

MARSHALL COUNTY COMMISSION  
JUNE 23, 2015

NOTICE OF REGULAR SESSION

The County Commission of Marshall County, West Virginia convened this day pursuant to the following call: Robert A Miller, President; Stanley C. Stewart, Commissioner; Scott G. Varner, Commissioner; Jan Pest, County Clerk; Betsy Frohnapfel, County Administrator; and Jeanne Shook, Deputy Clerk.

The County Commission of Marshall County, West Virginia will meet in Regular Session at the Courthouse thereof, on Tuesday, June 23, 2015 at 9:00 A.M. for the following purposes, that is to say:

To Audit Claims  
To Act upon Rebates  
To consider any other matters which  
may properly come before the Commission

Called by the President of the Commission with the concurrence of the other two members.

s/Robert A. Miller, President

Posted at the front door of the Courthouse on the 18th day of June, 2015.

s/Jan Pest, County Clerk

**MINUTES** –

On motion of Commissioner Varner, seconded by Commissioner Stewart, the Commission approved the minutes of the Regular Session held June 16, 2015. Motion carried.

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**COMMISSIONER COMMENTS –**

COMMISSIONER VARNER continued work on constituent issues as mentioned in the previous weeks.

COMMISSIONER VARNER worked with Robby Queen from the Governor's office on grants for our various agencies that seem to be stuck in the development office.

COMMISSIONER STEWART attended the Grand Vue Park Board meeting, June 19, 2015. The Park is making great progress.

COMMISSIONER STEWART attended a Northern Panhandle Workforce Development Board meeting where they processed and approved new bi-laws.

COMMISSIONER MILLER worked on several constituent issues throughout the week and continues his work on the I-68 funding plan.

COMMISSIONER MILLER attended the Animal Rescue League Board meeting where a new contract was approved. Next week the Commission will formally adopt the new contract.

**ROBERTA UNDERDONK, CONCERNED CITIZEN** – Roberta Underdonk, appeared before the Commission. Ms. Underdonk requested the names of the new Animal Rescue League officers. Betsy Frohnafel stated she will be receiving information on the new officers and their titles, and will forward the information to Ms. Underdonk.

**GREATER MOUNDVILLE CONVENTION & VISITORS BUREAU** – Jesse Mestrovic, Executive Director of the Marshall County Convention & Visitors Bureau, appeared before the Commission. Mr. Mestrovic stated the Marshall County Convention & Visitors Bureau is now doing business as the Greater Moundville Convention & Visitors Bureau, and has a new logo.

**MARSHALL COUNTY ANTIQUE POWER ASSOCIATION-** Gary Shreve, President of the Marshall County Antique Power Association, appeared before the Commission. Mr. Shreve thanked the Commission for a donation and invited all to attend the 22<sup>nd</sup> Annual Antique Power Association show, June 25 – June 27, at the Marshall County Fair Grounds.

**GRAND VUE PARK UPDATES** – Craig White, General Manager, appeared before the Commission. Craig stated the Soap Box Derby was cancelled last week due to weather, and will be held June 27, Saturday, in Glen Dale at 12:15 p.m. Railing is being added to help people get up to the Zip-line from platforms 4 & 7. A walkway will be added at the end of shelter #5 to allow access to the new platform.

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**CORRESPONDENCE** –

WV State Auditor's Office – Audit Report of Marshall County Board of Health for Fiscal Year Ended June 30, 2014

Crittenton Services, Inc. – 2014 Annual Report

Marshall County Public Service District #4 – Minutes from Wednesday, May 13, 2015

Dominion Transmission, Inc. – Safety Report

**EXECUTIVE SESSION – PROSECUTING ATTORNEY APPOINTMENT** – On motion of Commissioner Stewart, seconded by Commissioner Varner, the Commission went into an executive session on a personnel matter. Commission reconvened.

