready for action at this time and will be placed on a future agenda.

After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved the employment of temporary part time Early Voting Clerks, Beatrice Adams, Irene Andrew, Nelda Light, Thanna Wentz, Judith Miles, Catherine Frye, Beulah Riffle, Margaret Neely, Philip Murphy, Betty Heavner, James Vance, Catherine Vance and Janet Kay Wilson. Effective date of employment is October 24, 2012 through November 03, 2012 at the rate of $7.25 per hour (copy included).
After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the authorization of ACH withdraws for retirement and other contributions for Public Employees Retirement System (PERS) and Deputy Sheriff Retirement Fund (DSRF) (copy included).

After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved and authorized the President to sign the grant contract and related documents with the West Virginia Development Authority for the Governor’s Community Participation Grant in the mount of $4,000 for the benefit of the Warren District Volunteer Fire Department (copy included).

After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved the resignation of Jamie Queen as “Worthless Check Clerk” (Magistrate Clerk office) effective October 18, 2012.

Action on the employment of the Animal Control Officer was deferred to later in this meeting.

After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved a two year moratorium for changes to current road and/or street names effective October 25, 2012 through January 1, 2015. The moratorium will reduce confusion for emergency and postal services in facilitating the implementation of changes to the Addressing and Mapping system which have recently taken place or will be going into effect within the next few months.

William A. Parker provided an update on projects at the James W. Curry Library and Park.

Rick Edwards appeared before the Commission and provided an update/status report on the Upshur County Wellness Complex. Mr. Edwards reported that the fields and roads are in good condition and fields are being utilized. Mr. Edwards discussed the plans for the current armory building after completion of the new building.

The Commission discussed the West Virginia Supreme Court of Appeals decision concerning the Contested Election Petition and Response-David D. Taylor, Petitioner v Michael R. Kelley, Respondent which upheld the County Commission and the Circuit Court decisions.

The Commission discussed Board Appointments Needed or Upcoming and will follow up at a future meeting.

Judy Fato, Upshur County resident, appeared before the Commission and expressed concerns regarding the possibility of flooding issues on her property in the future due to construction of the Armory. Ms. Fato’s property is located next to the Wellness Complex and the future site of the new Armory building. The Commission advised Ms. Fato to check with the Army Corp of Engineers to address any questions she may have.

On motion by JC Raffety, seconded by Creed G. Pletcher, the Commission entered into executive session at 10:10 a.m. to review and discuss applications and recommendations for the employment of an Animal Control Officer. Present were Donnie R. Tenney, Creed G. Pletcher, JC Raffety, William A. Parker and Megan J. Pomeroy. No decisions were made in executive session and the Commission returned to open session at 10:25 a.m. After discussion, on motion by Creed G.
Pletcher, seconded by JC Raffety, the Commission approved the employment of Patti Jo Gum as full time Animal Control Officer as recommended by Greg Harris, Director of Facility Operations. Effective date of employment is November 13, 2012 at the rate of $9.00 per hour.

The Commission reviewed the following “For Your Information” items:

1. Agendas and/or Notice of Meetings:
   - James W. Curry Advisory Board- October 24, 2012
   - Lewis-Upshur LEPC-October 17, 2012
   - Upshur County Development Authority-October 24, 2012
   - Upshur County Farmland Protection Board-October 25, 2012

2. Meeting Minutes and/or Financial Reports:
   - Adrian Public Service District- September 23, 2012
   - Lewis-Upshur LEPC-September 19, 2012
   - Lewis-Upshur LEPC-October 17, 2012
   - Upshur County Development Authority – September 26, 2012
   - Upshur County Public Library Board-September 25, 2012

3. Meetings:
   - 10/25/12-4:00 p.m.-Upshur County Farmland Preservation Board
   - 10/29/12-6:00 p.m.-Upshur County Firefighters Association
   - TBA-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
   - TBA- 6:00 p.m.-Buckhannon River Watershed Association
   - 11/01/12-7:00 p.m.-Banks District Volunteer Fire Department
   - 11/01/12-7:00 p.m.-Selbyville Volunteer Fire Department
   - 11/05/12-12:00 p.m.-Upshur County Family Resource Network
   - 11/06/12-6:00 p.m.-Hodgesville Public Service District
   - 11/06/12-6:00 p.m.-Elkins Road Public Service District
   - 11/07/12-12:00 p.m.-Upshur County Senior Center Board
   - 11/08/12-1:00 p.m.-Adrian Public Service District
   - 11/08/12-3:00 p.m.-Tennerton Public Service District
   - 11/08/12-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   - 11/08/12-7:30 p.m.-Buckhannon Volunteer Fire Department
   - 11/09/12-7:00 a.m.-Buckhannon Upshur Airport Authority
   - 11/12/12-4:30 p.m.-Upshur County Solid Waste Authority
   - 11/13/12-8:30 a.m.-Election Canvass
   - 11/13/12-7:00 p.m.-Adrian Volunteer Fire Department
   - 11/13/12-7:00 p.m.-Ellamore Volunteer Fire Department
   - 11/14/12 -7:00 a.m.-Upshur County Development Authority – Exec. Board
   - 11/14/12-1:30 p.m.-Upshur County Conventions & Visitors Bureau
   - 11/14/12-7:30 p.m.-Warren District Volunteer Fire Department
UPSHUR COUNTY COMMISSION MEETING  
October 25, 2012

