

**MARSHALL COUNTY COMMISSION
JULY 28, 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; Jan Pest, County Clerk; Rhonda Wade, Prosecuting Attorney; Betsy Frohnapfel, County Administrator; and Melanie Madden, Chief Deputy Clerk. Commissioner Varner was absent due to training.

The County Commission of Marshall County, West Virginia will meet in Regular Session at the Courthouse thereof, on Tuesday, July 28, 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, Jr., President

Posted at the front door of the Courthouse on the 23rd day of July, 2015.

s/Jan Pest, County Clerk

MINUTES – Upon motion of Commissioner Stewart, seconded by Commissioner Miller, the Commission approved the minutes of the Regular Session held July 21, 2015. Motion carried.

MARSHALL COUNTY COMMISSION
JULY 28, 2015

COMMISSIONER COMMENTS –

COMMISSIONER STEWART stated it was an honor and a pleasure to be present for the opening of the Marshall County Fair. It looked to be a good week of weather for the Fair.

COMMISSIONER MILLER also had the pleasure of attending the opening of the Fair. Many local officials were present for the opening. Commissioner Miller also addressed constituent concerns throughout the week.

CORRESPONDENCE –

Mozart Meadows Concerns – Petition requesting inclusion of Mozart Meadows in sewerage project.

Ohio Valley Soap Box Derby – Thanks for contribution to Soap Box Derby.

Levi Allen & Chad Francis – Letters regarding concerns about gas fired power plant.

Youth Services System, Inc. – Letter of thanks regarding Celebrate Youth 2015.

COAL SEVERANCE TAX FUNDS RECEIVED – Jan Pest, County Clerk informed the Commission the WV State Treasurer’s Office will distribute the coal severance tax to the County on or before July 27, 2015 in the amounts of \$1,018,110.98 (75%) and \$437,505.18 (25%).

EXONERATIONS – Upon motion of Commissioner Stewart, seconded by Commissioner Miller, the Commission approved the following 12 erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

Burley, Nell H. AGT	\$ 3.74
Mileto, Joseph Lee II	\$179.12
Blake, Roberta	\$ 6.24
Lewis, George N & Marsha T	\$257.40
Aston, Harry B	\$167.26
Sheets, Chad R	\$327.92
Witzgall, David K	\$309.26
Witzgall, David K	\$306.50
Zwolensky, Beverly A & Daniel Heston	\$867.52
Mileto, Mary Jo	\$ 60.32
Wilson, William E & Kimberly	\$127.00
Johnson, Stephen W III	\$ 98.00

MARSHALL COUNTY COMMISSION
JULY 28, 2015

COAL SEVERANCE BUDGET REVISION #1 – Jan Pest, County Clerk, submitted Coal Severance Budget Revision #1 for Commission approval. This revision is to correct the budget on file in the State Auditor's Office. Upon motion of Commissioner Stewart, seconded by Commissioner Miller, the Commission adopted the Resolution, approved Coal Severance Budget Revision #1, and the President was authorized to sign the same. Motion carried. The Budget Revision is as follows:

LGSD BR (Rev. 2011)

Ora Ash, Director
 West Virginia State Auditor's Office
 200 West Main Street
 Clarksburg, WV 26302
 Phone: 627-2415 ext. 5114
 Fax: 627-2417

Person To Contact Regarding
 Budget Revision: **JAN PEST**
 Phone: **304 845 1220**
 Fax: **304 845 5891**

REQUEST FOR REVISION TO APPROVED BUDGET
 Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

MARSHALL
 GOVERNMENT ENTITY

P O BOX 459
 STREET OR PO BOX

MOUNDSVILLE CITY 26041
 ZIP CODE

CONTROL NUMBER
 2016
 FY 2
 FUND 1
 REV. NO. 1 of 1
 PG. OF NO.

