The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, June 4, 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 May 28, 2009 as submitted.

Laura Queen, Chairperson of the Upshur County Emergency Food and Shelter Programs Local Board, appeared before the Commission to request that county employees participate in a “Food Drive” for the Upshur Cooperative Parish House food pantry. (NOTE: not on agenda) After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the request. (copy included)

William A. Parker provided an update/review of the budget revisions for the General County Fund. (No revision on Coal Severance Fund) After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the required documentation.

William A. Parker provided a review of the Real and Personal Property books for fiscal year 2009-2010. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the Commission to sign the certification. (copy on file in the office of the Upshur County Assessor)

The Commission reviewed correspondence from Don Gasper concerning the following: (copies included)

- Upshur County Litter Control, regarding upkeep and improvements to Pringle Tree Park—Gary Bailey will follow-up
- Property clean up and use of public funds on private property—William A. Parker will follow-up
- Purchase/Lease of property at the Beans Mill area—William A. Parker will follow-up
- Use of Vehicle by Upshur County Litter Control Committee—Gary Bailey will follow-up
- Language addition to tax form concerning sewage collection—William A. Parker will follow-up
Timothy Higgins, county resident, appeared before the Commission, to request that the Upshur County Commission file a petition to intervene in Case Number 09-0770-E-CN before the Public Service Commission of West Virginia regarding PATH. No action was taken at this time. The Commission will follow-up with Jake Reger, Prosecuting Attorney. (copies included)

The Commission recessed at 10:15 a.m.

The Commission reconvened at 10:35 a.m.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the Emergency Operation Plan. (copy on file in the Office of the Upshur County Commission)

Terri Jo Bennett, Addressing and Mapping Coordinator, provided an update/status report on the naming of County and/or private roads. No responses were received from property owners and no action was required at this time.

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

The Commission approved the following purchase orders:

- A. F. Wendling, Inc.-#09004425-$500.00
- WalMart Community BRC-#09004426-$200.00
- Staples Credit Plan-#09004427-$300.00
- Sam’s Pizza-#09004428-$300.00
- Verizon Select Services-09004429-$175.74
- AJ-Allegheny Systems-#090004430-$425.00
- Deuster Company-#090004431-$765.31

The Commission approved the following Final Settlements:

- Eli D. Blagg-Final Settlement

The Commission received the following information: (copies included)

1. Copy of Buckhannon 2015 Final Report
2. Correspondence from the City of Buckhannon concerning Jawbone Run Storm & Sanitary Sewer Upgrade — Funding of no significant impact
3. Grant Agreement Project Number 3-54-0039-021-2009 for the Buckhannon-Upshur County Airport Authority
4. Upshur County E911 Communications Center Reports
   - Monthly Call Report-May 2009
   - Departmental Call Report-May 2009
   - Wrecker Activity Report-May 2009
5. Building Permit Report-May 2009
6. Agendas and/or Notice of Meetings:
UPSHUR COUNTY COMMISSION MEETING  
June 4, 2009

- Elkins Road Public Service District-June 2, 2009
- Upshur County Development Authority-June 10, 2009

7. Meetings Minutes and/or Financial Reports:
   - Buckhannon River Watershed Association – May 20, 2009
   - Upshur County Development Authority-May 13, 2009
   - Upshur County Public Library Board-April 30, 2009

