The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, November 20, 2014 at 9:00 a.m. JC Raffety called the meeting to order. There were present JC Raffety, Commissioner; Donnie R. Tenney, Commissioner; Terri Jo Bennett and Jacqueline Dinklocker, Secretary. 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 Donnie R. Tenney, seconded by JC Raffety, the Commission approved the regular meeting minutes of November 13, 2014 as submitted.

Nancy Burgess, Lewis Upshur Animal Control Facility Volunteer, appeared before the Commission to discuss the proposed dismissal of LUCAF volunteers. Lewis County Commission has requested the Upshur County Commission to take action to dismiss the volunteer services of Krista Adkins, Nikole English, Brenda Leigh and Desire Poling (copy included). Ms. Burgess requested that the volunteers be given an opportunity to resolve the conflict due to the “passionate” nature of the issues, extenuating circumstances and inconsistencies of reported allegations. Donnie Tenney advised that since the proposal for dismissal is at Lewis County’s request, the volunteers should appear before the Lewis County Commission. After discussion, on motion by Donnie R. Tenney, seconded by JC Raffety, the Commission approved to place volunteers on suspension contingent on their appearance before the Lewis County Commission in order to resolve the conflict. Action for dismissal may follow, depending on the outcome of that meeting.

The Commission recessed at 10:40 a.m.

The Commission reconvened at 10:50 a.m.

After discussion, on motion by Donnie R. Tenney, seconded by JC Raffety, the Commission approved the adoption of the James W. Curry Public Library, Library Operations Manual (copy included).

After discussion, on motion by Donnie R. Tenney, seconded by JC Raffety, the Commission approved and authorized the President to sign and send correspondence to Ratliff and Ratliff Insurance Agency concerning assistance to Upshur County retirees and employees considering retirement (copy included).

After discussion, on motion by Donnie R. Tenney, seconded by JC Raffety, the Commission approved the advancement of Ashley N. McMillion to full time telecommunicator status, at her current $10.00 per hour pay rate as recommended by Steve Linger, E911 Communications Center Director (copy included). Ms. McMillion has completed training requirements.

Janella Cochran, Lewis Upshur Animal Control Facility Director, appeared before the Commission to request the dismissal of volunteer, Brenda Leigh. Ms. Cochran advised that there have been several incidents concerning unprofessional and confrontational behavior with facility personnel and visitors by Ms. Leigh, one of which was witnessed by Greg Harris, Upshur County Director of Facility Operations. Ms. Leigh asked “Where is the witness?” and stated that the allegation was just “hearsay”. JC Raffety advised that Mr. Harris would be requested to appear, and moved on to the next agenda item.

After discussion, on motion by Donnie R. Tenney, seconded by JC Raffety, the Commission approved the following as volunteers for the Lewis Upshur Animal Control Facility: Justin Dynes, Aaron Bugby, Connor Nichols, and Matthew Phares.

After discussion, on motion by Donnie R. Tenney, seconded by JC Raffety, the Commission approved David Godwin as interim Prosecuting Attorney, effective December 1, 2014. The interim appointment can last no longer than 30 days per WV Code §3-10-8. The Commission will be conducting interviews for the Prosecuting Attorney position Monday, December 1 through Friday, December 5, 2014.

After discussion, on motion by Donnie R. Tenney, seconded by JC Raffety, the Commission approved and authorized the Commission to sign correspondence to Progressive Bank which authorizes Kelley J. Cunningham, County Administrator and Carrie L. Wallace, Assistant County Administrator, to have access to financial reports and data concerning all Upshur County Commission accounts (copy included).

JC Raffety reviewed the following “For Your Information” items: (copies included).

