The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, July 16, 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 July 9, 2009 with typographical corrections.

Joey Baxa, J. B. Kimble, and Gary Bonnett, representatives of the Upshur County Firefighter’s Association appeared before the Commission to request funding for developing a “Firemanship” class at the Fred Eberle Technical Center (FETC) for high school students. The funding would be shared by the three counties (Barbour, Upshur and Lewis) which the FETC serves. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved to commit to assisting pending the same from Lewis and Barbour counties. (copy included)

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the request by Laura Queen, Chairperson of the Upshur County Emergency Food and Shelter Programs Local Board, for Upshur County Employee’s participation in a second food drive for the Parish House Food Bank. The food drive will be during the month of August 2009. In addition to employee participation, boxes will be placed in the lobby of the Courthouse and Annex for donations from Courthouse visitors. (Note: This request was outlined by Laura Queen during the Commission meeting of July 9-copy included)

Gary Bonnett provided an update/review of the Upshur County Fair Schedule of Events. (Note: not on agenda, report only)

James Farry, Director of the Office of Emergency Management, provided a review of the Project Concept Grant. Mr. Farry reviewed the need for storage space for equipment and supplies awarded via the grant. The Commission will follow up at a future meeting.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the resignation of Carson O. Cunningham, Lifeguard at the Upshur County Park facility.

Eugene C. Suder presented “The Gainesville Times”, a Virginia newspaper, concerning a power company’s plans to upgrade power transmission lines in a project similar to the intended “PATH” project which is planned for this area. (Note: not on agenda, report only-copy included)

The Commission engaged in a discussion concerning the bequest of real estate from the Estate of Pauline Frances Baxa, deceased, to Banks District of Upshur County. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized William A. Parker to draft a letter of acceptance of ownership to Robert L. Greer, Attorney for the Estate of Pauline Frances Baxa. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved Sherry Padgett as a volunteer for the Lewis-Upshur Animal Control Facility.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the appointments of the following members to the Upshur County Development Authority: (copy included)

- Emiel Butcher
UPSHUR COUNTY COMMISSION MEETING
July 16, 2009

• Dennis Klingensmith
• Sam Nolte
• Terry Reed
• Dave Thomas
• Terry Ware

Terms will begin July 1, 2009 and terminate on June 30, 2012.

William A. Parker provided a review of the FAA Grant Agreement (AIP-3-54-0039-022-2009) in the amount of $185,908.00. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the grant agreement and all related documentation. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the Right-of-Way Agreement for Stanley Yansick to install a waterline across James W. Curry Park property owned by the Upshur County Commission, pending review by Jacob Reger, Prosecuting Attorney. (copy included)

The Commission engaged in a discussion regarding the Wellness Complex. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the Maintenance Department to mow the property, fill in any holes and identify any problems. If groups and/or organizations wish to use, improve and/or maintain the property, a waiver/release will be required. William A. Parker will follow up.

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the Court Security Grant Agreement ($24,640.00) and all related documentation. (copy included)

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the hiring of Tammy D. Baxa as part-time Deputy County Clerk. Effective date of employment is July 20, 2009 at a rate of $7.25 per hour. (copy included)

The Commission engaged in a discussion concerning the terms of employment for Peggy Wilcher, part-time/as needed clerical position in the Office of the County Clerk. William A. Parker will follow up with drafting a letter to outline the approved terms.

The Commission engaged in a discussion concerning general county funds. The Commission approved all invoices for payment. (copies included)

The Commission approved the following purchase orders:
• Floyd Sign Co.-#20101035-$150.00
• Ralston Press, Inc.-#20201036-$44.50
• Zep Manufacturing Co.-#20101037-$900.00
• A.F. Wendling, Inc.-#20101038-$125.00
• Wal-Mart Community BRC-#20201039-$65.00
• Hi Tech Auto & Tire-#20101040-$12.00

The Commission approved the following Final Settlements:
• Walter Vinson Knight-Final Settlement
• Richard Adam Snyder, Jr.-Final Settlement
• Orliss William Tanner-Final Settlement

The Commission received the following information: (copies included)
1. Sheriff’s Financial Statement-June 2009
2. Financial Information-General County Fund
3. Financial Information-Upshur County Fire Board
5. Spay & Neuter Report-June 2009
6. Feline Activity Report-June 2009
7. Usage Report for the James W. Curry Library & Park
8. Agendas and/or Notice of Meetings:
   • Elkins Road Public Service District-July 15, 2009
   • Upshur County Development Authority-July 15, 2009
   • Upshur County Fire Board-July 16, 2009
   • Upshur County Youth Camp Board-July 16, 2009
9. Meeting Minutes and/or Financial Reports:
   • Buckhannon-Upshur Airport Authority-July 14, 2009
   • Upshur County Development Authority-June 10, 2009
   • Upshur County Youth Camp Board-May 07, 2009
10. Meetings:
    • 07/01/09-10:00 a.m.-James W. Curry Advisory Board
    • 07/07/09-6:00 p.m.-Elkins Road Public Service District
    • 07/07/09-7:00 p.m.-Hodgesville Public Service District
    • 07/08/09-3:00 p.m.-Tennerton Public Service District
    • 07/08/09-7:00 p.m.-Upshur County Litter Control Committee
    • 07/09/09-1:00 p.m.-Adrian Public Service District
    • 07/09/09-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
    • 07/13/09-12:00 p.m.-Upshur County Family Resource Network
    • 07/13/09-4:00 p.m.-Upshur County Solid Waste Authority
    • 07/13/09-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
    • 07/14/09-7:00 a.m.-Buckhannon Upshur Airport Authority
    • 07/15/09-7:00 a.m.-Upshur County Development Authority – Ex. Board
    • 07/15/09-10:00 a.m.-James W. Curry Advisory Board
    • 07/15/09-4:00 p.m.-Upshur County Public Library Board
    • 07/15/09-7:00 p.m.-Lewis Upshur LEPC
    • 07/15/09-6:30 p.m.-Upshur County Fire Board
    • 07/15/09-6:30 p.m.-Upshur County Youth Camp Board
    • 07/20/09-7:00 p.m.-Upshur County Fair Association
    • 07/21/09-10:00 a.m.-Wes-Mon-Ty RCD
    • 07/21/09-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
    • 07/31/09-4:00 p.m.-Upshur County Library Board
    • TBA-6:00 p.m-26th Judicial Circuit Community Corrections Board
    • TBA-6:00 p.m.-Region VII Planning & Development Council
11. Appointments Needed 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.
With no further business, the Commission adjourned at 11:30 a.m.