8. Meetings:
   - 06/02/09-9:30 a.m.-Joint Meeting-County/City/UCDA Director
   - 06/02/09-6:00 p.m.-Elkins Road Public Service District
   - 06/02/09-7:00 p.m.-Hodgesville Public Service District
   - 06/08/09-12:00 p.m.-Upshur County Family Resource Network
   - 06/08/09-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
   - 06/08/09-6:00 p.m.-Upshur County Solid Waste Authority
   - 06/09/09-7:00 a.m.-Buckhannon Upshur Airport Authority
   - 06/10/09-7:00 a.m.-Upshur County Development Authority-Ex. Board
   - 6/10/09-3:00 p.m.-Tennerton Public Service District
   - 06/10/09-7:00 p.m.-Upshur County Litter Control Committee
   - 06/11/09-1:00 p.m.-Adrian Public Service District
   - 06/11/2009-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   - 06/15/09-7:00 p.m.-Upshur County Fair Association
   - 06/16/09-10:00 a.m.-Wes-Mon-Ty RCD
   - 06/16/09-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
   - 06/17/09-6:00 p.m.-Buckhannon River Watershed Association
   - TBA-6:00 p.m.-26th Judicial Circuit Community Corrections Board
   - 06/17/09-7:00 p.m.-Lewis Upshur LEPC
   - 06/18/09-6:30 p.m.-Upshur County Fire Board
   - 06/18/09-6:30 p.m.-Upshur County Youth Camp Board
   - TBA-6:00 p.m.-Region VII Planning & Development Council
   - 06/24/09-10:00 a.m. -James W. Curry Advisory Board
   - 06/24/09-7:00 a.m.-Upshur County Development Authority Board
   - 06/25/09-4:00 p.m.-Upshur County Public Library Board
9. Appointments Needs or Upcoming:
   - James W. Curry Advisory Board — (4 Vacant Positions) —— County
   - Upshur County Building Commission — (AG Trusler 11/10/08) —— County
   - Upshur County Civil Service Board — (Terry D. Reed 12/31/08) —— Bar Association
   - UC Enhanced Emergency Telephone Adv. Bd. — (Vacant Position 06/30/11) —— EMS
   - Upshur County Fire Board — (Vacant Position 06/30/10) - County
     — 1st District - Community
   - UC Safe Structures & Sites Ordinance Bd. — (G. Bonnett 06/30/08) — Fire Chief — County

The Commission recessed at 11:45 a.m.

The Commission reconvened at 1:30 p.m.

Terry D. Reed, Fiduciary Commissioner, appeared before the Commission with an update/status report on the Estate of Fae M. Casto. Eugene M. Sapp has resigned the position of Executor of the Estate and a hearing is no longer needed. Sheriff Virgil Miller declined the duties of Executor due to a conflict of interest, citing membership in a church which is listed as a beneficiary. A recommendation was made by Terry D. Reed that the Commission appoint Dennis Willett as Executor. After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the recommendation. (copy included)

The Commission recessed at 1:40 p.m.

The Commission reconvened at 2:00 p.m.

Debbie Thacker Wilfong, County Clerk, appeared before the Commission to request an “Order of Removal of the Personal Representative” for the Estate of Marvin Riley on recommendation from the Fiduciary Commissioner. After discussion, the Commission requested Debbie Thacker Wilfong to schedule a hearing as requested by the Personal Representative.

Debbie Thacker Wilfong presented a request for an “Order of Removal of the Personal Representative” for the Estate of John Greiner. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the Order. (copy included)

Debbie Thacker Wilfong provided an update/review of the personnel staffing and/or employment status for positions in the Office of the County Clerk. Ms. Wilfong stated that two (2) full time positions will be open. The Commission discussed employment costs, i.e. full time with benefits vs. part time without benefits. Ms. Wilfong stated that the individual that is retiring will be working on a part-time basis as of July 1, 2009 and will work no more than an average of
sixteen (16) hours per week. Debbie Thacker Wilfong stated that the Commission has budgeted $850,000.00 for outside agencies in the next year’s budget and that the Commission should cut or reduce this level to provide more funding for her office. The Commission took no action to increase funding for the office of the Upshur County Clerk. Debbie Thacker Wilfong will have funding for the retiring employee to work part time (sixteen (16) hours per week; employ a part-time employee (32-35 hours per week) and employ a full-time employee with benefits. (NOTE: William A. Parker provided correspondence on the actual budgeted funds for outside agencies which is under $500,000 or approximately 7% of the General County and Coal Severance Fund) (copy included)

Gary Bailey, Maintenance Supervisor, appeared before the Commission for a discussion concerning an invoice from Crites Electric Company. (copy included) (NOTE: not on agenda, report only) Gary Bailey will follow-up with Micrologic regarding key card equipment.

The Commission recessed at 2:50 p.m.
The Commission reconvened at 3:00 p.m.

Nicole P. Galdieri, FEMA representative, presented a review of Flood Insurance Rate Maps (FIRM) and Flood Insurance Study (FIS) relating to the National Flood Insurance Program (NFIP). It was suggested that a FEMA map link be added to the County website with a “Flood Hazard Determination” tool for public accessibility. Terri Jo Bennett, Administrative Assistant, will follow-up. (copies included)

With no further business, the Commission meeting adjourned at 5:00 p.m.