1. Invitation from Chapman Technical Group to their 30th anniversary celebration on Thursday, December 4, 2014, 2:00 to 7:00 p.m. in Saint Albans, WV
2. Correspondence from Elkins Road Public Service District appointing Larry J. Heater to the Source Water Protection Committee
3. Correspondence from WV Department of Revenue, State Tax Department certifying that Helen Phillips, Assessor, has complied with the additional duties and is entitled to additional compensation of $15,000 as per WV State Code §7-7-6b
4. Correspondence from the WV Department of Transportation, Division of Highways, providing a review and comment period of the Statewide Transportation Improvement
5. Upshur County Cat Report—October 2014
6. Agendas and/or Notice of Meetings:
   - Buckhannon Upshur Airport Authority – November 14, 2014
   - Upshur-Buckhannon Health Department—November 19, 2014
   - Upshur County Public Library—November 18, 2014
7. Meeting Minutes and/or Financial Reports:
   - Buckhannon-Upshur Airport Authority—October 10, 2014
   - Elkins Road Public Service District—October 07, 2014
8. Meetings:
   - 11/06/14 7:00 p.m. Banks District VFD
   - 11/06/14 7:00 p.m. Selbyville PSD
   - 11/04/14 6:00 p.m. Hodgesville PSD
   - 11/10/14 5:30 p.m. Elkins Road PSD
   - 11/12/14 12:00 p.m. Upshur County Senior Center Board
   - 11/12/14 1:30 p.m. Upshur County Conventions & Visitors Bureau
   - 11/12/14 6:00 p.m. Upshur County Citizens Corp-CERT
   - 11/12/14 7:30 p.m. Warren District VFD
   - 11/13/14 1:00 p.m. Adrian PSD
   - 11/13/14 3:00 p.m. Tennerton PSD
   - 12/1/14 4:30 p.m. Upshur County Safe Sites & Structures Ordinance Board
   - 11/13/14 7:30 p.m. Buckhannon VFD
   - 11/14/14 7:00 a.m. Buckhannon Upshur Airport Authority
   - 11/10/14 12:00 p.m. Upshur County Family Resource Network
   - 11/10/14 4:30 p.m. Upshur County Solid Waste Authority
   - 11/10/14 6:00 p.m. Buckhannon-Upshur Recreational Park Advisory Board
   - 11/10/14 6:00 p.m. Lewis-Upshur Community Corrections Board
   - 11/10/14 6:00 p.m. Buckhannon-Upshur Watershed Association
   - 11/11/14 10:00 a.m. Wes-Mon-Ty Resource Conservation & Development
   - 11/11/14 7:00 p.m. Adrian VFD
   - 11/11/14 7:00 p.m. Ellamore VFD
   - 11/19/14 6:30 p.m. Lewis Upshur LEPC
   - 11/20/14 6:30 p.m. Upshur County Youth Camp Board
   - 11/18/14 6:30 p.m. Upshur County Fire Board
   - 11/12/14 7:00 a.m. Upshur County Development Authority—Exec. Board
   - 11/12/14 6:00 p.m. Washington District VFD
   - 11/17/14 12:00 p.m. Buckhannon-Upshur Chamber of Commerce
   - 11/18/14 5:00 p.m. UC Enhanced Emergency Telephone Advisory Board
   - 11/18/14 4:00 p.m. Upshur County Public Library Board
   - 11/22/14 7:00 a.m. Upshur County Development Authority—Full Board
   - 11/20/14 4:00 p.m. Upshur County Farmland Protection Board
   - 11/24/14 10:00 a.m. Mountain CAP of West Virginia, CDC
   - 03/25/15 10:00 a.m. James W. Curry Advisory Board
   - 11/26/14 7:00 a.m. Upshur County Development Authority
   - TBA 6:00 p.m. Upshur County Fire Fighters Association
9. Appointments Needed or Upcoming:
   - Upshur County Safe Structures and Sites Board (Vacant Position—6-30-14)---Community
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   - Upshur County Civil Service Board (Vacant Position—12-31-13)—Commission
   - Upshur County Enhanced Emergency Telephone Board (Vacant Position—06-30-13)—Community

Greg Harris appeared before the Commission as a witness to an incident between Brenda Leigh and John Snyder, Lewis County’s Animal Control Officer. Mr. Harris requested to meet in executive session to review his statement. Ms. Leigh declined and stated that she preferred to continue in open session. Mr. Harris advised that he had witnessed a confrontational incident between Ms. Leigh and John Snyder and he reported the incident to Jan Cochran.

Ms. Cochran advised that previous disciplinary action has been taken with Ms. Leigh including a verbal warning and a written warning. Ms. Leigh defended her actions. After
discussion, on motion by Donnie R. Tenney, seconded by JC Raffety, the Commission approved
Ms. Leigh’s dismissal due to unprofessional and confrontational behavior and not following
policies and procedures as outlined in the Volunteer Policy which volunteers must sign prior to
providing any services.

The Commission approved all invoices for payment (copies included).
The Commission approved all Vacation Orders.
The Commission approved the following Settlements:
- Pauline S. Bogert-Final Settlement
- Michael Lee Bull-Final Settlement
- Thomas Howard Jewell, Jr.-Final Settlement
- Dale F. Riggs-Final Settlement
- Alice L. Summers-Final Settlement
- Maxine E. Murphy Wood--Final Settlement
- Amal Q. Zickefoose-Final Settlement
- Verla Marlene Zirkle-Final Settlement
- Carroll B. Sands-First Annual Settlement

The Commission approved the following Exonerations and/or Refunds: (copy included)
- Rebecca L. or David A. Jr. Wright---#3533----$169.96
- Dorothy Snyder--#3534--$195.44

Terri Jo Bennett reviewed a request from Jan Cochran, LUACF Director, concerning
adopter noncompliance with the LUACF, (Pet) Adoption Agreement. Ms. Cochran advised that
many adopters have not complied with spay/neuter as stated in the agreement and would like to
follow up with John Slaughter, Animal Control Officer, to issue tickets to offenders. Fines for
non-compliance are up to $250 plus court costs. Donnie Tenney and JC Raffety advised
Commission action is not needed as the Policy/Agreement was already approved and that the
policy should be followed as written and to go ahead with ticketing.

Terri Jo Bennett, Addressing and Mapping Coordinator, appeared before the Commission
and provided a review of a road name request. After discussion, on motion by Donnie R. Tenney,
seconded by JC Raffety, the Commission approved Wrong Turn Rd for the private driveway off
of Carter Rd per E911 Addressing and Mapping Ordinance guidelines.

With no further business, on motion by Donnie R. Tenney, seconded by JC Raffety, the
Commission adjourned at 11:50 p.m.