The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, October 29, 2009 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.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the regular meeting minutes of October 22, 2009 as submitted.

Creed G. Pletcher expressed concerns about William A. Parker and Terri Jo Bennett being in attendance when Chris Bays-Smith discussed matters with Donnie R. Tenney. Donnie R. Tenney expressed that he did not have a “meeting” with Chris Bays-Smith but was available to answer her questions.

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the Proclamation declaring the month of November as Pancreatic Cancer Awareness Month in Upshur County. (copy included)

William A. Parker reviewed the Financial Statement Report for the Fiscal year ended June 30, 2009. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the statement. (copy on file in the Office of the Upshur County Clerk)

The Commission approved all Vacation Orders

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

Donnie R. Tenney provided a review of correspondence from Chris Carey, Administrator of West Virginia Counties Risk Pool (WVCoRP). After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the release of requested information. (copy included)

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the President to sign the following Governor’s Community Participation Grant Agreements: (copies included)

- Friends of Fiddler’s Mill-$3,000.00-#09LEDA0614
- Literacy Volunteers-$1,500.00-#09LEDA0615
- Washington District VFD-$5,000.00-#09LEDA0617
- Adrian Volunteer Fire Dept.-$5,000.00-#09LEDA0612

The Commission engaged in a discussion on personnel issues. William A. Parker reviewed the requirements of “Open Governmental Meetings” law. A Special Meeting(s) was scheduled for Wednesday, November 4, 2009 beginning at 1:00 p.m.
with employees of the Housekeeping department, E911 Center and with Sheriff Virgil D. Miller.

The Commission approved the following purchase orders:

- ZEP Manufacturing Co.-#20101135-$155.00
- A. F. Wendling, Inc.-#201011367-$130.00
- CSS-#20101137-$250.00
- Waste Collection Board-#20101138-$500.00
- Creative Forms & Concepts-#20101139-$250.00

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

- Patricia Ann Lake-#2586-$4.32
- Patricia Ann Lake-#2587-$4.30
- Patricia Ann Lake-#2588-$4.30
- Priscilla Ellen Miles-#2589-$4.32
- Priscilla Ellen Miles-#2590-$4.30
- Priscilla Ellen Miles-#2591-$4.30
- Pamela Maxine Harper-#2592-$4.32
- Pamela Maxine Harper-#2593-$4.30
- Pamela Maxine Harper-#2594-$4.30
- David Kelso Marple-#2595-$4.32
- David Kelso Marple-#2596-$4.30
- David Kelso Marple-#2597-$4.30
- Keith Ward Marple-#2598-Corrective Ticket
- Keith Ward Marple-#2599-Corrective Ticket
- Keith Ward Marple-#2600-Corrective Ticket

The Commission approved the following Final Settlements:

- Delbert Earl Bleigh-Final Settlement
- Donford A. Hoover-Final Settlement
- Ruth Luella Waybright-Final Settlement
- Charles William Douglass-Final Settlement

The Commission received the following information: (copies included)

1. Correspondence from the County Commissioners’ Association of West Virginia:
   - Schedule for 2009 Legislative Roundtable Meetings
   - Regional Jail Per Diem for the Fiscal Year 2010-2011
2. Correspondence from the West Virginia Development Office concerning the 2009 Small Cities Block Grant Application – Project to be submitted for 2010 Program
3. Acknowledgement from Mountain CAP of WV on Board Representation
5. Agendas and/or Notice of Meetings:
   • Upshur County Solid Waste Authority- November 09, 2009
6. Meeting Minutes and/or Financial Reports:
   • Upshur County Courthouse HVAC Project-October 06, 2009
   • Upshur County Courthouse HVAC Project-October 20, 2009
   • North Central WV Trade Development Assoc.-September 30, 2009
7. Meetings:
   • 11/03/09-6:00 p.m.-Elkins Road Public Service District
   • 11/03/09-7:00 p.m.-Hodgesville Public Service District
   • 11/04/09-7:00 a.m.-Upshur County Development Authority – Exec. Board
   • 11/09/09-12:00 p.m.-Upshur County Family Resource Network
   • 11/09/09-4:00 p.m.-Upshur County Solid Waste Authority
   • 11/09/09-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
   • 11/10/09-7:00 a.m.-Buckhannon Upshur Airport Authority
   • 11/11/09-3:00 p.m.-Tennerton Public Service District
   • 11/11/09-7:00 p.m.-Upshur County Litter Control Committee
   • 11/12/09-1:00 p.m.-Adrian Public Service District
   • 11/12/09-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   • 11/16/09-7:00 p.m.-Upshur County Fair Association
   • 11/17/09-10:00 a.m.-Wes-Mon-Ty RCD
   • 11/17/09-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
   • 11/18/09-7:00 a.m.-Upshur County Development Authority
   • 11/18/09-10:00 a.m.-James W. Curry Advisory Board
   • 11/18/09-4:00 p.m.-Upshur County Public Library Board
   • 11/18/09-6:00 p.m.-Buckhannon-River Watershed Association
   • 11/18/09-7:00 p.m.-Lewis Upshur LEPC
   • 11/19/09-6:30 p.m.-Upshur County Youth Camp Board
   • 11/19/09-6:30 p.m.-Upshur County Fire Board
UPSHUR COUNTY COMMISSION MEETING
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- TBA-6:00 p.m.-26th Judicial Circuit Community Corrections Board
- TBA-7:00 p.m.-Region VII Planning & Development Council

