

**MARSHALL COUNTY COMMISSION
MARCH 1, 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 1, 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 24th day of February, 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 February 15, 2011, as presented. Motion carried.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the Board of Equalization and Review minutes from February 11, 2011 and February 15, 2011. Motion carried.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the minutes of the Board of Equalization and Review meeting held February 18, 2011. Motion carried.

MARSHALL COUNTY COMMISSION
MARCH 1, 2011

COMMISSIONER COMMENTS:

COMMISSIONER SCHAMBACH has been busy attending meetings and Commissioner training, including Auditor training on preparing the budget held in Wheeling last Friday.

Commissioner Schambach visited the Library and learned its infrastructure including the services at ancestors.com, which is free.

At Bel-O-Mar, Commissioner Schambach met Scott Hicks and learned of their services; and received information from Delegate Varner concerning oil and gas legislation, which should be moving tomorrow.

COMMISSIONER MASON stated the Commission did not meet last week, however, they have been busy. A week ago Friday, the Board of Equalization and Review was completed after 6 sessions and no appearances from aggrieved taxpayers. The Board adjourned sine die.

Wednesday, February 23, Sheriff Gruzinkas and Commissioner Mason participate in a telephone conference on a study of Marcellus Shale. They were appointed to a Committee formed through the West Virginia Association of Counties. Those Counties without oil and gas drilling do not understand the impact, even some legislators.

Thursday, Commissioner Mason attended the Bel-O-Mar meeting held in St. Clairsville.

The Commission continues working on the budget, with hearings this afternoon. County Clerk Jan Pest is working with new numbers to supply the Commission with necessary information.

Today begins the new addressing system with the Dallas zip code area using their new addresses. This will continue throughout the county and will be a great benefit to first responders.

COMMISSIONER PADLOW thanked the Commission for not scheduling a meeting last week due to his eye doctor appointment, which he had to cancel due to the snow fall in Pittsburgh.

Commissioner Padlow met with Denny Pickens, Union President at Shoemaker Mine, to tour some of the roads. The conditions were shocking and they took pictures. Commissioner Padlow talked with Delegates Varner and Ferro, as well as Senator Kessler. Friday, there was cold patching applies, which did make a big difference.

The Oil & Gas Task Force will be meeting today at 12:30 at Grand Vue Park. Commissioner Padlow will bring up the road issued. Marshall County was the first county to set up this task force, and we have been receiving calls from other counties for guidance.

MARSHALL COUNTY COMMISSION
MARCH 1, 2011

Commissioner Padlow thanked Assessor Chris Kessler, Deputy Assessor Jim Buzzard, and the rest of the Assessor's Office staff for making the Board of Equalization and Review run smoothly; not one hearing was scheduled.

The last of the budget requests will be heard today and then the Commission will dig in and prepare the budget. Commissioner Padlow thanked Jan Pest, County Clerk, and her staff for their assistance on the budget.

GRAND VUE PARK – UPDATE – Craig White, Manager of Grand Vue Park, appeared before the Commission with updates and events at the Park. Renovation work on the Eagle Cabin should be completed by mid-March. Dog Obedience School will start Sunday; the Spring Craft Show will be held March 19; and Robert Strong is scheduled March 16 for star gazing at Shelter 1.

The Park is accepting applications for summer workers and the Applications can be picked up at the Park or found on the web site.

The Strand ceiling project is continuing, with painting also being completed while the scaffolds are in place.

MOUNDSVILLE/MARSHALL COUNTY ECONOMIC DEVELOPMENT – UPDATE –

Moundsville City Councilman Phil Remke appeared before the Commission with updates on several project. Mr. Remke stated the Dog Show will be pushed back to allow additional preparation time; and he requested consideration on a contribution for next year.

The hanging baskets of flowers will be too expensive to keep watered. Mr. Remke is proposing baskets of artificial flowers and will bring a sample and more information to the Commission at a later date. Mr. Remke also submitted a request for one or all of the Commissioners to attend the next Tourism meeting to be held at Grand Vue Park on Wednesday, March 16, at 6:00 PM.

The Commission thanked Mr. Remke on his continued efforts for economic development.

ANIMAL CONTROL – COMPLAINT - Carl Boso, Tenth Street, Moundsville, appeared before the Commission with a complaint concerning Animal Control. Mr. Boso stated he called the Moundsville Police Department due to his neighbor's pit bull running loose. Mr. Boso was informed to call Animal Control.

When Animal Control Officer Jim Noice answered the call he did not talk with Mr. Boso, which was the main complaint.

Mr. Noice and Animal Control Officer Mike Baker were both in attendance. Mr. Noice spoke directly with Mr. Boso stating in most cases the complainant did not want to be identified, and also Mr. Noice did not know Mr. Boso, or that he lived near his business.

MARSHALL COUNTY COMMISSION
MARCH 1, 2011

The Animal Control Officers explained their limitations within Moundsville City Limits, to Mr. Boso's satisfaction.

DHHR – MARSHALL COUNTY JOB FAIR – Lisa Gongola and Brenda McGill, Department of Health and Human Services, appeared before the Commission concerning the Job Fair to be held May 6, 2011, from 10:00 AM till 2:00 PM at the old Penitentiary. Ms. McGill stated this will be the sixth year for the event, and last year only 38 employers participated, with 165 job seekers.

