The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, July 2, 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 June 18, 2009 and June 25, 2009 with typographical corrections.

After review, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the Commission to sign the “Proclamation” declaring the month of July, 2009 as “Relay for Life Month” in Upshur County. (copy included)

The Commission recessed at 9:25 a.m.

The Commission reconvened at 9:30 a.m.

William A. Parker presented information concerning the PATH-Case Number 09-0770-E-CN. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the Upshur County Commission to file as an intervenor. Jacob Reger, Prosecuting Attorney, will follow up with proper legal language to stress that individual Upshur County residents not be excluded as interveners or lumped under the “umbrella” of the Commission. It was suggested that Terry Reed could assist if needed. (copies included)

The Commission recessed at 9:50 a.m.

The Commission reconvened at 9:55 a.m.

Dirk Burnside appeared before the Commission and provided an update on the Tower Construction Project. Mr. Burnside reported that the Commission has received a state grant for the purchase of “interoperable radio equipment” which is currently available for installation. Mr. Burnside will follow up on state funding for installation of the equipment at the tower site.

The Commission recessed at 10:00 a.m.

The Commission reconvened at 10:10 a.m.

Don Gasper appeared before the Commission regarding the development of a solar energy program. (copy included) After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved supporting the “Solar Independence” Program. William A. Parker will follow up with Mr. Gasper to develop a brochure for public distribution. Kevin Campbell, President of Advance Power Controls LLC, provided a review of energy saving options for
the James W. Curry Library. Mr. Campbell estimated that an initial investment of $10,000.00 to change all light bulbs at the library will result in long term savings. 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 following financial institutions to be depositories for county funds and any related depository bonds: Chase Bank, First Central Bank, First Community Bank, Freedom Bank, and Progressive Bank.

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the removal of Herbert L. Blake as Administrator for the Estate of Carolyn S. Blake and to appoint Virgil D. Miller as his replacement. (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 VOCA Grant Agreement (acceptance-$30,569.00) and related documentation. (copy included)

After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the President to sign the Community Corrections Grant Agreement (acceptance-$195,812.00) and related documentation pending revision to the 2009-2010 budget program. (copy included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the resignation of Tammy L. Malcolm, part time Service of Process.

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

The Commission approved the following purchase orders:

- Casto & Harris-#20101000-$1,465.00
- James & Law Co-#20101001-$1,500.00
- Pitney Bowes-#20101002-$300.00
- Quill Corporation-#20101003-$300.00
- Quill Corporation-#-#20101004-$500.00
- R.D. Wilson-Sons & Co.-#20101005-$500.00
- R.D. Wilson-Sons & Co.-#20101006-$1,500.00
- R.D. Wilson-Sons & Co.-#20101007-$1,000.00
The Commission approved the following Final Settlements:

- Judy Garlene Hall-Final Settlement
- Bernice T. Smith-Final Settlement
- Delmeth Stalnaker-Final Settlement
- Phillip Woodford Barbe-Final Settlement
- Charles W. Brown-Final Settlement
- Dennis L. Osborn-Final Settlement
- Arnett Browne Corley-Final Settlement
- Lucy F. Waugh Testamentary Trust-Sixth Annual Settlement

The Commission approved the following “time out of the office” for
Commission employees: (copy included)
- Gary E. Bailey- July 6, 7, 8, 9, and 10, 2009-approved
- Terri Jo Bennett-August 2, 3, and 4, 2009-approved
- Amy Campbell-September 1 and 2, 2009-approved
- N. Louise Bleigh-September 1 and 2, 2009-approved

The Commission approved the following exonerations and/or refunds: (copies included)
- Juanita Perry-#2473-$4.30
- Wesley Lynn & Wendy R. Evans-#2474-$158.24
- Ralph B. Waddell III-#2475-$304.08
- Eric R. & Meriah Barger-#2476-$130.65
- Mary A. Mackey Neff-#2477-$364.94
- Elmer Suttle-#2478-$40.10
- Allen or Tila Boyce, Jr.-#2479-$49.64
- David E. & Alicia Bean-#2480-$216.72
- Robert Stansbury-#2481-$71.64
- Richard A. or Donna S. Smith-#2482-$59.46
- Timothy W. & Christina J. Loudin-#2483-Corrective Ticket
- TRAJEN, LLC-#2484-$3,023.36
- Dunn Investment, LLC-#2485-Corrective Ticket
- Frederick L. & Kimberly D. Koert-#2486-$12.89
- Brian G. & Joann Huffman-#2487-$10.78
- Brian & Joann Huffman-#2488-$145.51
- Martin Scott Heater-#2489-Corrective Ticket/Exoneration
- Paul & Rhonda K. Ringer-#2490-Corrective Ticket/Exoneration
- Richard Pansing & Donald L. Sinclair-#2491-$185.72
- Richard E. & Phyllis S. Pansing-#2492-Corrective Ticket
- Donald L. Sinclair-#2493-Corrective Ticket

The Commission received the following information: (copies included)

1. Correspondence from the Office of the Secretary of State concerning the Election Conference, August 30, 2009 through September 1, 2009 at Stonewall Resort
2. Upshur County Fair schedule of events
3. Agendas and/or Notice of Meetings: None
4. Meetings Minutes and/or Financial Reports: None
5. Meetings:
UPSHUR COUNTY COMMISSION MEETING
July 2, 2009

- 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

6. 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
Landmark Forestry representatives, Jason Barnette and Tyler Wamsley, appeared before the Commission and provided an update/status report on the progress of the Addressing and Mapping Project.

The Commission recessed at 11:45 a.m.

The Commission reconvened at 2:30 p.m.

Bryson VanNostrand, VanNostrand Architects, appeared before the Commission to review the Courthouse HVAC project. Mr. VanNostrand presented drawings and a complete set of construction project plans. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the advertisement for bids. (copy included) William A. Parker and Gary E. Bailey will follow up with preparing storage areas prior to the pre-bid conference which will be held on July 17, 2009.

(Note: Creed G. Pletcher left the meeting)

After discussion, on motion by Eugene C. Suder, seconded by Donnie R. Tenney, the Commission approved and authorized the President to sign the contract and related documentation with VanNostrand Architects for the E911 Communication Center Project.

After discussion, on motion by Eugene C. Suder, seconded by Donnie R. Tenney, the Commission approved the President to sign a letter of intent concerning the proposed purchase of an improved parcel of property.

With no further business, the Commission adjourned at 3:50 p.m.