

**MARSHALL COUNTY COMMISSION  
MARCH 15, 2011**

The Commission convened this day pursuant to the following call: Jason E. Padlow, President; Donald K. Mason and Brian L. Schambach, Commissioners; Jan Pest, County Clerk; Betsy Frohnafel, County Administrator; and Winnie Reilly, Deputy Clerk of the County Clerk's Office.

At a Special Session of the Commission of Marshall County, West Virginia, held at 9:30 A.M., the Notice of the time and purpose of this Special Session had been posted at the front door of the courthouse for more than two days before the commencement of the Special Session, it is ordered that said Notice together with the certification of the Clerk of the time when it was posted, be entered of record, which is done accordingly in words and figures as follows:

NOTICE OF SPECIAL SESSION

The County Commission of Marshall County, West Virginia will meet in Special Session at the Courthouse thereof, on Tuesday, March 15, 2011, at 9:30 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/Jason E. Padlow, President

Posted at the front door of the Courthouse on the 10<sup>th</sup> day of March, 2011.

s/Jan Pest, County Clerk

**MINUTES** – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the minutes of the Special Session held March 8, 2011, as presented. Motion carried.

**COMMISSIONER COMMENTS:**

COMMISSIONER SCHAMBACH stated the Commission has been very busy with the budget process.

Last evening the Commission attended a meeting in Cameron with the EMS and Fire Department concerning ambulance services in the outlying areas of the County.

Commissioner Schambach spoke with Mike Dorsey, DEP, and learned his concerns are with the number of permits being issued and the water needed for the

**MARSHALL COUNTY COMMISSION**  
**MARCH 15, 2011**

processing. DEP needs more employees; however, some are being moved from the southern part of the State to the northern areas.

Commissioner Padlow spear-headed a meeting last week with all municipal Police Chiefs concerning a coordinated dog ordinance throughout the County. Commissioner Schambach commended Commissioner Padlow on the successful venture.

COMMISSIONER MASON stated the meeting with municipal representatives produced good thoughts on the dog ordinance issue.

The Commission met last Tuesday and Thursday; yesterday and will meet tomorrow on the budget.

Commissioner Mason felt the meeting last night in Cameron with the Mayor to discuss EMS issues went well. The problem is not enough ambulance drivers; Cameron EMS serves approximately 102 square miles, a big area.

The Clean Up Schedule for 2011 has been distributed and starts in Sherrard on April 16. The event will end with the River Sweep on June 18.

COMMISSIONER PADLOW also felt the meeting with Police Chiefs concerning a dog ordinance went well. The appointment of Animal Control Officers as Humane Officers will help; and a countywide dog ordinance would have amendments for inside municipal limits. Commissioner Padlow thanked everyone for attending the meeting.

Marshall County dodged the bullet this weekend with minimal flooding. The predictions were close and gave everyone enough time to move items to a higher level.

Commissioner Mason extended our thoughts and prayers to everyone in Japan dealing with the aftermath of the earthquake and tsunami.

Commissioner Padlow thanked Cameron Mayor Mark Frazier for the invitation to last evenings meeting; as well as Ralph McLaughlin and the Fork Ridge EMS for their services throughout the County. A meeting with all County EMS representatives will be scheduled in the next couple of months.

Commissioner Padlow cautioned everyone about the Route 2 situation in the narrows.

The budget process is going well; the Commission will meet tomorrow at 9:00 AM. It helps when the County is in a good financial standing and prudent Elected Officials also help. Commissioner Padlow thanked everyone involved in the process.

Go Mountaineers! WVU will be playing basketball Thursday, at 12:30.

**MARSHALL COUNTY/MOUNDSVILLE ECONOMIC DEVELOPMENT** – Phil Remke, Moundsville City Councilman, appeared before the Commission inviting them to the next Revitalization Team meeting on April 11, 2011, at 6:30 PM at Remke's. Mr. Remke also informed the Commission of upcoming meetings concerning a motel/hotel in Moundsville, and requested their assistance and input.

**MARSHALL COUNTY COMMISSION**  
**MARCH 15, 2011**

**HEALTH DEPARTMENT – BOARD APPOINTMENT** – Commissioner Mason stated two vacancies exist on the Health Department Board. Janet Kendzierski, a resident of the Sherrard area of Marshall County, Magisterial District One, has stated she would be willing to serve on the Board. Mrs. Kendzierski is employed in the Trust Department of Wesbanco Bank in Wheeling.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the appointment of Janet Kendzierski to the Marshall County Board of Health; along with a letter of the appointment to the Health Department and a letter of thanks to Mrs. Kendzierski. Motion carried.

**CORRESPONDENCE:**

THANK-YOU – Nila Hartley family

MOUNTAINEER CHALLENGE ACADEMY CAMP DAWSON – Open House April 5, 1-3

Rt 2/I 68 AUTHORITY – minutes of January 24 meeting

PSD#4 – minutes of February 7 meeting

HARMONY HOUSE INC – 5<sup>th</sup> Annual 'Hope Soars' April 16<sup>th</sup>

**WV STATE FIREMEN'S ASSOCIATION – REQUEST** – The Commission received a letter from WV State Firemen's Association Past President Paula Smith, requesting financial support for the CVVFA Presidents Council. The event will be held at the McClure House Hotel on April 15-16, 2011.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission tabled action on the matter to allow time for further review. Motion carried.

**FIDUCIARY MATTER – JAMES S. MERCER, SR. ESTATE – ORDER** – The Commission received a proposed Order in the Estate of James S. Mercer, Sr., Deceased. County Clerk Jan Pest previously informed the Commission there had been no action taken by the Fiduciary Commissioner, Frederick E. Gardner, since a hearing held in June of 2009. Mrs. Pest had received a complaint from a claimant. The matter was referred to the Prosecuting Attorney.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission accepted the proposed Order from the Prosecuting Attorney, and authorized signing the same, removing Frederick E. Gardner as Fiduciary Commissioner and appointing J. K. Chase, IV, as Fiduciary Commissioner. Motion carried.

**RECESS** – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission took a short recess. Commission reconvened.

**2011 PRIMARY ELECTION – POLL OFFICIALS** – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the poll

**MARSHALL COUNTY COMMISSION  
MARCH 15, 2011**

officials submitted by the Democrat and Republican Executive Committees for the 2011 Primary Election. Motion carried.

**TABLED FILE – WASHINGTON LANDS VFD INVOICE** – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission removed the Invoice from Washington Lands VFD to Dan Persinger from the tabled file, the matter having been resolved. Motion carried.

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

<u>GENERAL COUNTY FUND</u>	\$27,127.61
<u>E-911 FUND</u>	2,157.19

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

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PRESIDENT