Ms. McGill felt the low turnout last year was due to advertising, and they have already started advertising for this year. TeleTech will again purchase signs and Bayer FCU will pay for the hall rental.

Ms. Gongola and Ms. McGill thanked the Commission for their support in the past, and requested assistance for the event this year.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved a contribution in the amount of \$750 to the Marshall County Job Fair. Motion carried.

MARSHALL COUNTY HUMANE OFFICERS – Sheriff John Gruzinskas, along with Animal Control Officers Mike Baker and Jim Noice, appeared before the Commission requesting appointment of Mr. Baker and Mr. Noice as Marshall County Humane Officers. All Marshall County Deputies are Humane Officers. The appointments would permit Mr. Baker and Mr. Noice to deal with situations without assistance from the Sheriff's Department.

Currently, Animal Control Officers cannot issue animal abuse citations without a complaint, or deal with other specific issues.

Betsy Frohnafel, County Administrator, stated some additional training will be necessary, and requested enough time to prepare policy and procedures before the effective date of the appointments.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission appointed Animal Control Officers Mike Baker and Jim Noice as Humane Officers, effective April 1, 2011; and in the interim approved scheduling a meeting with Municipal personnel concerning procedures; contingent on approval of the Prosecuting Attorney. Motion carried.

The Commission requested quarterly reports from Animal Control starting April 1, 2011.

EXONERATIONS – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the following 13 erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

Longworth, Graham Henry Jr.	\$ 48.32
Briggs, Michael A & Yong A Kravolic	143.32
Handy, Inc.	809.40

MARSHALL COUNTY COMMISSION
MARCH 1, 2011

Yoho, Richard C & Carla V	18.64
Allen, Joseph W	2.88
Ohio Valley Animal Care Center	722.40
Crow, Brian K	31.18
Korn, Herbert E Jr.	23.66
Howard, Beverly J	43.78
Vanscyoc, Nellie D	3.50
Games, Fred H	34.40
Allen, Joseph W & Mary Jean	2.88
Klug, Edw A Estate	7.18

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the Notice of Apportionment of Jointly Owned Motor Vehicles for Brandi D. and Kevin S. Ruckman. Motion carried.

IN-HOUSE BUDGET REVISIONS – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved an in-house budget revision for Department 716 in the amount of \$1,000. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision for Department 412 in the amount of \$100. Motion carried.

MILEAGE RATE – County Clerk Jan Pest informed the Commission that she received information that the IRS increased mileage rates to .51.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved increasing the mileage rate from .50 to .51 cents per mile. Motion carried.

MARSHALL COUNTY SEWERAGE DISTRICT – GRANT – The Commission received a letter from John Blair, Jr., Chairman of the Marshall County Sewerage District, requesting funds from the sewerage budget. Mr. Blair stated there is an emergency situation at the Sunnyside plant, the ultraviolet light disinfection system failed.

To ensure meeting DEP Permit requirements, the engineer has advised replacing the UV system. Mr. Blair stated the estimated cost is \$10,000.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved an emergency grant in the amount of \$10,000 to replace the ultraviolet light disinfection system. Motion carried.

COURT APPOINTED SPECIAL ADVOCATES – REQUEST – The Commission received a letter from Susan Harrison, Executive Director CASA for Children, Inc., requesting permission to again use the flagpole in front of the Court House to raise a flag from the Child Welfare League of America.

Mrs. Harrison stated April is Child Abuse Awareness Month, and CASA would like to hold an opening ceremony at noon, April 4, 2011, raising the flag which

MARSHALL COUNTY COMMISSION
MARCH 1, 2011

symbolizes "Stop Violence and End Abuse". Mrs. Harrison requested the flag fly from April 4 through April 8.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the request was approved. Motion carried.

MARSHALL COUNTY MONARCHS 2011 – REQUEST – The Commission received a letter from Christy Beveridge and Sherry Grimm, Marshall County Monarchs 2011, requesting help in sending the baseball team to Cooperstown this summer. The boys participating in the baseball program are 11 and 12 years old.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved a contribution to the Marshall County Monarchs 2011 in the amount of \$250. Motion carried.

MARSHALL COUNTY FIRE FIGHTERS ASSOCIATION – INVOICE – The Commission received an invoice from AV Luttamus Communications, Inc., for new mobiles for the Marshall County Fire Fighters in the amount of \$10,308. Betsy Frohnapfel, County Administrator, stated the Commission previously budgeted \$10,000 for the new radio equipment.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the additional amount of \$308 for the contribution to County Fire for new mobile radios. Motion carried.

CORRESPONDENCE –

GREENE COUNTY EMERGENCY SERVICES – invitation for Hazard Mitigation Planning Process

SEWERAGE DISTRICT – cc: ltr to legislators requesting grant

CHAMBER OF COMMERCE – January minutes & upcoming events

SUPREME COURT OF APPEALS – Magistrate Court Surplus Account

SHERIFF'S OFFICE – report on courthouse incident

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

<u>GENERAL COUNTY FUND</u>	\$95,699.00
<u>COAL SEVERANCE FUND</u>	19,180.41
<u>E-911 FUND</u>	11,799.79
<u>HOME CONFINEMENT FUND</u>	1,678.20
<u>MAGISTRATE COURT FUND</u>	88.35

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

**MARSHALL COUNTY COMMISSION
MARCH 1, 2011**

PRESIDENT