UPSHUR COUNTY COMMISSION MEETING
August 25, 2011

The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, August 25, 2011 at 9:00 a.m. Donnie R. Tenney called the meeting to order. There were present Donnie R. Tenney, Commissioner; Creed G. Pletcher, Commissioner, JC Raffety, 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 Creed G. Pletcher, seconded by JC Raffety, the Commission approved the regular meeting minutes of August 18, 2011 as submitted.

Joyce L. Harris-Thacker, Upshur County Family Resource Network Executive Director and Child Advocacy Center representatives appeared before the Commission and provided an update/review on the Upshur County Child Advocacy Center Operations and request for funding. No action was taken at this time. (copies included)

Rebecca Poe, Director of the Randolph County Senior Center and Country Roads Transit, appeared before the Commission and provided a review on the Country Roads Transit Operations report. (copy included)

Ron Pugh, Create Buckhannon-Streetscape Committee representative, appeared before the Commission and provided an update on “Create Buckhannon” projects. Mr. Pugh will be on a future meeting agenda for funding consideration. (Note: item not on agenda, report only)

Merrily Cheek, Program Director/Case Manager for the Lewis-Upshur-Braxton Community Corrections Program, appeared before the Commission to introduce Krista Jackson, Assistant Case Manager in the Braxton County Day Report Center and West Virginia Wesleyan College Intern, Kevin Smith. After discussion, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved Kevin Smith as volunteer intern for the Lewis-Upshur-Braxton Community Corrections Program.

William A. Parker provided a review on the Federal Aviation Administration (FAA) Grant, 03-54-0039-025-2011 in the amount of $166,233 for the Buckhannon-Upshur Regional Airport. After discussion, on motion by JC Raffety seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the Grant and all related documents.

The Commission discussed the request from Erica Klie Kolenich, Klie Law Office representative, on behalf of Paul Ringer for exoneration and refund of taxes paid on mineral interest since 2008. After discussion, the Commission delayed action pending review with Prosecuting Attorney, Jacob Reger and Assessor, Helen Phillips.

After review by William A. Parker, on motion by Creed G. Pletcher, seconded by JC Raffety, the Commission approved the proposal from American Fidelity Assurance Company as outlined at last week’s meeting. The plan will become effective January 1, 2012.

Donnie R. Tenney reviewed the following “For Your Information” items:
1. Return of equity from the West Virginia Counties Risk Pool in the amount of $2,436.00
2. Correspondence from the Office of the Secretary of State concerning expiration of the Maintenance Agreement with ES&S as of September 1, 2011
3. Correspondence from Wes-Mon-Ty Resource Conservation & Development concerning participation and objectives of the organization
4. Upshur County Sheriff's Monthly Financial report as of July 31, 2011
5. Agendas and/or Notice of Meetings:
   - Upshur County Development Authority-August 24, 2011
   - Upshur County Solid Waste Authority-September 12, 2011
6. Meeting Minutes and/or Financial Reports: None
7. Meetings:
   - 09/06/11-7:00 p.m. -Hodgesville Public Service District
   - 09/06/11-6:00 p.m. -Elkins Road Public Service District
   - 09/08/11-1:00 p.m. -Adrian Public Service District
   - 09/08/11-3:00 p.m. -Tennerton Public Service District
   - 09/08/11-6:30 p.m. -Upshur County Safe Sites & Structures Ordinance Board
   - 09/12/11-12:00 p.m. -Upshur County Family Resource Network
   - 09/12/11-4:30 p.m. -Upshur County Solid Waste Authority
   - 09/12/11-6:00 p.m. -Buckhannon-Upshur Recreational Park Advisory Board
   - 09/12/11-6:00 p.m. -Community Corrections Board-Braxton County 09/14/2011-7:00 a.m. -Upshur County Development Authority – Exec. Board
   - 09/14/11-7:30 a.m. -Buckhannon-Upshur Airport Authority
   - 09/14/11-12:00 p.m. -Upshur County Senior Center Board
   - 09/14/11-1:30 p.m. -Upshur County Conventions & Visitors Bureau
   - 09/15/11-6:30 p.m. -Upshur County Fire Board
   - 09/15/11-6:30 p.m. -Upshur County Youth Camp Board
   - 09/19/11-7:00 p.m. -Upshur County Fair Association
   - 09/20/11-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development
   - 09/20/11-5:00 p.m. -UC Enhanced Emergency Telephone Advisory Board
   - 09/21/11-7:00 p.m. -Lewis Upshur LEPC
   - 09/28/11-7:00 a.m. -Upshur County Development Authority
   - 09/28/11-10:00 a.m. -James W. Curry Advisory Board
The Commission approved all invoices for payment. (copy included)
The Commission approved the following Settlements:

- Jennings Bonnell-Final Settlement
- Rita Eilene Conde-Final Settlement
The Commission approved the following “Exonerations and/or Refunds”: (copy included)

- Andrew Summers & Sandy Deel-#2898-Corrective Ticket
- John Summers-#2899-Corrective Ticket
- Kimberly D. Crites/Levi Garrett Enterprises-#2900-$276.94
- Kimberly D. Crites-#2901-$2,264.82
- Janet C. Jack-#2902-$102.10
- Twila Abel etal-#2903-$251.30
- Twila A. Abel etal -#2904-$93.52

The Commission approved the following “Request to Attend Meeting” for Commission employees: (copies included)

- Kimbra Wachob-September 19 thru 22, 2011
- James Farry- September 13, 14 and 15, 2011
- James Farrell-August 18, 2011

The Commission approved the following “Time Out of Office” for Commission employees: (copies included)

- William A. Parker-August 26 and 29, 2011

The Commission approved the following consolidation of land tracts: (copy included)

- Meade District-Map 5P-Parcel 30 with Map 5P-Parcel 33.1- owners Boyd and Matthew Cutright

Gary Bailey, Maintenance Supervisor, appeared before the Commission and provided an update/review on the following maintenance items:

- Painting of the pool
- West Virginia University Extension Service building
- Emergency Management Service building (project complete)
- Upshur County Wellness Complex
- Courthouse roof
- Old jail, 911 Center, old extension office
- Lights at the Day Report Center-follow up with Merrily Cheek

At 10:10 a.m. on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission entered executive session per WV Code 6-9A-4 to discuss personnel matters. In attendance were Donnie R. Tenney, Creed G. Pletcher, JC Raffety, William A. Parker and Gary E. Bailey. The Commission returned to open session at 12:00 p.m. No action was taken in executive session.
The Commission directed Gary E. Bailey to follow up with getting written specifications on the painting of the pool for presentation at next week’s meeting. A site visit to the Buckhannon-Upshur Recreation Park pool will be on next week’s agenda.

The Commission recessed at 12:00 p.m.
The Commission reconvened at 1:30 p.m.
Sam Ludlow, City Engineer and Michael Doss, City Treasurer, appeared before the Commission and provided a review of the City of Buckhannon Sewer Project and boundary lines. (Note: item not on agenda, report only)

The Commission met with Jacob Reger, Prosecuting Attorney and Helen Phillips, Assessor concerning the Exoneration/Refund to Paul Ringer. After discussion, William A. Parker was directed to follow up on the matter and require Erica Klie Kolenich and Paul Ringer to provide documentation showing release of mineral reservation by Mr. Ringer. (copies included)

After discussion, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission approved Creed G. Pletcher as Upshur County Commission representative to the Wes-Mon-Ty Resource Conservation and Development Board.

The Commission met with Virgil D. Miller, Upshur County Sheriff, and reviewed personnel topics and vehicle use policy. (Note: item not on agenda, report only)

With no further business, on motion by JC Raffety, seconded by Creed G. Pletcher, the Commission meeting adjourned at 3:40 p.m.