The County Commission of Upshur County, held their regular meeting at the Courthouse Annex on Thursday, October 28, 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 Jackie Dinklocker, Commission Office 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 Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the regular meeting minutes of October 21, 2010 as submitted.

After review by Donnie R. Tenney, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the President to sign the letter of support for the completion of the Corridor H Highway. (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 President to sign the Purchase Agreement for the telephone system at the Upshur County Office of the West Virginia University Extension Service with Tate Communications in the amount of $3,119.59. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the “Resolution of Participation” designating the Upshur County Development Authority as the “Certified” representative for the “West Virginia Certified Development Community (CDC) Program”. (copy included)

Roy Collins, Upshur County resident, appeared before the Commission and expressed concerns about the posting of “No Hunting” signs on the property of the Curry Library and Park and camping area. Mr. Collins was advised that the policy was in place because of liability issues. After discussion, William A. Parker was requested to follow up with Jacob E. Reger, Prosecuting Attorney, to review liability and the feasibility of issuing permits.

The Commission discussed the appointment to the Elkins Road Public Service District board. No action was taken at this time and the Commission will follow up at a future meeting.

The Commission discussed the mold problem on some books in the Law Library and/or Hearing Room of the Upshur County Courthouse. William A. Parker provided an update regarding an airflow balance test that was conducted. The results were within specifications of the mechanical engineers, and therefore, Bryson VanNostrand will pay for the airflow balance test and the mechanical engineers will pay for the mold clean-up and the County will not incur any additional costs.

Rick Edwards, Buckhannon-Upshur Recreational Park Advisory Board President provided an update/review on the Wellness Complex project. After discussion, Mr. Edwards was advised to follow up with Gary Bailey, Maintenance Supervisor for purchase of materials for the ice skating rink.

Donnie R. Tenney provided an update/review on the recent County Commission Association’s Legislative Roundup on Tuesday, October 26, 2010.

Donnie R. Tenney advised that Upshur County has received a $200,000.00 Small Cities Block Grant for design and administration for the Adrian Public Service District Waterline Extension Project. (copies included)

The Commission reviewed the following “For Your Information” items:
1. Upshur County Sheriff’s Financial Statement-September, 2010
2. Financial Information-General County Fund -September, 2010
3. Agendas and/or Notice of Meetings:
4. Meeting Minutes and/or Financial Reports:
   • Adrian Public Service District-September 09, 2010
   • Adrian Public Service District-September 23, 2010
   • Lewis-Upshur LEPC-October 20, 2010
   • Upshur County Development Authority-September 22, 2010

5. Meetings:
   • 11/02/10-6:00 p.m.-Elkins Road Public Service District
   • 11/02/10-6:00 p.m.-Hodgesville Public Service District
   • 11/03/10-7:00 a.m.-Upshur County Development Authority – Executive Board
   • 11/08/10-12:00 p.m.-Upshur County Family Resource Network
   • 11/08/10-4:30 p.m.-Upshur County Solid Waste Authority
   • 11/08/10-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
   • 11/10/10-7:30 a.m.-Buckhannon Upshur Airport Authority
   • 11/10/10-1:00 p.m.-Upshur County Conventions & Visitors Bureau
   • 11/11/10-1:00 p.m.-Adrian Public Service District
   • 11/11/10-3:00 p.m.-Tennerton Public Service District
   • TBA-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   • TBA-6:00 p.m.-26th Judicial Circuit Community Corrections Board - Braxton
   • 11/15/10-7:00 p.m.-Upshur County Fair Association
   • 11/16/10-10:00 a.m.-Wes-Mon-Ty RCD
   • 11/16/10-4:00 p.m.-Upshur County Public Library Board
   • 11/16/10-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
   • 11/17/10-7:00 a.m.-Upshur County Development Authority
   • 11/17/10-10:00 a.m.-James W. Curry Advisory Board
   • 11/17/10-7:00 p.m.-Lewis Upshur LEPC
   • 11/18/10-6:30 p.m.-Upshur County Youth Camp Board
   • 11/18/10-6:30 p.m.-Upshur County Fire Board
   • TBA-5:00 p.m.-North Central WV Trade Development Assoc.- Clarksburg
   • TBA-7:00 p.m.-Region VII Planning & Development Council

6. Appointments Needed or Upcoming
   • Elkins Road Public Service District---(Sonny Matthews 09-30-10)---County
   • James W. Curry Advisory Board --- (Michael Quinn 12-31-10) --- 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
The Commission approved all invoices for payment. (copy included)
The Commission reviewed the list of purchase orders. (copy included)
The Commission approved the following Final Settlements:
- Geraldine Marie Bryant-Final Settlement
- Mildred June Scott-Final Settlement
- Donald Edwin Stackpole-Final Settlement
- Bernice Willimene Phillips-Final Settlement
The Commission approved the following Exonerations and/or Refunds:
- Adam R. or Rebecca J. Squires-#276
  - $178.88
The Commission approved the following "Request for Time Out of Office":
- Steve Linger-November 5, 2010
- William A. Parker-December 13 and 14, 2010
The Commission recessed at 10:15 a.m.
The Commission reconvened at 11:00 a.m.

Michael Kelemen, SuddenLink Communications representative, appeared before the Commission for the third and final reading of the Cable Franchise Agreement with Cequel III Communications II, LLC, dba SuddenLink Communications. Eugene C. Suder expressed concerns about the lack of improvement in service and increase in rates. Mr. Kelemen advised that population density was a controlling factor for the lack of services in some areas. After discussion, on motion by Creed G. Pletcher, seconded by Donnie R. Tenney, the Commission approved and authorized the President to sign the franchise agreement pending the change from 30 to 25 structures per mile required to receive service. (copies included) (Note: Pletcher and Tenney for the motion, Suder against the motion)

Gary E. Bailey, Maintenance Supervisor, appeared before the Commission and provided an update on the Upshur County Office of the West Virginia University Extension Service location on West Main Street. (Note: item not on agenda, report only)

Mr. Bailey also provided a review of the status of his part time temporary employees. Mr. Bailey advised that their seasonal work will be finished by next week. (Note: item not on agenda, report only)

James Farry, Office of Emergency Management Director, appeared before the Commission and provided a review of the vendors meeting on Monday, October 25 at the new E911 Center which was attended by Glenn Davis, Assistant OEM Director and James Farrell, OEM Administrative Assistant. Mr. Farry noted that the new E911 Center building will be completed in about five weeks and does not include some necessary equipment and design functions. He provided a handout showing requested changes. (copy included) William A. Parker advised that some requests for modifications have already been given to Bryson VanNostrand, VanNostrand Architects, to be updated. Mr. Farry expressed concerns that he was not involved with the planning of the E911 Building Project. He was advised to submit a listing of equipment and furnishing...
needs so that they may be addressed. (copy included) (Note: item not on agenda, report only)

William A. Parker reviewed the proposed grant to the West Virginia Records Management and Preservation Board for the Office of the Circuit Clerk and/or Office of the County Clerk. Per the general consent rule, the Commission authorized the President to sign the grant for submission to the Board.

With no further business, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission meeting adjourned at 12:00 p.m.