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

After reading of the minutes, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the regular meeting minutes of September 23, 2010.

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the Commission to sign the “Breast Cancer Awareness” proclamation designating October 2010 as Breast Cancer Awareness Month and October 4, 2010 as Breast Cancer Awareness Day. The purpose of the proclamation is to increase awareness and encourage early detection practices in the hope of reducing the number of deaths and illnesses related to breast cancer. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the Commission to sign the proclamation designating October 2010 as “Domestic Violence Awareness Month”. The purpose of the proclamation is to encourage community vigilance and participation to reduce domestic violence. (copy included)

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the hiring of Courtney Leigh Claypool as Monitor for the Child Visitation Center, Braxton County Facility. Effective date of employment is October 8, 2010 at the rate of $7.25 per hour.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the Contract and Confidentiality Agreement with Landmark Forestry, LLC to host “Web Applications” related to the Addressing and Mapping Project. (copy included)

Ted Biser, Upshur County resident, appeared before the Commission to express his concerns with road name issues regarding Old Weston Road vs. Lorentz Pike. No action was taken at this time.

The Commission recessed at 10:55 a.m. for the Blue Star Memorial Activities in the Courthouse Plaza area.

The Commission reconvened at 11:20 a.m.
the agreement is scheduled for October 14, 2010. The second reading will take place on October 21, with the third and final reading on October 28, 2010. William A. Parker was requested to prepare a letter to SuddenLink Communications before the final reading on the subject of areas of concern. (copy included)

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the employment of Beatrice Adams, Irene Andrew, Nelda Light, Thanna Wentz, Judith Miles, Betty Heavner, Rose Clutter and Kay Wilson as temporary Early Voting Clerks. The period of employment is from October 13, 2010 to October 30, 2010 at the rate of $7.25 per hour. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the commission approved the supplemental pay to the Assessor, Helen Phillips, for the completion of the Farm Census 2010 and Farm Statistics Law Requirements for FY 2010-2011. (copy included)

After review, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the President to sign the FY 2010-2011 Perdue Pharma Asset Forfeiture Funds-Community Corrections Grant Program for an additional $50,000.00. (copy included)

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the date and time of Saturday, October 30, 2010 from 6:00 p.m. to 7:00 p.m. for “Trick or Treat” in the county to coincide with the same time already established for the City of Buckhannon.

After review by William A. Parker, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the request for “Waiver of the Cable/Telco Buyout Provisions of Section 652(b) of the Communications Act of 1934 as Amended” in regards to the matter of “One Communications Corporation, FiberNet of Virginia, Inc., FiberNet, LLC, FiberNet Telecommunications of Pennsylvania, LLC, and FiberNet of Ohio, LLC application for consent to transfer control of companies that provide international service pursuant to Section 63.21 (h) of the FCC rules and Hold Blanket Domestic Section 214 Authority, pursuant to Section 214 of the Communications Act of 1934 as Amended”. (copy included)

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

1. Public Notice of Inspection and Test of Election Equipment for the Early Voting Period of the November 2010-Continued until 1:00 p.m. on Friday, 10/08/10

2. Public Notice of Inspection and Test of Election Equipment for the November 2010 General Election
3. Notice of Public Hearing Schedule concerning the Renewal of the Cable Franchise Agreement for Cequel III Communications (dba SuddenLink Communications)

4. Periodic Inspection Report for the Upshur County Youth Camp Girder Bridge (49-N0099-0.02) and cost estimate for recommended repairs

5. Upshur County Sheriff’s Financial Statement-August 2010

6. Financial Information-General County Fund-August 2010

7. Correspondence from the Elkins Road Public Service District requesting reappointment of Sonny Mathews as a board member

8. Upshur County E911 Communications Center Reports:
   • Monthly Call Summary Report-September 2010
   • Monthly Department Call Summary Report-September 2010
   • Monthly Wrecker Log Report-September 2010

9. Agendas and/or Notice of Meetings:
   • Elkins Road Public Service District-October 05, 2010

10. Meeting Minutes and/or Financial Reports:
    • Adrian Public Service District-August 12, 2010
    • Adrian Public Service District-August 24, 2010
    • Elkins Road Public Service District-August 03, 2010

11. Meetings:
    • 10/05/10-6:00 p.m.-Elkins Road Public Service District
    • 10/05/10-7:00 p.m.-Hodgesville Public Service District
    • 10/06/10-6:00 p.m.-Leadership Institute of Governmental Affairs-Session 8
    • 10/13/10-7:00 a.m.-Upshur County Development Authority – Executive Board
    • 10/13/10-7:30 a.m.-Buckhannon Upshur Airport Authority
    • 10/13/10-1:00 p.m.-Upshur County Conventions & Visitors Bureau
    • 10/13/10-4:30 p.m.-Upshur County Solid Waste Authority
    • 10/13/10-6:00 p.m.-Leadership Institute of Governmental Affairs – Session 9
    • 10/14/10-1:00 p.m.-Adrian Public Service District
    • 10/14/10-3:00 p.m.-Tennerton Public Service District
    • 10/14/10-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
    • 10/18/10-12:00 p.m.-Upshur County Family Resource Network
UPSHUR COUNTY COMMISSION MEETING
October 07, 2010

