The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, November 18, 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 November 11, 2010 as submitted.

Virgil D. Miller, Upshur County Sheriff, appeared before the Commission and provided an update on grants. Sheriff Miller made a request to purchase night vision equipment at a cost of $20,640.00 for 8 units which would come from grant funds and concealed weapons funds. After discussion, per the general consent rule, the Commission approved and authorized the purchase.

Rob Davis, Lewis County Deputy Sheriff, appeared before Commission and provided a presentation on Tasers. After discussion, per the general consent rule, the Commission approved and authorized Sheriff Miller to use concealed weapons funds to purchase 4 (four) Taser units. (copy included)

The Commission recessed at 9:45 a.m.

The Commission reconvened at 9:55 a.m.

Ted Biser, Upshur County resident appeared before the Commission to express his concerns about the road naming procedures of Snyder Avenue in Liggett Addition. (copies included)

The Commission reviewed correspondence from Craig A. Griffith, State Tax Commissioner, concerning additional compensation of $15,000 to Helen R. Phillips, Upshur County Assessor for “Assessor’s additional duties”. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the resignation of Bryan S. Hinkle, Assistant Prosecuting Attorney, effective November 30, 2010.

After discussion, on motion by Creed C. Pletcher, seconded by Eugene C. Suder, the Commission approved Shawna Posey as volunteer for the Lewis-Upshur Animal Control Facility.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the “Letter of Understanding” agreement with the Office of the State Auditor for audit services as outlined for fiscal year ending June 30, 2010 for a fee of $25,760.00. (copy included)

William A. Parker provided a review of the request from Frontier Communications for a right of way on county owned property at Brooks Hill. Mr. Parker was requested to follow up to determine if county residents will benefit from the upgrade, and the need to flag the proposed right of way. (copy included)

Roy Collins, Upshur County resident, appeared before the Commission to express his opinion of the “No Hunting” policy on the James W. Curry Library and Park property.

Donnie R. Tenney reviewed correspondence from Ralph Sayre, Upshur County resident, concerning affordable high-speed internet access for county residents. (copy included)

The Commission reviewed correspondence from Tim Keaton, State Hazard Mitigation Officer, with information regarding the availability of funds for losses due to severe weather disasters which occurred in March, April and June 2010.
After review, it was determined that additional funds are not available for Upshur County. (copy included)

William A. Parker was requested to follow up on the Cable Franchise Agreement with Cequel III Communications II, LLC, dba SuddenLink Communications.

Creed G. Pletcher provided an update on the Upshur County Enhanced Emergency Telephone Board (EETAB) meeting. Employment recommendations for 3 (three) E911 Dispatchers are expected for the next meeting.

The Commission reviewed the following “For Your Information” items:
1. General County Fund Revenues & Expenditures
2. Correspondence from the West Virginia Development Office concerning “FY 2011 Land and Water Conservation Fund (LWCF) Notice; Invitation to Submit Applications”
3. Correspondence from the Division of Criminal Justice Services concerning an On-Site Program Review of Grant #10-EUD-009, Enforcement of Underage Drinking Laws
4. Lewis-Upshur Animal Control Facility-Report of Felines-October 2010
5. Dog Warden Report-October 2010
6. Agendas and/or Notice of Meetings:
   • Upshur County Youth Camp-November 18, 2010
   • Adrian Public Service District-November 18, 2010
   • Elkins Road Public Service District-December 7, 2010
7. Meeting Minutes and/or Financial Reports:
   • Buckhannon-Upshur Airport Authority-November 12, 2010
   • Upshur County Regional Airport Report-November 06, 2010
   • Elkins Road Public Service District-October 05, 2010
   • Building Permits Report-October, 2010
   • Home Confinement Report-July, 2010
   • E911 Reports-October, 2010
   • UC Sheriff’s Financial Statement-October 2010
8. 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
   • 11/12/10-7:30 a.m.-Buckhannon Upshur Airport Authority
   • 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
The Commission reviewed the list of purchase orders. (copy included)
The Commission approved the following purchase orders:
- Dayton Legal Blank-#20112120-$900.00
- CSSI-#20112121-$1724.36
- U.S. Night Vision Corp-#20112122-$20,640.00

The Commission approved the following Final Settlements:
- George Clay Beam-Final Settlement
- Arnett William Crawford-Final Settlement
- Donald Ovila Dugas-Final Settlement
- James O. Given-Final Settlement
- Matthew Steven Johnston-Final Settlement
- James Edward Lycett-Final Settlement
- Jonathan A. Peters-Final Settlement
- Theda Daraine Simmons-Final Settlement
- Floyd Allan Taylor-Final Settlement
- John Norman Amorese-Final Settlement
- Henry Harold Golden-Final Settlement
- Edna Grace Hicks-Final Settlement
- Winona Belle Poling-Final Settlement
- William Ernest James-Final Settlement
Ruth Douglas Marple Trust for Richard L. Douglas – First Annual Settlement

Allen Ray West Trust – Seventh Annual Settlement

The Commission approved the following Exonerations and/or Refunds:

(copies included)

- May Ferrant – #2773 – $12.16
- Thomas E. and Melinda K. Brown – #2774 – $2.06
- Scott M. Lampinen – #2775 – $100.78
- Paul and Rhonda K. Ringer – #2776 – Corrective Ticket
- James R. or Brenda Thompson – #2777 – $98.70
- Teddy W. or Remona Zickefoose – #2778 – $42.85

The Commission approved the following "Request for Time Out of Office":

- Gary E. Bailey – November 15 thru 19, 2010

The Commission approved the following consolidation of land tracts:

(copies included)

Buckhannon District – Map 28 Parcel 16 with Map 28 Parcel 17 and Map 28 Parcel 18, owners Edward C. and Charles W. Grose, will blend to make Map 28 Parcel 16

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