RECEIVED
 JUL 21 2015
 Glen B. Gainer, III
 State Auditor

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
299	Unassigned Fund Balance	1,500,000	3,249,226		4,749,226
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
			3,249,226		

NET INCREASE/(DECREASE) Revenues (ALL PAGES)
 COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE (WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
431	Economic Development	100,000 75,000	240,000		340,000 315,000
699	Contingencies	50,450 49,700	38,226		88,676 87,926
806	Sewer	375,000	875,000		1,250,000
916	Library	250,000	30,000		280,000
986	County Commission	50,000	150,000		200,000
987	Courthouse	100,000	676,000		776,000
988	Other Buildings	500,000	1,000,000		1,500,000
998	Parks and Recreation	60,000	240,000		300,000
	#N/A				
	#N/A				
	#N/A				
	#N/A				
NET INCREASE/(DECREASE) Expenditures			3,249,226		

APPROVED BY THE STATE AUDITOR
 BY: *Ora Ash* (Signature) 7/21/2015 (Date)
 Director, Local Government Services Division

AUTHORIZED SIGNATURE OF ENTITY: *[Signature]*
 APPROVAL DATE: 7-21-15

Posted 7/29/15
Batch # 9388

MATCHING GRANT FUNDS REQUESTED – Stacy Dei, Director of the Family Resource Network, appeared before the Commission to request matching grant funds,

MARSHALL COUNTY COMMISSION
JULY 28, 2015

in the amount of \$10,000.00, to be used for local projects. Upon motion of Commissioner Stewart, seconded by Commissioner Miller, the Commission tabled the request for further review.

RESOLUTION REGARDING EXPANSION OF ACCESS ROAD – Josh Jefferson, Project Coordinator for Marshall, Wetzel, and Ohio Counties for RED, appeared before the Commission with a Resolution of Application regarding the industrial access road in Benwood. Upon motion of Commissioner Stewart, seconded by Commissioner Miller, the Commission approved and authorized the President to sign the following Resolution:

MARSHALL COUNTY COMMISSION

ROBERT A. MILLER, PRESIDENT
SCOTT G. VARNER
STANLEY C. STEWART


BETSY WILSON FROHNAPFEL, ADMINISTRATOR
JAN PEST, COUNTY CLERK

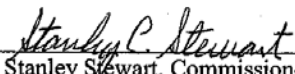
RESOLUTION OF APPLICATION

WHEREAS, The Marshall County Commission in association with the City of Benwood and the Regional Economic Development Partnership is attempting to gain improved access to an industrial development serving as an operating location for several industrial businesses located within the Marshall County Industrial Park and adjacent to the BIPCO Industrial Area facility within the City of Benwood, West Virginia; and

WHEREAS, BE IT RESOLVED by the Marshall County Commission, that Marshall County is hereby requesting \$400,000 from the West Virginia Development Office Industrial Access Road Fund for the purpose of continuing the existing access road from West Virginia Route 2 to said site for better service and increased safety.


This resolution is in full effect upon its adoption this 28th day of July 2015.


Robert Miller, Jr., Commissioner, President


Stanley Stewart, Commissioner

Scott Varner, Commissioner

Attest:


Jan Pest, County Clerk

MARSHALL COUNTY COMMISSION
JULY 28, 2015

VAWA GRANT AWARD – Betsy Frohnapfel, Administrator, presented the contract for the STOP Violence Against Women Act (VAWA) Grant Award. Upon motion of Commissioner Stewart, seconded by Commissioner Miller, the Commission approved and authorized the President to sign the following Resolution:

Be it resolved that the County Commission hereby authorizes Robert Miller, President of the Marshall County Commission, to act on its behalf to enter into a contractual agreement with the Division of Justice and Community Services to receive and administer grant funds pursuant to provisions of the STOP Violence Against Women Grant Program.

WV COMMUNITY CORRECTIONS GRANT – Betsy Frohnapfel, Administrator, presented the contract and other documents for the West Virginia Community Corrections Grant, in the amount of \$550,000.00. Upon motion of Commissioner Stewart, seconded by Commissioner Miller, the Commission approved and authorized the President to sign the Resolution so Marshall County may act as a government pass through for the grant:

Be it resolved that the County Commission authorizes The Honorable Robert Miller, Jr., President of the Marshall County Commission, to act on its behalf to enter into a contractual agreement with the Division of Justice and Community Services to receive and administer grant funds pursuant to provisions of the Community Corrections Program.

CHANGE ORDERS FOR PUBLIC SAFETY BUILDING – Betsy Frohnapfel, Administrator, presented two additional change orders for the Public Safety Building. Change Order #10, in the amount of \$12,489.40, is for small structural changes and Change Order #11, in the amount of \$2,739.00, is for the extension of the Builders Risk Policy due to the final completion date being moved to October 9, 2015. Upon motion of Commissioner Stewart, seconded by Commissioner Miller, the Commission approved and authorized the President to sign the Change Orders as presented.

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

PRESIDENT