• 11/15/12-6:30 p.m.-Upshur County Youth Camp Board
• 11/15/12-6:30 p.m.-Upshur County Fire Board
• 11/18/12-6:00 p.m.-Washington District Volunteer Fire Department
• 11/19/12-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
• 11/19/12-7:00 p.m.-Upshur County Fair Association
• 11/20/12-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
• 11/20/12-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
• 11/21/12-7:00 p.m.-Lewis Upshur LEPC
• 11/26/12-6:00 p.m.-Upshur County Firefighters Association
• 11/27/12-4:00 p.m.-Upshur County Public Library Board
• 11/28/12-7:00 a.m.-Upshur County Development Authority – Full Board
• 11/28/12-10:00 a.m.-James W. Curry Advisory Board
• 11/29/12-4:00 p.m.-Upshur County Farmland Preservation Board
• 12/2012 -6:00 p.m.-Lewis-Upshur-Braxton Community Corrections Board
• 01/2013 -6:30 p.m.-Region VII Planning & Development Council

4. Appointments Needed or Upcoming:
   • Buckhannon-Upshur Parks & Recreation Board- (Doug Bush - 06-30-12)- Bd. of Ed
   • 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
   • James W. Curry Advisory Board-(Mark Riggs- 12-30-12)-County
   • James W. Curry Advisory Board-(Vacant- 12-30-12)- County
   • Region VII Planning & Development Council-(William A. Parker-12/31/12)- County
   • Region VII Planning & Development Council-(Connie Tenney- 12/31/12)- County
   • Region VII Planning & Development Council-(Sam Nolte-12/31/12)- County
   • Region VII Planning & Development Council-(Dr. Pamela Balch-12/31/12)- County
   • Region VII Planning & Development Council-(A.G. Trusler-12/31/12)- County
UPSHUR COUNTY COMMISSION MEETING
October 25, 2012

- Upshur County Convention & Visitors’ Bureau-(Vacant – Tourism-06/30/15)-County
- Upshur County Building Commission-(Richard Ralston II-11-10-12)-County
- Upshur County Civil Service Board-(Terry D. Reed-12-31-12)-County
- Bar Association
- UC Enhanced Emergency Telephone Advisory Board-(Rodney Rolenson-06-30-12)-Law Rep
- Upshur County Solid Waste Authority-(Robert Wines-06-30-12)-Soil Conservation District

The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders.
The Commission approved the following Settlements:
- Robert Allen Baker-Final Settlement
- D. Cashues Lanham-Final Settlement
- Straud P. Tenney II-Final Settlement
- Gail J. Phillips-Final Settlement
- Douglas Nathaniel Williams-Final Settlement
- Lucy F. Waugh Testamentary Trust-Eighth Annual Settlement

The Commission approved the following “Exonerations and/or Refunds”:

- Brian L. Husk or Angela M. Wright - #3129-$41.76
- Eric P., David L. and Nancy J. Withrow-#3130-$98.32
- Beth A. Koon-#3131-$12.68
- Pamela J. Glasser-#3132-$12.68
- Evanell E. Hanline-#3133-$11.20
- Gary W. Umble-#3134-Corrective Ticket
- Pamela J. Glasser-#3135-Corrective Ticket
- Christina Miller & Ginger Marlow-#3136-Corrective Ticket

The Commission approved the following “Request to Attend Meeting” for Commission employees: (copies included)
- Megan Pomeroy-December 05, 2012

The Commission reviewed property tax books before consideration in the establishment of the Upshur County Appraisal Assessment Advisory Board.

The Commission postponed the 2:00 meeting with James Bryson VanNostrand, VanNostrand Architects concerning cost allocation for the E911 Project and will reschedule a future meeting.

With no further business, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission meeting adjourned at 11:30 a.m.