The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, August 12, 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.

After reading of the minutes, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the regular meeting minutes of August 05, 2010 as submitted.

The Commission reviewed correspondence from Region VII Planning and Development Council concerning the ADA/504 Survey (Americans with Disabilities Act/Section 504) which addresses compliance issues. After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the President to sign the “Self Evaluation For Compliance with Section 504 of the Rehabilitation Act of 1973”. (copies included)

Tim Higgins, Upshur County resident, appeared before the Commission to present an invitation to the Buckhannon showing of “Gas Land”, an informational documentary concerning domestic natural gas drilling and its effects. The film will be shown on August 22, 2010, 3:30 p.m. at the Performing Arts Center at West Virginia Wesleyan College. Director, Josh Fox will answer questions. Admission is free. Mr. Higgins also provided a handout of an opinion Letter to the Editor of the Charleston Gazette concerning gas drilling. (copies included)

Donnie R. Tenney reviewed “Resolutions” in need of corrections. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the Commission to sign the amended resolutions. (copies included)

William A. Parker reviewed the maintenance agreement from Software Systems, Inc. for the AS400 and other software programs for the 2010-2011 fiscal year. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the agreement. (copies included)

After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the request from Debbie Thacker Wilfong, Upshur County Clerk to hire Preston D. Tenney as full time Deputy County Clerk. Effective date of employment is August 2, 2010 at the rate of $8.00 per hour pending satisfactory background check. (copy included)

The Commission reviewed the case history and photographs of Upshur County Safe Structures & Sites Ordinance Case Number 040810-02, and Petition
for Compliance Order. After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the President to sign correspondence advising the property owner to comply with corrections of health and safety issues or file a written request for a hearing in accordance with the county ordinance. (copy included)

The Commission reviewed the following “For Your Information” items:
1. Public notice for the Inspection and “Test of Election Equipment” that will be utilized for the Early Voting period during the August 2010 Special Election-scheduled at 2:00 p.m. Thursday, August 19, 2010
2. Public notice for the Inspection and Test of Election Equipment that will be utilized for the August 2010 special Election-scheduled at 2:00 p.m. Tuesday, August 24, 2010
5. Agendas and/or Notice of Meetings:
   - Adrian Public Service District-August 12, 2010
   - Community Corrections & Day Report-August 16, 2010
6. Meeting Minutes and/or Financial Reports:
   - Buckhannon River Watershed Association-August 9, 2010
   - Elkins Road Public Service District-July 6, 2010
   - Elkins Road Public Service District-June 22, 2010
   - Elkins Road Public Service District-June 2, 2010
   - North Central WV Trade Development-July 28, 2010
7. Meetings:
   - 08/03/10-6:00 p.m.-Elkins Road Public Service District
   - 08/03/10-7:00 p.m.-Hodgesville Public Service District
   - 08/09/10-12:00 p.m.-Upshur County Family Resource Network
   - 08/09/10-4:30 p.m.-Upshur County Solid Waste Authority
   - 08/09/10-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
   - 08/11/10-7:30 a.m.-Buckhannon Upshur Airport Authority
   - 08/12/10-1:00 p.m.-Adrian Public Service District
   - 08/12/10-3:00 p.m.-Tennerton Public Service District
   - 08/12/10-6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   - 08/16/10-6:00 p.m.-26th Judicial Circuit Community Corrections Bd.-Upshur County
   - 08/16/10-7:00 p.m.-Upshur County Fair Association
UPSHUR COUNTY COMMISSION MEETING
August 12, 2010

