The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, May 13, 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.

Virgil D. Miller, Upshur County Sheriff, appeared before the Commission and reviewed the “Commission on Drunk Driving Prevention Grant” in the amount of $10,000.00. After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the President to sign the grant and related documents. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the “Certification of Real Estate Land Books and Personal Property Books for the Fiscal Year 2010.”

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the authorization designating Upshur County Schools as an American Recovery Reinvestment Act Summer Youth Worksite. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the establishment of a fund to receive donations for the Upshur County Wellness Complex. The Upshur County Commission will administer the fund.

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the “Order Removing Dennis Willett as Administrator” for the Estate of Fae M. Casto, deceased, and included the appointment of Robert Morris to serve as Administrator as recommended by Daya M. Wright, Fiduciary Commissioner for Upshur County. (copy included)

William A. Parker reviewed the freedom of information request from William E. (B0) Gray II, Gray, King, Chamberlin & Martineau LLC, Attorneys at Law. The correspondence requests information concerning the location and address of homes that are in violation of both the State of West Virginia and Federal Clean Water Laws. (copy included) After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved William A. Parker to draft correspondence and authorized Commission President to sign, advising that the Upshur County Commission does not retain the requested information.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the reappointment of Burl Smith to the Upshur County Solid Waste Authority as recommended by Sandy McClure Malcolm, Director of UCSWA. (copy included) Mr. Smith’s term will expire on June 30, 2014.

After reading of the minutes, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the regular meeting minutes of May 06, 2010 as submitted.

The Commission recessed at 9:35 a.m.

The Commission reconvened at 9:50 a.m.

William Wellings, Buckhannon-Upshur Airport Authority President, appeared before the Commission and provided an update/review on the Clark Dedication. The “invitation only” dedication and dinner will be held on Saturday, June 5, 2010 with the 2010 Fly In/Open House event on Sunday, June 6 open to the public. (copy included)

James Bryson VanNostrand, VanNostrand Architects representative, appeared before the Commission for a review of the bid opening for the Upshur County E911 Communications Center Project. (copy included) At 10:20 a.m., on motion by Creed G. Pletcher seconded by Eugene C. Suder, the Commission entered executive session
per WV Code 6-9A-4 to discuss construction planning for the project. In attendance were Donnie R. Tenney, Creed G. Pletcher, Eugene C. Suder, William A. Parker and James Bryson VanNostrand. The Commission returned to open session at 10:35 a.m. No decisions were made in executive session. James Bryson VanNostrand recommended that Huffman Corporation’s low bid at $1,115,500.00 (Base & Alt. #1 & Alt #2), be accepted. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the bid award and all related bid and financial documents pending approval of financial arrangements with the bank.

Dirk Burnside, Communications Director for the Office of Emergency Management, appeared before the Commission and provided an update/status report on the interoperatable radio project. (Note: not on agenda, report only)

James Farry, Office of Emergency Management Director, appeared before the Commission and provided an update/status report on pond impoundments. Mr. Farry also provided updates on the evacuation plan and inspection plan with the state. (Note: not on agenda, report only)

The Commission recessed at 10:25 a.m.

The Commission reconvened at 11:25 a.m.

Debbie Thacker Wilfong, Upshur County Clerk, appeared before the Commission to request that Carolyn Tenney be hired as full time Deputy County Clerk. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved Ms. Wilfong’s request. Effective date of employment is May 17, 2010 at a rate of $8.00 per hour. (copy included)

The Commission recessed at 11:35 a.m.

The Commission reconvened at 1:10 p.m.

