The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, November 04, 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 October 28, 2010 pending corrections as follows: “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.”

Patti Adams, county resident, appeared before the Commission to present a Proclamation to observe the month of November as “Pancreatic Cancer Awareness Month”. The purpose of the proclamation is to increase awareness and encourage the support of research, detection and treatment of Pancreatic Cancer. After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the Commission to sign the Proclamation. (copy included)

William A. Parker reviewed the financial statement for the period ending June 30, 2010. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the Commission to sign the document. (copy on file with the Office of the Upshur County Clerk)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved Jessica M. Phillips and David L. Phillips as volunteers for the Lewis-Upshur Animal Control Facility.

The Commission discussed the resignation of Nancy Stevens, E911 Dispatcher with a request for follow up with Steve Linger, E911 Director.

William A. Parker reviewed the quote from Software Systems, Incorporated for the purchase and installation of software and hardware for the anti-virus system upgrade. After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the President to sign the quote in the amount of $6,550.37. (copy included)

The Commission reviewed correspondence from the Supreme Court of Appeals concerning Emergency Response Plan and recommendation from Virgil D. Miller, Upshur County Sheriff, to appoint himself as primary representative and Rodney Rolenson as secondary representative. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission appointed Virgil D. Miller as primary representative and Mike Coffman, Upshur County Magistrate as secondary representative. (copy included)

William A. Parker reviewed letters of interest from applicants for the position of Elkins Road Public Service District board member. Donnie R. Tenney recommended the re-appointment of Sonny Matthews to fill the position. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the appointment of Vickie Hawkins. Ms. Hawkins term will expire September 30, 2016. (Note: Pletcher and Suder for the motion; Tenney against the motion)
Mary Albaugh, county resident appeared before the Commission to read a “Thank You” letter which she wrote to the Commission concerning their sponsorship and participation in the “Buckhannon-Upshur Citizen’s Leadership Institute of Governmental Affairs”. (copy included) (Note: item not on agenda, report only)

The Commission discussed the issue of “No Hunting” on the property of the James W. Curry Library and Park. The Commission will follow up with Jacob E. Reger, Upshur County Prosecuting Attorney.

Terri Jo Bennett, Addressing and Mapping Coordinator, provided an update/review on the meeting she had with representatives of the Buckhannon and Adrian Volunteer Fire Departments, Emergency Management Service, E911 and William A. Parker concerning road name and dispatching procedures on Brushy Fork Road/Glady Fork Road. Steve Linger, E911 Director also sent an email review of the meeting. (copy included) Ms. Bennett reported that signs have been ordered via the West Virginia Department of Highways.

Jacob E. Reger, Prosecuting Attorney, appeared before the Commission to provide legal opinion on the “No Hunting” on county property. (Note: item not on agenda, report only)

Mr. Reger also provided an update on the pending litigation concerning the Boy Scouts of America. Mr. Reger reported that the deceased did not own full interest in the bequeathed property thereby causing delay due to locating the other partial owner(s). (Note: item not on agenda, report only)

James Farry, Office of Emergency Management Director, appeared before the Commission to discuss equipment and special needs for the new Office of Emergency Management. The Commission requested Mr. Farry to submit a written request for all equipment and special needs for review and consideration at a future meeting. William A. Parker will follow up with James Farry and Bryson VanNostrand. (Note: item not on agenda, report only)

The Commission discussed the open part time Housekeeping/Janitorial position. Brenda Rice, applicant, met with the Commission to clarify information concerning her application for the Housekeeping/Janitorial position.

After review of purchase orders and discussion, per the general consent rule, the Commission approved the low bid/quote from Dream Land Carpets in the amount of $1,682.22 for carpeting and installation at the Main Street location of the Upshur County Office of the West Virginia University Extension Service. Gary Bailey, Maintenance Supervisor, will follow up. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the resignation of Nancy Stevens E911 Dispatcher, effective November 01, 2010.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the employment of Tabitha Cremeans for the part time Housekeeping/Janitorial position. (Note: Tenney abstained from voting) Effective date of employment is November 15, 2010 at a rate of $7.25 per hour.

The Commission discussed “Display of Address” signs not being in compliance with Addressing and Mapping guidelines. William A. Parker will follow up with Jacob E. Reger concerning county responsibility if residents do not follow address display guidelines.

The Commission reviewed the following “For Your Information” items:
1. Correspondence from Elkins Road Public Service District concerning appointment of and individual to the Board
2. Agendas and/or Notice of Meetings:
   • James W. Curry Library & Park Visitors Report-September 2010
3. Meeting Minutes and/or Financial Reports: None
4. 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
- 11/10/10-1:00 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-3:00 p.m.-North Central WV Trade Development Assoc.- Clarksburg
- TBA-7:00 p.m.-Region VII Planning & Development Council

5. 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

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

- All Weather Inc.-#20112118-$1212.00
- NewTech Systems, Inc.-#20112119-$600.00

The Commission approved the following Final Settlements:

- Barbara Jane Fellows-Final Settlement
- Howard Gaines, Jr.-Final Settlement
- Marilyn Charlene Phillips-Final Settlement
- Robert E. Hinkle-Final Settlement

The Commission approved the following Exonerations and/or Refunds:

(copies in included)

- Lisa F. or Joseph A. Osburn-#2770-$174.18
- Menzil G. Jr. & Misty L. Wayts-#2771-Corrective Ticket
- Menzil G. Jr. & Misty L. Wayts-#2772-Corrective Ticket

The Commission approved the following consolidation of land tracts:

(copies included)

- Meade-surface 302.45 with surface 33.76 and O & G 61.86- owners Edward C. and Charles W. Grose-will blend to make Surface 336.21 and 61.86 O & G

With no further business, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission meeting adjourned at 11:45 a.m.