- 10/18/10-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 10/18/10-7:00 p.m.-Upshur County Fair Association
- 10/19/10-10:00 a.m.-Wes-Mon-Ty RCD
- 10/19/10-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 10/20/10-10:00 a.m.-James W. Curry Advisory Board
- 10/20/10-4:00 p.m.-Upshur County Public Library Board
- 10/20/10-6:00 p.m.-Leadership Institute of Governmental Affairs-Session 10
- 10/20/10-7:00 p.m.-Lewis Upshur LEPC
- 10/21/10-6:30 p.m.-Upshur County Youth Camp Board
- 10/21/10-6:30 p.m.-Upshur County Fire Board
- 10/27/10-7:00 a.m.-Upshur County Development Authority
- TBA-3:00 p.m.-North Central WV Trade Development Assoc.-Clarksburg
- TBA-7:00 p.m.-Region VII Planning & Development Council

12. 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
- 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) —County
- Upshur County Civil Service Board —(Richard Kitzmiller 12-31-10) —Deputies Association
On motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission entered into Executive Session per WV Code 6-9A-4 to discuss personnel. (Eugene C. Suder rescinded the motion, seconded by Creed G. Pletcher)

The Commission recessed at 11:55 a.m.

The Commission reconvened at 1:30 p.m.

Steve Linger, E-911 Director, appeared before the Commission to discuss personnel issues. At 1:30 p.m., on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission entered Executive Session per WV Code 6-9A-4. In attendance were Donnie R. Tenney, Creed G. Pletcher, Eugene C. Suder, William A. Parker and Steve Linger. The Commission returned to open session at 2:10 p.m. No decisions were made in Executive Session.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the termination of Sarah Howard as full time E911 Telecommunicator Dispatcher effective October 8, 2010 as recommended by Steve Linger.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the change of employment status of Margie D. Weese from part time to full time E911 Telecommunicator Dispatcher effective October 1, 2010 as recommended by Steve Linger.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the resignation of Brandon M. Cale, E911 Telecommunicator Dispatcher effective October 4, 2010.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the “Help Wanted” ad for E911 Telecommunicator positions. (copy included)

The Commission discussed the road name change application and procedures. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the “Road Name Change Application” and guidelines which include waiving some of the fees if a road name was previously approved and on record in the Office of the Upshur County Clerk. Residents who can show documentation of an approved road name maybe entitled to have the $109.00 per structure fee waived. (copy included)

Gary Brockelman appeared before the Commission to discuss renovations to the West Virginia University Upshur County Extension Office, personnel matters and painting of the pool at the Upshur County Rec Park for the 2011 season. (Note: Item not on agenda, report only)

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

The Commission reviewed the list of purchase orders. (copy included)

The Commission approved the following purchase orders:
The Commission approved the following Final Settlements:
- John Scott Young-Final Settlement
- Martin W. Zickefoose-Final Settlement
- David S. Mariconda-Final Settlement
- William Ernest James-Final Settlement
- Virginia C. Kyle-Final Settlement
- Everett L. Leigh-Final Settlement
- Glenn William Samples-Final Settlement
- Ruth M. Talbott-Final Settlement
- Carolyn S. Blake-First Annual Settlement
- James Stephen Chidester-Second Annual Settlement
- Betty Jean Blake Everhart-Final Settlement
- Ruth O. Martin-Final Settlement
- Marion Frances Runt-Final Settlement
- Willard J. Ervin-Final Settlement
- Retha M. Dawson Estate-Report by Fiduciary Commissioner

The Commission approved the following exonerations and/or refunds: (copies included)
- Amber M. Butler-#2758-$94.22
- James W. Mitchell-#2759-$29.81
- Shawn M. or Doris J. Williams-#2760-$186.84
- High Point Construction
- Group, LLC-#2761-$760.50
- Robert W. or Roberta J. Lynch-#2762-$198.47

The Commission approved the following “request to attend meeting” for Commission employees: (copies included)
- Steve Linger-November 9, 2010

The Commission approved the following consolidation of land tracts: (copy included)
- Buckhannon District-Map 21-Parcel 5 with Map 21-Parcel 6 and Map 21-Parcel 7 and Map 21-Parcel 8 and Map 21-Parcel 9 and Map 21-Parcel 36-owner Lattimer Chiropractic Clinic-will blend to make Map 21 Parcel 5.
With no further business, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission meeting adjourned at 3:15 p.m.