8. Appointments Needed or Upcoming:
- James W. Curry Advisory Board --- (2 Vacant Positions) --- County
- Upshur County Building Commission --- (Terry D. Reed 11/10/09) --- County
- Upshur County Civil Service Board --- (Terry D. Reed 12/31/08) --- Bar Association
- Upshur County Civil Service Board --- (Bruce Bennett 12/31/09) --- County
- Upshur County Fire Board --- (Vacant Position 06/30/09) --- County -- 2nd District

Representatives from the Child Advocacy Center appeared before the Commission and provided information about “Day of the Child” Fundraiser which will be held on Thursday, November 5, 2009. (copy included)

James Farry, Office of Emergency Management Director, appeared before the Commission and provided an update/status report on OEM projects. (copy included)

William A. Parker provided an update on the North Central Trade Development Association meeting. (copy included)

The Commission recessed at 10:00 a.m.

The Commission reconvened at 11:00 a.m.

Gene Watkins, RAJCO Representative, provided an overview of services his company offers, which includes analysis of telecommunications and utilities (phone, electric, natural gas, water and sewer) for the purpose of cost reduction and optimization of utility services. No action was taken at this time. The Commission will review the information and follow up at a future meeting. (copies included)

Nate Kennedy, Forester, provided an update on the timber cutting and sale of timber at the James Curry Park facility.

Leon Hanline, Contractor, provided an update on the timber cutting at the Buckhannon-Upshur Recreational Park facility.

The Commission recessed at 11:40 a.m.

The Commission reconvened at 1:30 p.m.

The Commission held a public hearing on the estate of Clyde Harper, deceased. Also in attendance were Steve Wickland, plaintiffs’ attorney and W. T. Weber, defendants’ attorney. (copy included) The public hearing adjourned at 2:20 p.m. The Commission will follow up at a future meeting.

The Commission recessed at 2:20 p.m.

The Commission reconvened at 7:00 p.m. for a joint meeting with the City of Buckhannon. There were present Upshur County Commission Representatives,...
Donnie R. Tenney, Eugene C. Suder, Creed G. Pletcher, William A. Parker, and Terri Jo Bennett, City of Buckhannon representatives Kenneth T. Davidson, David Thomas, Nancy Shobe, Burl Smith and Elizabeth Lee. Others present were Upshur County Development Authority Director Steve Foster, C. J. Rylands, Sam Nolte, Dale Bennett and Dennis Cortes, Amanda Hayes and Gary Mallonee.

Steve Foster provided an update/status report on the West Virginia Army National Guard Armory project.

Sam Nolte, UCDA representative, provided a power point presentation on charrette meetings with the Army National Guard which demonstrated options for design layouts.

William A. Parker provided an update on the E911 Construction project.

Donnie R. Tenney requested that the City designate the first parking spot in front of the Upshur County Courthouse as a 15 (fifteen) minute restricted spot like at City Hall.

Donnie R. Tenney provided an update on the stone moving project at the Upshur County Regional Airport.

Elizabeth Lee, Buckhannon City Council member, requested the GPS points for city structures which were collected during the County’s Addressing and Mapping project. After discussion, it was requested that the County put into writing why they want the City to pay for GPS point information.

At 7:55 p.m., on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission and the City entered executive session per WV Code 6-9A-4 to discuss the financing of a proposed public project. In attendance were Donnie R. Tenney, Creed G. Pletcher, Eugene C. Suder, William A. Parker, Terri Jo Bennett, Kenneth T. Davidson, Nancy Shobe, Elizabeth Lee, David Thomas, Burl Smith, Stephen Foster and Sam Nolte. The meeting returned to open session at 8:35 p.m. No decisions were made during executive session.

With no further business, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the joint meeting adjourned at 8:40 p.m.