

MARSHALL COUNTY COMMISSION
MARCH 8, 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 8, 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 3RD 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 February 18, 2011 as presented. Motion carried.

After correcting two typographical errors, on motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the minutes of the Special Session held March 1, 2011, as corrected. Motion carried.

MARSHALL COUNTY FIRE FIGHTERS ASSOCIATION – FUNDING – On motion of Commissioner Schambach, seconded by Commissioner Mason, at the end of the year the Commission will send a letter to all Volunteer Fire Department Chiefs stating the

MARSHALL COUNTY COMMISSION
MARCH 8, 2011

total amount of funding the Commission gives the Marshall County Fire Fighters Association. Motion carried.

COMMISSIONER COMMENTS:

Commissioner Schambach attended the Energy Task Force meeting last Tuesday, and felt it was the best yet. A second meeting with secondary suppliers will be scheduled to discuss road concerns.

Commissioner Schambach also attended The Sanford Center dinner headed by Rick Healy with Diane's Catering and the John Marshall Choir.

At the Energy Task Force meeting Commissioner Schambach sat by Jim McCune, WV DOH, and learned he gets maintenance agreements with all Gas companies at the well site. The companies are responsible for sub-contractors.

Mr. McCune has a database of all roads, filmed the roads, and meets with all companies. The huge volume of trucks is what is tearing up the roads. Commissioner Schambach feels very comfortable with the monitoring of Mr. McCune.

COMMISSIONER MASON noted the passing of Nila Hartley; she was a great volunteer for Marshall County, having started the National Day of Prayer, as well as helping with Early Voting during election time. She will be greatly missed.

Also passing was Doris Chamberlain, wife of former Commission employee Jack. Commissioner Mason extended our thoughts and prayers to the Chamberlain family.

Commissioner Mason attended the R.E.D. Partnership Executive Committee meeting held in Wheeling on Friday. Oil and gas issues were discussed. He also attended the Energy Task Force meeting with the main issue being bus students. A special meeting will be scheduled next week for those concerns.

Tuesday afternoon the Commission held the last of the budget hearings, and will begin crunching numbers today.

COMMISSIONER PADLOW also extended our thoughts and prayers to the family of Nila Hartley, and Cindy Cwynar; she was involved in a car accident on Friday night.

Commissioner Padlow also attended the Task Force meeting and felt it was the most successful to this point. A meeting will be scheduled at the School Board Offices concerning the bus and truck schedules. Water concerns were also discussed.

Commissioner Padlow cautioned everyone traveling through the narrows; the project is not scheduled to be completed until August, 2012. The fence has been a great addition, but is not enough.

Commissioner Padlow attended an Open House at Bishop Donahue High School, where he enjoyed a conversation with his former teacher, Loretta Metz.

Carl Boso attended the Commission meeting last week with concerns of a neighborhood pit bull. That matter has been taken care of, and a meeting with Animal

MARSHALL COUNTY COMMISSION
MARCH 8, 2011

Control and Municipal Police Chiefs is scheduled to unify County and Municipal dog ordinances.

CIRCUIT COURT JUDGE DAVID HUMMEL – REQUEST – Circuit Court Judge David Hummel appeared before the Commission to discuss a few matters. Judge Hummel is currently running the Drug Court Program, and has been sending violators to Grand Vue Park for Community services. Judge Hummel requested information from the Commission of any other projects where Community service is needed.

Grand Jury was conducted today; and the Supreme Court will hold Court here tomorrow. Judge Hummel thanked Commission employees for their help in preparing the Courtroom.

Judge Hummel requested Commission approval to be excused from his Courtroom on April 4 and 8, to conduct Circuit Court sentencing hearings at John Marshall High School and Cameron High School. Judge Hummel feels sentencing DUI offenders before students right before Proms will send a message.

Judge Hummel will prepare an Order approving the request and post all required Notices for the remote Court hearings.

The Commission requested Judge Hummel send a letter of request along with the Order, and scheduled action on the request for March 15, 2011.