The Commission reviewed the following “For Your Information” items:

1. Correspondence from the West Virginia Development Office concerning the Phase V Waterline Extension Project by the Adrian Public Service District:
   - Interim Closeout Report for the FY 2006 Small Cities Block Grant
   - Final Performance Report for the FY 2006 Small Cities Block Grant
2. Upshur County E911 Communication Center Reports:
   - Monthly Call Type Summary Report April 2010
   - Department Call Type Summary Report April 2010
   - Wrecker Log Report April 2010
3. Dog Warden Report April 2010
4. Feline Activity Report April 2010
5. Agendas, Notice of Meeting Minutes and/or Financial Reports: None
6. Meetings:
   - 05/04/10-6:00 p.m.-Elkins Road Public Service District
   - 05/04/10-7:00 p.m.-Hodgesville Public Service District
   - 05/10/10-12:00 p.m.-Upshur County Family Resource Network
   - 05/10/10-4:30 p.m.-Upshur County Solid Waste Authority
   - 05/10/10-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
   - 05/12/10-7:00 a.m. -Upshur County Development Authority – Exec. Board
   - 05/12/10-7:30 a.m.-Buckhannon Upshur Airport Authority
   - 05/12/10-7:00 p.m.-Upshur County Litter Control Committee
   - 05/13/10-1:00 p.m.-Adrian Public Service District
   - 05/13/10-3:00 p.m.-Tennerton Public Service District
UPSHUR COUNTY COMMISSION MEETING
May 13, 2010

- 05/13/10 - 6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
- 05/17/10 - 6:00 p.m.-26th Judicial Circuit Community Corrections Board - Braxton
- 05/17/10 - 7:00 p.m.-Upshur County Fair Association
- 05/18/10 - 10:00 a.m.-Wes-Mon-Ty RCD
- 05/18/10 - 4:00 p.m.-Upshur County Public Library Board
- 05/18/10 - 5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 05/19/10 - 10:00 a.m.-James W. Curry Advisory Board
- 05/19/10 - 7:00 a.m.-Upshur County Development Authority
- 05/19/10 - 6:00 p.m.-Buckhannon-River Watershed Association
- 05/19/10 - 7:00 p.m.-Lewis Upshur LEPC
- 05/20/10 - 10:00 a.m.-Upshur County Youth Camp Board
- 05/20/10 - 4:00 p.m.-Upshur County Fire Board
- TBA - 7:00 p.m.-Region VII Planning & Development Council
- 05/26/10 - 7:00 a.m.-Upshur County Development Authority

7. Appointments Needed or Upcoming:
- Buckhannon-Upshur Airport Authority --- (William Wellings 06-30-10) --- County
- Buckhannon-Upshur Airport Authority --- (Phil Loftis 06-30-10) --- County
- Buckhannon-Upshur Airport Authority --- (Scott Wilson 06-30-10) --- City
- Buckhannon-Upshur Board of Health --- (Dale Hawkins 06-30-10) --- County
- Buckhannon-Upshur Parks & Recreation Ad. Bd. --- (Rick Edwards 06-30-10) --- City
- Buckhannon-Upshur Parks & Recreation Ad. Bd. --- (Doug Bush 06-30-10) --- Bd. Of Ed.
- Buckhannon-Upshur Parks & Recreation Ad. Bd. --- (Joe Fealy 06-30-10) --- County
- Buckhannon-Upshur Parks & Recreation Ad. Bd. --- (Rick Malcolm 06-30-10) --- County
- James W. Curry Advisory Board --- (Michael Quinn 12-31-10) --- County
- Elkins Road Public Service District --- (Sonny Mathews 09-30-10) --- County
- Hodgesville Public Service District --- (Donnie Kincaid 08-05-10) --- 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
The Commission approved all invoices for payment. (copy included)
The Commission approved the following purchase orders:
- City of Buckhannon-#20101305-$40.00
- Dayton Legal Blank-#20101306-$795.93
- Quill Corporation-#20101307-$500.00
- Jenkins Ford Mercury, Inc.-#20101308-$300.00
- Blackheart International-#20101309-$1,500.00
- Burr’s Power Equipment-(Quote)-$2749.00

The Commission approved the following Final Settlements:
- Edith E. Dean-Final Settlement

The Commission approved the following exoneration and/or refunds: (copies included)
- Mack or Judith Metz-#2644-$111.76
- Patricia Lynn Westfall-#2643-$32.98
The Commission approved the following “request to attend meeting” for Commission employees: (copies included)

- Carol J. Dean - July 7-9, 2010
- Kelli Babbitt - July 7-9, 2010

With no further business, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission meeting adjourned at 1:30 p.m.