- 08/17/10-10:00 a.m. - Wes-Mon-Ty RCD
- 08/17/10-5:00 p.m. - UC Enhanced Emergency Telephone Advisory Board
- 08/17/10-6:00 p.m. - Buckhannon-River Watershed Association
- 08/18/10-7:00 a.m. - Upshur County Development Authority – Executive Board
- 08/18/10-10:00 a.m. - James W. Curry Advisory Board
- 08/18/10-6:00 p.m. - Leadership Institute of Governmental Affairs – Session 1
- 08/18/10-7:00 p.m. - Lewis Upshur LEPC
- 08/19/10-6:30 p.m. - Upshur County Youth Camp Board
- 08/19/10-6:30 p.m. - Upshur County Fire Board
- 08/25/10-6:00 p.m. - Leadership Institute of Governmental Affairs – Session 2
- TBA-7:00 p.m. - Region VII Planning & Development Council
- TBA-4:00 p.m. - Upshur County Public Library Board

8. Appointments Needed or Upcoming
- Buckhannon-Upshur Airport Authority — (Scott Wilson 06-30-10) --- City
- 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.
- James W. Curry Advisory Board --- (Michael Quinn 12-31-10) --- County
- Elkins Road Public Service District --- (Sonny Mathews 09-30-10) --- 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
Upshur County Building Commission — (Dennis Xander 11-10-10) — County
Upshur County Civil Service Board — (Richard Kitzmiller 12-31-10) — Deputies Association

William A. Parker reviewed correspondence from the Logan County Commission concerning financial support for the “Citizens for Coal”. No action was taken at this time.

Terri Jo Bennett, Upshur County Addressing and Mapping Coordinator, reviewed the previously adopted “Display of Address Guidelines”. (copies included) After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved William A. Parker to prepare correspondence to all Upshur County volunteer fire departments requesting compliance.

The Commission approved all invoices for payment. (copy included)
The Commission reviewed the list of purchase orders. (copy included)
The Commission approved the following purchase orders:

- Carrot-Top Industries, Inc.-#2012104-$714.00
- Hi Tech Auto & Tire-#2012105-$500.00
- Staples Credit Plan-#2012106-$765.31
- Casto & Harris-#20101364-$13,000.00

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

- Marley F. or John D. Gregory-#2716-$34.84
- Janet S. Hamner Living Trust-#2717-Corrective Ticket
- Delmis William Hamner-#2718-$392.12
- Pauline & Donald Everetts-#2719-$198.28
- Flamco, Inc.-#2720-$977.45
- Macie M. Post-#2721-$6.72
- Brent A. or Mara Currence-#2722-$40.32
- Guy Maxwell Foster-#2723-$4.32
- David Wayne Foster-#2724-Corrective Ticket
- Gary Maxwell Foster-#2725-Corrective ticket
- Stuart Alan Foster-#2726-Corrective ticket
- Allohak Council Inc, Boy Scouts of America-#2727-$253.68
- Catherine L. Bellis-#2728-$515.28
- Catherine L. Bellis-#2729-$34.18
- Douglas Insurance Services, Inc.-#2730-$171.06

The Commission approved the following Final Settlements:
• George Marshall Gableman-Final Settlement
• Barbara Jo Lake-Final Settlement
• Burla Ann Hurst-Final Settlement
• James Donald Linger-Final Settlement
• Thelma Jean Linger-Final Settlement
• Garfield Allen Smith-Final Settlement
• Wavleen Alkire-Final Settlement
• Richard Allen Cerullo-Infant-Seventh Annual Settlement

The Commission approved the following consolidation of land tracts: (copy included)
• Buckhannon Corporation District-Map 4-Parcel 117 with Map 4-Parcel 118 and Map 4-Parcel 119 -owners Rodney A. and Daya M. Wright will blend to make Map 4 Parcel 118
• Washington District-Map 8R, Parcel 35 with Map 8R Parcel 5-owner Craig Zickefoose

The Commission discussed appointment replacement procedures for the Elkins Road Public Service District.

Dale Bennett, Bennett Surveying representative, appeared before the Commission and provided an update on the Upshur County Wellness Complex. (copies included)(note: item not on agenda, report only)

The Commission recessed at 11:45 a.m.
The Commission reconvened at 1:00 p.m.
The Upshur County Policy Board meeting was rescheduled for next week due to lack of quorum.

With no further business, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission meeting adjourned at 1:15 p.m.