The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, March 5, 2009 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 February 26, 2009 with typographical corrections.

Gary Rapking, representative from the WVU Extension Service, appeared before the Commission with an update/status report on the Upshur County Youth Livestock Facility. Mr. Rapking requested that a 22’ x 24’ “wash bay” area be added to the facility. After discussion it was the general consensus of the Commission to approve volunteer labor/supplies to construct the wash bay area. Mr. Rapking was requested to make sure the area designated for the wash bay is on Upshur County Commission property.

Donnie R. Tenney reviewed the Tower Construction Project. William A. Parker reviewed the performance bond requirements. After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission awarded the bid to Premier Construction Group, LLC as outlined by the committee recommendation (copy included). The Commission will follow up with Jake Reger concerning bond requirements before taking any action on waiver of performance bond.

The Commission recessed at 9:40 a.m.
The Commission reconvened at 9:45 a.m.

The Commission reviewed a letter of resignation which was submitted by James W. Curry Advisory Board members Mary Weaver, Jack Simons, Arthur Wilson and Neva Moss. No action was taken. The Commission will follow-up.

William A. Parker provided an update/status report of the HVAC Renovation Project and contracts with VanNostrand Architects, PLLC. On motion by Creed G. Pletcher, seconded by Eugene S. Suder, the Commission approved and authorized the President to sign the contract. (copy included)

William A. Parker provided and update/review on the Property Tax Ruling 09-42 from Christopher G. Morris, State Tax Commissioner, concerning whether the property purchased by the Upshur County Commission from Calvin C. Phillips is subject to ad valorem tax. Donnie R. Tenney requested Helen
Phillips, Assessor to “break-out” the portion of the property which is being used by the Upshur County Commission.

(Note: Terri Jo Bennett left to attend another meeting)

The Commission recessed at 10:15 a.m.

The Commission reconvened at 10:30 a.m.

Elizabeth Guthrie, Partnership Specialist US Census Bureau, appeared before the Commission and provided a handout on the 2009 US Census. (copy included)

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

The Commission approved the following purchase orders:

- Dayton Legal Blank—#09000332—$100.00
- James & Law Co.—#09000333—$1,500.00
- Terri Jo Bennett—#09000334—$150.00
- Terri Jo Bennett—#09000335—$300.00
- CSSI—#09000336—$330.00
- Staples Credit Plan—#09000337—$586.98
- WV Assoc. of Fairs and Festivals—#09000338—$75.00

The Commission approved the following Final Settlements:

- Elizabeth Leona Hicks—Final Settlement
- Junior Lewis Ward—Final Settlement
- Bobby H. Loftis—Final Settlement
- Foreman William Reger—Final Settlement
- Martha Lee Haught—Final Settlement
- Roscoe Ray Nelson—Final Settlement

The Commission approved the following “time out of the office” for Commission employees: (copies included)

- Dalton Sayre—April 16 & 17, 2009—approved
- Carol Dean—April 16 & 17, 2009—approved
- William A. Parker—June 8, 2009—1/2 day—approved
- William A. Parker—June 9, 2009—approved

The Commission approved the following exonerations and/or refunds: (copy included)

- Michael S. or Scott Ball—#2450—$21.94

The Commission reviewed the following information: (copies included)

1. Legislative Update from the County Commissioners’ Association
2. Correspondence from the City of Buckhannon (Resolution 2009-05) concerning the Addressing & Mapping Project
3. Correspondence from the Buckhannon-Upshur Chamber of Commerce regarding a Luncheon Seminar on March 20, 2009 concerning Labor and Employment Laws.
4. Correspondence from Chris Carey, West Virginia Counties Risk Pool, concerning the usage of county property for events which could be considered dangerous.
5. Correspondence from Chris Carey, West Virginia Counties Risk Pool, concerning the Addressing Ordinance with respect to City Addressing.
6. Budget Meetings-Sessions
   • Monday- March 9, 2009-Budget Overview
   • Tuesday-March 10, 2009-09:00-Buckhannon –Upshur Airport Authority
   • Tuesday-March 10, 2009-09:30-Circuit Clerk-Brian P. Gaudet
   • Tuesday-March 10, 2009-10:00-County Clerk-Debbie Thacker Wilfong
   • Tuesday-March 10, 2009-10:30-Prosecuting Attorney-Jacob E Reger
   • Tuesday-March 10, 2009-11:30-General County/Coal Severance Budget
   • Wednesday-March 11, 2009-09:00-Sheriff-Virgil D. Miller
   • Wednesday-March 11, 2009-10:00-Assessor-Helen R. Phillips
   • Wednesday-March 11, 2009-10:30- Maintenance-Gary E. Bailey
   • Wednesday-March 11, 2009-11:00-Addressing and Mapping-Terri Jo Bennett
   • Wednesday-March 11, 2009-01:30-E911 Center-N. Louise Bleigh
   • Wednesday-March 11, 2009-02:00-Animal Control/Dog Warden-Janella Cochran and Greg Harris
   • Wednesday-March 11, 2009-02:30-Community Corrections-Merrily Cheek and Rodney Rolenson
   • Wednesday-March 11, 2009-03:00-Housekeeping/Janitorial-Chris Smith
   • Wednesday-March 11, 2009-03:00-General County/Coal Severance Budget
   • Thursday-March 12, 2009-02:00-UCFRN/CV Center-Joyce L. Harris Thacker and others
UPSHUR COUNTY COMMISSION MEETING
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- Thursday-March 12, 2009-03:00-UC Emergency Medical Service
- Thursday-March 12, 2009-03:30-General County/Coal Severance Budget
- Wednesday-March 18, 2009-01:30-Office of Emergency Services-James Farry
- Wednesday-March 18, 2009-02:00-CERT-Darrell Bennett and/or others
- Wednesday-March 18, 2009-02:30-UC Development Authority-Steve Foster
- Wednesday-March 18, 2009-03:00-General County/Coal Severance Budget
- Thursday-March 19, 2009-02:30-Upshur County Public Library
- Thursday-March 19, 2009-03:00-James W. Curry Advisory Board
- Thursday-March 19, 2009-03:30-General County/Coal Severance Budget
- Friday-March 20, 2009-09:00-General County/Coal Severance Budget
- Friday-March 20, 2009-09:30-Upshur County Youth Camp Board
- Friday-March 20, 2009-10:00-General County/Coal Severance Budget