MARSHALL COUNTY/MOUNDSVILLE ECONOMIC DEVELOPMENT – Phil Remke, Moundsville City Councilman, appeared before the Commission with a questionnaire for the Revitalization Team. Mr. Remke suggested an entertainment tax at area events, and will present the idea to the Tourism Board also.

Betsy Frohnafel, County Administrator, is not sure the Commission has the ability to enact the tax, but will check into the matter. The Commission also informed Mr. Remke that if they are able to place a tax on entertainment, it would only be in the County, not in municipalities.

HEALTH DEPARTMENT – REQUEST – The Commission received a request from Ronda Francis, Health Department Administrator, for funding to replace computer workstations. Mrs. Francis submitted a quote from Cash Control Inc. for \$14,075 to purchase and install eleven workstations.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the expenditure of \$14,075, from the contribution line item, to cover the purchase and installation. Motion carried.

ST JOSEPH TOWER – AGREEMENTS – Larry Newell, E-911 Director, along with John Riesbeck and Rusty Ervin, Stratuswave Communications, appeared before the Commission with proposed Agreements. Mr. Newell explained he needs to connect

MARSHALL COUNTY COMMISSION
MARCH 8, 2011

the CAD system with Cameron PD, and Stratuswave already supplies service to Cameron.

With access to the St. Joseph Tower, Stratuswave can improve E-911's connection with Cameron. The proposed Antenna Site License Agreement and Business Telephone Service Agreement represent trading services between The County Commission and Stratuswave. Jeff Cramer, Prosecuting Attorney, has a copy of the Agreements to review.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the Business Telephone Service Agreement with Stratuswave Communications; and the Commission President was authorized to sign the same, subject to approval by the Prosecuting Attorney.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the Antenna Site License Agreement with Stratuswave; and the Commission President was authorized to sign the same, subject to approval by the Prosecuting Attorney. Motion carried.

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

GENERAL COUNTY BUDGET REVISION – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission adopted the Resolution and approved signatures for General County Budget Revision #2 in the amount of \$438,176. Motion carried.

AMINAL SHELTER – TRAINING – The Commission received a request from Cindy Brautigam, Animal Shelter, for assistance to send three employees for training. Mrs. Brautigam explained the training is to become Certified Animal Euthanasia Technicians, and will cost \$355 for each person. Due to registration deadlines, the Marshall County Animal Rescue fronted funds for the registration fees.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved reimbursement to the Animal Rescue League for training at \$355, for three Animal Shelter employees. Motion carried.

E-911 – ROAD NAMES – Larry Newell, E-911 Director, appeared before the Commission with 8 proposed road names. On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission accepted the recommendation of Mr. Newell and approved the following road names:

Consol Lane; Echo Valley Drive; Holiday Cove Lane; Joy Drive; Lethas Lane; Nelson Lane; Restful Lane; and Tatia Lane. Motion carried.

MARSHALL COUNTY COMMISSION
MARCH 8, 2011

FIDUCIARY MATTERS - LLOYD TREASAL TAYLOR ESTATE – The Commission received the Report of Fiduciary Commission and proposed Order from J. K. Chase, IV, Fiduciary Commissioner, in the estate of Lloyd Treasal Taylor, deceased. On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission accepted the Report of Fiduciary Commissioner J. K. Chase, IV, and recommendations, and authorized signature of the Order. Motion carried.

CAMERON HIGH SCHOOL – AFTER PROM COMMITTEE – The Commission received a letter from the Cameron High School After Prom Committee requesting support for the event to be held April 16, 2011.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved a contribution of \$300 to each Marshall County High School for After Prom Events, upon receipt of a written request. Motion carried.

CORRESPONDENCE:

NARDONE CHIROPRACTIC – grand opening May 9 at 11AM Benwood

UMWA – Golf Tournament

SANFORD CENTER – plaque of appreciation for contribution in 2010

STATE AUDITOR – Property Tax Levy Rates & Taxes Levied 2011-2012

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

<u>GENERAL COUNTY FUND</u>	\$10,606.91
<u>COAL SEVERANCE FUND</u>	28,331.99
<u>E-911 FUND</u>	413.64
<u>MAGISTRATE COURT FUND</u>	130.83
<u>DOG FUND</u>	1,065.00

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

PRESIDENT