

MARSHALL COUNTY COMMISSION
JULY 22, 2014

NOTICE OF SPECIAL SESSION

The County Commission of Marshall County, West Virginia convened this day pursuant to the following call: Donald K. Mason, President; Brian L. Schambach, and Bob Miller, Commissioners; Jan Pest, County Clerk; Betsy Frohnafel, County Administrator; and Jeanne Shook, Deputy Clerk.

The County Commission of Marshall County, West Virginia will meet in Special Session at the Courthouse thereof, on Tuesday, July 22, 2014 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/Donald K. Mason, President

Posted at the front door of the Courthouse on the 17th day of July, 2014

s/Jan Pest, County Clerk

MINUTES – Commissioner Mason noted an addition to page 386 of the minutes of the Special Session held July 15, 2014. Kevin Cecil, Sheriff, submitted a request for the maximum amount of commission for the fiscal year for delinquent tax collections as per state code, payable to the Sheriff, in the amount of \$15,000. On motion of

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Commissioner Miller, seconded by Commissioner Mason, the Commission approved the minutes of the Special Session July 15, 2014. Motion carried.

COMMISSIONER COMMENTS –

COMMISSIONER MILLER, COMMISSIONER SCHAMBACH, and COMMISSIONER MASON attended the Marshall County Fair Ribbon Cutting Ceremony yesterday. It was a very nice event. Hopefully we will have nice weather this week for the fair.

COMMISSIONER SCHAMBACH visited Dominion's new safety office which is very impressive.

COMMISSIONER MASON attended the RED Partnership Board Meeting in Wheeling last Wednesday.

Erikka Storch, West Virginia House of Representatives, Ohio County, was present to observe the meeting.

CITY OF MOUNDSVILLE MAYOR – Gene Saunders, Moundsville Mayor, appeared before the Commission requesting a donation in the amount of \$9000 for the new skate park in Moundsville. Mayor Saunders stated monies are needed to complete the project. Mayor Saunders will send a written proposal on the project to the Commission.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission tabled the request to allow time for review. Motion carried.

FIDUCIARY MATTER – Tammy Hill, Probate Clerk, submitted an Affidavit and Waiver of Final Settlement for the Estate of Roger R. King for approval.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved and accepted the final settlement. Motion carried.

ROUTE 2 / I-68 AUTHORITY - Fred Brunner, Route 2 / I-68 Authority member, appeared before the Commission with an update on the Route 2 / I-68 meeting in Wetzel County. The Authority is going to have bi-monthly meetings. Mr. Brunner stated the Board of Director's need to replace Mark Frazier.

CORRESPONDENCE –

State of WV, John D. Perdue, Treasurer – Delay of Coal County Reallocation Severance Tax due to issues with the new state-wide accounting system.

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GENERAL COUNTY BUDGET REVISION #1 – Jan Pest, County Clerk, submitted a General County Budget Revision for the carry over in the amount of \$2,256,087 for approval.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission adopted the Resolution and approved Budget Revision #1 for the General County Fund in the amount of 2,256,087 and the President was authorized to sign the same. The Resolution and Budget Revisions are 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	<p style="text-align: center;">REQUEST FOR REVISION TO APPROVED BUDGET</p> 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)	CONTROL NUMBER 2015 FY 1 FUND 1 REV. NO. 1 of 1 PG. OF NO.
Person To Contact Regarding Budget Revision: JAN PEST Phone: 304 845 1220 Fax: 304 845 5891	MARSHALL GOVERNMENT ENTITY P O BOX 459 STREET OR PO BOX	COUNTY Government Type
	MOUNDSVILLE CITY	26041 ZIP CODE

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
299	Unassigned Fund Balance	1,750,000	2,256,087		4,006,087
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