7. Agendas and/or Notice of Meetings: None
8. Meetings Minutes and/or Financial Reports: None
9. Meetings:
   - 03/03/09-6:00 p.m.-Elkins Road Public Service District
   - 03/03/09-7:00 p.m.-Hodgesville Public Service District
   - 03/04/09-6:30 p.m.-SUBA-Dinner
   - 03/09/09-12:00 p.m.-Upshur County Family Resource Network
   - 03/09/09-6:00 p.m.—Buckhannon-Upshur Recreational Park Advisory Board
   - 03/09/2009-6:00 p.m.-Upshur County Solid Waste Authority
   - 03/10/2009-7:00 a.m.-Buckhannon Upshur Airport Authority
   - 03/11/09-7:00 a.m.-Upshur County Development Authority-Ex. Board
   - 03/11/09-3:00 p.m.-Tennerton Public Service District
   - 03/11/09-6:00 p.m.-Buckhannon River Watershed Association
UPSHUR COUNTY COMMISSION MEETING  
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• 03/11/09-7:00 p.m.-Upshur County Litter Control Committee
• 03/12/09-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
• 03/13/09-1:00 p.m.-Adrian Public Service District
• 03/16/09-7:00 p.m. Upshur County Fair Association
• 03/17/09-10:00 a.m.-Wes-Mon-Ty RCD
• 03/17/09-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
• 03/18/09-10:00-a.m.-James W. Curry Advisory Board
• 03/18/09-4:00 p.m.-Upshur County Public Library Board
• 03/18/09-7:00 p.m.-Lewis Upshur LEPC
• 03/18/09-6:00 p.m.-26th Judicial Circuit Community Corrections Board
• 03/19/09-6:30 p.m.-Upshur County Fire Board
• 03/19/09-6:30 p.m.-Upshur County Youth Camp Board
• TBA-6:00 p.m.-Region VII Planning & Development Council
• 03/25/09-7:00 a.m. Upshur County Development Authority Board

10. Appointments needed or upcoming:
• Region VII Planning & Development Council-William A. Parker 12/31/08-County
• Region VII Planning & Development Council-Connie Tenney-12/31/08-County
• Region VII Planning & Development Council-Commissioner-12/31/08-County
• Region VII Planning & Development Council-French Armstrong-12/31/08-County
• Region VII Planning & Development Council-Dr. Pamela Balch-12/31/08-County
• Region VII Planning & Development Council- Andy Duncan-12/31/08-County
• Upshur County Building Commission-AG Trusler-11/10/08-County
• Upshur County Civil Service Board-Terry D. Reed-12/31/08-Bar Association
• Upshur County Development Authority-Vacant Position-06/30/11-County
UPSHUR COUNTY COMMISSION MEETING
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- UC Enhanced Emergency Telephone Advisory Board-Vacant Position-6/30/11-EMS
- UC Safe Structures & Sites Ordinance Board-G. Bonnett-6/30/08-Fire Chief-County

The Commission recessed at 11:30 a.m.
The Commission reconvened at 1:00 p.m.

Jacob E. Reger appeared before the Commission to review the performance bond requirements for the Tower Construction Project. After discussion, the Commission requested William A. Parker to notify the Premier Construction Group, LLC, that the County would require a performance bond for the Tower Construction Project.

(NOTE: William A. Parker left to attend a hearing at 2:00 p.m.)

After discussion, on motion by Creed G. Pletcher, seconded by Donnie R. Tenney, the Commission accepted the resignations of the J. W. Curry Advisory Board members. (copy included) (NOTE: Tenney and Pletcher for the motion, Suder-against the motion).

With no further business, the meeting adjourned at 3:10 p.m.