The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, December 06, 2012 at 9:00 a.m. Donnie R. Tenney called the meeting to order. There were present Donnie R. Tenney, Commissioner; Creed G. Pletcher, Commissioner; JC Raffety, Commissioner; William A. Parker, County Administrator; Megan J. Pomeroy, Assistant County Administrator 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 JC Raffety, seconded by Creed G. Pletcher, the Commission approved the regular meeting minutes of November 01, 2012 as submitted.

After reading of the minutes, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved the regular meeting minutes of November 08, 2012 with the following correction: (¶7) Precinct #4 relocated from the Arlington Community Building to Rock Cave Elementary School.

After reading of the minutes, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved the regular meeting minutes of November 15, 2012 with typographical corrections.

After reading of the minutes, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved the special meeting minutes of November 21, 2012 with the following correction: (¶1) … (There were present) ….and Carolyn E. Berry, Deputy County Clerk.”

John Bowers and Terry Skinner, John M. Bowers & Son Auction Company representatives appeared before the Commission and provided an update on a benefit auction which is scheduled for Sunday, December 09, 2012 at the WV National Guard Armory in Tennerton. Proceeds from sales will benefit 13 year old Upshur County resident, Tiffany Ross to help fund her radiation therapy for the treatment of cancer. Mr. Bowers encouraged Community support of the event and will welcome any donations of merchandise and/or financial gifts. In addition to supporting Ms. Ross’s treatment, a “donation tree” will receive financial gifts to be divided between 3 other children in Upshur County who are also cancer victims.

Teresa Kahn, Upshur County resident, appeared before the Commission and provided a review of a recent medical event concerning Upshur County EMS’s refusing to transport a patient to United Hospital Center (UHC) in Harrison County. Ms. Kahn stated that St. Joseph’s Hospital was not equipped to deal with the particular medical emergency and the doctor requested transport to the nearest facility (UHC) that was so equipped. JP Hodges, Hodges and Riffle Legal Services representative and Rick Campbell, EMS Director, provided information concerning the reasoning for EMS’s position. After discussion, Donnie R. Tenney advised that the role of the Upshur County Commission is ownership and maintenance of the building and not procedure or policy.

The Commission recessed at 10:20 a.m.

The Commission reconvened at 10:30 a.m.

Frank Fato, Upshur County resident, appeared before the Commission and expressed concerns regarding possible flooding issues on his property resulting from
the construction of the new armory. Terri Jo Bennett, Upshur County Flood Plain Coordinator, provided an update/status report on the site and advised that no fill will be used in the flood plain area and flooding should not be an issue. Mr. Fato asked for written assurance. Ms. Bennett will follow up with Mr. Fato and provide him with a copy of the report from the West Virginia Army National Guard.

Gary Rapking, West Virginia University Extension Service, Upshur County Office Director, appeared before the Commission and requested counsel from the Commission concerning the hiring of personnel. Mr. Rapking will follow up with revisions/update to the job description and with advertising for the position of Administrative Assistant.

After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved payment of $15,000.00 to Helen R. Phillips, Upshur County Assessor, for “Additional Duties” as delineated in WV Code §7-7-6a (copy included).

After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved and authorized the action which was approved during the executive session on November 8, 2012 for the President to sign the “Community Proclamation-James C. Kittle Day” which designates November 12, 2012 as “James C. Kittle Day” in Buckhannon and Upshur County. The proclamation honors the Army Veteran for his service of 65 years as a creator and member of the original Honor Guard for Upshur County and member of the Combined Honor Guard (copy included).

After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the Certification Form (copy included).

After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved payment to M. Keith Queen, Upshur County Coroner, for reimbursement of expenses related to recertification for the coroner position (copy included).

After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved the request from Vicki Sharp, Gifted Teacher at the Buckhannon-Upshur Middle School for use of the Livestock Facility on Sunday, December 16, 2012 from 1:00 p.m. to 5:00 p.m. for the purpose of hosting a “Cow Bingo” fundraiser to finance an overnight trip to Washington, D.C. for the class (copy included).

William A. Parker provided an update/status report on the Lease Agreements for two (2) Xerox photocopiers located in the Office of the Upshur County Clerk. Mr. Parker advised further consultation with Debbie Thacker Wilfong before taking action.
The Commission reviewed the following “For Your Information” items:

1. Correspondence from FEMA regarding changes in the Flood Insurance Program
2. Correspondence from SuddenLink Communications regarding sale and transfer of the Cable Franchise Agreement
3. State of West Virginia Fact Sheet for 2013 Bluestone Dam Full Scale Exercise
4. Upshur County Sheriff’s Financial Statement - October 2012
5. Financial Information for the General County Fund - October 2012
6. Correspondence from the Social Security Administration - Change in Office Hours
7. Agendas and/or Notice of Meetings:
   - Upshur County Solid Waste Authority - December 10, 2012
   - Upshur County Fire Board, Inc. - December 20, 2012
   - Elkins Road Public Service District - December 04, 2012
8. Meeting Minutes and/or Financial Reports:
   - Buckhannon-Upshur Airport Authority - October 12, 2012
   - Buckhannon-Upshur Airport Authority - November 09, 2012
   - Buckhannon River Watershed Association - November 12, 2012
   - Elkins Road Public Service District - October 02, 2012
   - Adrian Public Service District - October 11, 2012
   - Tennerton Public Service District - October 10, 2012
   - Upshur County Development Authority - October 24, 2012
   - Upshur Citizen Corp Council - November 14, 2012
9. Meetings:
   - TBA - 12:00 p.m. - Buckhannon-Upshur Chamber of Commerce
   - 12/03/12 - 12:00 p.m. - Upshur County Family Resource Network
   - 12/04/12 - 6:00 p.m. - Hodgesville Public Service District
   - 12/04/12 - 6:00 p.m. - Elkins Road Public Service District
   - 12/05/12 - 12:00 p.m. - Upshur County Senior Center Board
   - 12/06/12 - 7:00 p.m. - Banks District Volunteer Fire Department
   - 12/06/12 - 7:00 p.m. - Selbyville Volunteer Fire Department
   - 12/10/2012 - 6:00 p.m. - Lewis-Upshur-Braxton Community Corrections Board
   - 12/10/12 - 4:30 p.m. - Upshur County Solid Waste Authority
   - 12/11/12 - 7:00 p.m. - Adrian Volunteer Fire Department
   - 12/11/12 - 7:00 p.m. - Ellamore Volunteer Fire Department
   - 12/12/12 - 7:00 a.m. - Upshur County Development Authority - Exec. Board
   - 12/12/12 - 1:30 p.m. - Upshur County Conventions & Visitors Bureau
   - 12/12/12 - 6:00 p.m. - Buckhannon River Watershed Association
   - 12/12/12 - 6:00 p.m. - Upshur County Citizens Corp-CERT
   - 12/12/12 - 7:30 p.m. - Warren District Volunteer Fire Department
   - 12/13/12 - 1:00 p.m. - Adrian Public Service District
   - 12/13/12 - 3:00 p.m. - Tennerton Public Service District
10. Appointments Needed or Upcoming:

- Buckhannon-Upshur Parks & Recreation Board- (Doug Bush - 06-30-12)- Bd. of Ed
- Buckhannon-Upshur Parks & Recreation Board-(Joe Fealy- 06-30-12)-County
- Buckhannon-Upshur Parks & Recreation Board-(Laura Reed- 06-30-12)- County
- Buckhannon-Upshur Parks & Recreation Board-(Vacant Position- 06-30-13)- County
- James W. Curry Advisory Board- (William A. Parker-12-30-12)- County
- James W. Curry Advisory Board-(Mark Riggs- 12-30-12)-County
- James W. Curry Advisory Board-(Vacant- 12-30-12)- County
- Region VII Planning & Development Council- (William A. Parker-12/31/12)- County
- Region VII Planning & Development Council-(Connie Tenney- 12/31/12)- County
- Region VII Planning & Development Council- (Sam Nolte-12/31/12)-County
- Region VII Planning & Development Council-(Dr. Pamela Balch-12/31/12)- County
- Region VII Planning & Development Council-(A.G. Trusler-12/31/12)- County
- Upshur County Convention & Visitors’ Bureau-(Vacant – Tourism- 06/30/15)- County
- Upshur County Building Commission-(Richard Ralston II-11-10-12)- County
The Commission approved all invoices for payment (copies included)
The Commission approved all Vacation Orders.
The Commission approved the following Settlements:
- Charles J. See-Final Settlement
- Betty L. Hyre Dye-Final Settlement
- Alpha Lee Lough-Final Settlement
- Boyd Drexel Marteney-Final Settlement
- John William Jamison-Final Settlement
- William Robert Burnside Trust-First Annual Settlement

The Commission approved the following “Exonerations and/or Refunds”:
(copy included)
- Allen Carol & Quertinmont Sean-#3141-$18.88
- Trsts New Life Tabernacle United Pentecostal Church-#3142-$1,603.88
- Richard or Robin Harris-#3143-$162.98
- Robert J. Rowan II-#3144-$122.16
- David A. Gregory-#3145-$4.38
- David A. Gregory-#3146-$4.38
- Jessica D. Wright-#3147-$205.36
- Judith Ann Timney-#3148-$132.18
- Shirley Tinney-#3149-$43.64
- Donald E. or Shelley M. Osburn-#3150-Corrective Ticket
- Donald E. or Shelley M. Osburn-#3151-Corrective Ticket
- Donald W. II & Linda J. Martin-#3152-$91.26

The Commission met with Debbie Thacker Wilfong concerning the Lease Agreements for two (2) Xerox photocopiers. After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the agreements (copies included).

The Commission recessed at 12:00 p.m.

The Commission reconvened at 2:30 p.m.

James Bryson VanNostrand appeared before the Commission and provided an update/status report on James W. Curry Library construction projects. After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved and authorized the President to sign an agreement with VanNostrand Architects for the design of a bathhouse/shower house at the James W. Curry Park facility (copy included).

With no further business, on motion by Creed G. Pletcher seconded by JC Raffety, the Commission meeting adjourned at 3:00 p.m.