**PROSECUTING ATTORNEY APPOINTMENT** – On motion of Commissioner Stewart, seconded by Commissioner Varner, the Commission approved the appointment of Rhonda L. Wade as Marshall County Prosecuting Attorney, effective today, for an unexpired term ending December 31, 2016.

**WEST VIRGINIA COUNTIES GROUP SELF INSURANCE RISK POOL**- Betsy Frohnapfel, County Administrator, submitted the annual member agreement for the 2015-2016 WV Counties Group Self Insurance Risk Pool (WVCoRP) for approval.

On motion of Commissioner Stewart, seconded by Commissioner Varner, the Commission accepted the 2015-2016 WV Counties Group Self Insurance Risk Pool (WVCoRP) annual agreement, and the President was authorized to sign the same. Motion carried.

**LARRY NEWELL E-911 – NEW EMPLOYEE** – Larry Newell, E-911 Director, requested approval from the Commission to employ Patricia Lynn Stout in the Marshall County E-911 Center for the position of Marshall County Communications E-911 Telecommunicator. Ms. Stout will begin after a two week pending notice to her current employer.

On motion of Commissioner Stewart, seconded by Commissioner Varner, the Commission authorized Larry Newell to employ Patricia Lynn Stout as an E-911 Telecommunicator, to begin after a two week pending notice to her current employer. Motion carried.

**SAINT JOSEPH ANTENNA TOWER SPACE RENTAL CONTRACT** – Larry Newell, E-911 Director, appeared before the Commission. Larry submitted the Antenna Tower Space Rental Contract for the Saint Joseph Tower in the amount of \$39,000 per year for a period of five years. The Contract is between Marshall County Commission/Marshall County Communications 911, and Angelina Gathering Company, LLC.

On motion of Commissioner Stewart, seconded by Commissioner Varner, the Commission approved the Saint Joseph Antenna Tower Space Rental Contract in the amount of \$39,000 per year for a period of five years, and the President was authorized to sign the same. Motion carried.

**PROSECUTING ATTORNEY – NEW EMPLOYEES** – Rhonda L. Wade, Marshall County Prosecuting Attorney, appeared before the Commission. Ms. Wade currently has three unfilled positions in the Prosecuting Attorney's Office. Ms. Wade requested approval from the Commission to employ Shirley Johnson as Victim's Advocate, Andi Turner as part-time Assistant Prosecutor, and Jill Filben as Technology Deputy/Legal Assistant, effective July 1, 2015, with salaries as recommended by Rhonda L. Wade, Prosecuting Attorney.

On motion of Commissioner Stewart, seconded by Commissioner Varner, the Commission authorized Rhonda L. Wade, Prosecuting Attorney, to employ Shirley Johnson as Victim's Advocate, Andi Turner as part-time Assistant Prosecutor, and Jill Filben as Technology Deputy/Legal Assistant, effective July 1, 2015, with salaries as recommended by Rhonda L. Wade, Prosecuting Attorney. Motion carried.

**LESLIE MIDCAP ANIMAL ABUSE CASE UPDATE** – Betsy Frohnapfel, County Administrator, appeared before the Commission with an update on the Leslie Midcap animal abuse case which involved removing many horses and cows from the Midcap farm. Betsy stated May 12, 2015 a hearing was held in Magistrate Court and Mr. Midcap was ordered to pay a \$35,000 bond (within 5 days) to provide care for the animals. Mr. Midcap has not paid the bond to date. If an appeal is not granted the animals can be put up for auction on July 6, 2015.

**CLAIMS AUDITED** – The Commission, this day, approved the following claims

<u>GENERAL COUNTY FUND</u>	\$ 35,668.97
<u>COAL SEVERANCE FUND</u>	77,654.76
<u>EMERGENCY COMMISSION</u>	3,037.47
<u>HOME CONFINEMENT</u>	358.52

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MAGISTRATE COURT

38.50

**ADJOURNMENT** – There being no further business to come before the Commission, on motion of Commissioner Stewart, seconded by Commissioner Varner, the meeting was adjourned.

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PRESIDENT