2,256,087

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
401	County Commission	1,662,207	550,686		2,212,893
402	County Clerk	910,007	8,093		918,100
403	Circuit Clerk	439,666	8,093		447,759
404	Sheriff-Treasurer	543,400	6,552		549,952
405	Prosecuting Attorney	783,184	14,102		797,286
406	Assessor	717,976	6,552		724,528
413	Elections-County Clerk	157,890	10,000		167,890
424	Courthouse	1,146,039	300,000		1,446,039
431	Economic Development	150,000	400,000		550,000
699	Contingencies	157,932	135	59,578	98,489
711	Emergency Services	222,724	11,452		234,176
988	Other Buildings		1,000,000		1,000,000

NET INCREASE/(DECREASE) Expenditures

2,256,087

APPROVED BY THE STATE AUDITOR	
BY: Director, Local Government Services Division	Date


 AUTHORIZED SIGNATURE OF ENTITY 07/22/2014
 APPROVAL DATE

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RESOLUTION

At a Special Session of the County Commission of Marshall County, WV, held on July 22, 2014, the following order was made and entered.

SUBJECT: The Revision of the Levy Estimate for the County of Marshall.

The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio Chief Inspector of public offices, the County Commission does hereby direct the budget be revised prior to the expenditure of obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on Budget Revision Number 1, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by

Commissioner Schambach, and duly seconded by

Commissioner Miller, the vote thereon was as follows:

Donald K Masore YES or NO

Brian Schambach YES or NO

Robert Miller Jr. T/7-22-14 YES or NO

WHEREUPON, the President declared said resolution duly adopted, and it is therefore

ADJUDGED and ORDERED that the said resolution be, and the same is hereby adopted.

The President of the County Commission is authorized to affix his signature as

required and the request is to be forwarded to the State Auditor for approval.

JAN PEST, ELECTRONIC POLL BOOKS – Jan Pest, County Clerk, stated she is still negotiating with Election Systems & Software on the price of the E poll books. Jan thinks the fees are still too high especially the annual license fee.

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STOP VAWA GRANT AWARD – Betsy Frohnapfel, County Administrator, submitted supplemental conditions for a STOP Violence Against Women Grant Award to the Commission.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission accepted the Award and the President was authorized to sign the same. Motion carried.

WV DIVISION OF HOMELAND SECURITY & EMERGENCY MANAGEMENT SUB-GRANT AWARD – Betsy Frohnapfel, County Administrator, submitted a Sub-Grant Award to the Commission for approval in the amount of \$56,215.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the Sub-Grant award in the amount of \$56,215 and the President was authorized to sign the same. Motion carried.

NORTHERN PANHANDLE HOME CONSORTIUM – Betsy Frohnapfel, County Administrator, submitted 3 recommendations from Melissa Thompson, Community Development Specialist, for HOME Consortium Council. Vickey Battista, Linda Miller, and Rhonda Wade, all indicated her intent to serve. The new two-year term will begin July 1, 2014.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission accepted the recommendation of Melissa Thompson to appoint Vickey Battista, Linda Miller, and Rhonda Wade to the Northern Panhandle Home Consortium Council to begin immediately. Motion carried.

EXONERATIONS – On motion of Commissioner Miller, seconded by Commissioner Mason, the Commission approved the following 21 erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

Helen Doman	\$ 4.52
Patrick Reilley	47.60
Richard E Blake	74.90
Loren Wood Sr	3.22
Roger Kupfer	32.20
Joseph Burskey Jr	197.68
David Gilmore	130.50
David Gilmore	88.00

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David Gilmore	51.40
David Gilmore	52.15
David Gilmore	11.48
David Gilmore	70.40
David Gilmore	16.42
David Gilmore	4.30
Danny J Taylor	3.38
Jason Masters	81.26
Jesse L Pennington	46.76
Kenneth Sampson	28.00
Jesse L Pennington	35.74
Edward Ronald Moyes	148.46
Edward Ronald Moyes	187.20

AFFILIATED CONSTRUCTION TRADES (ACT) – Walter Larue presented a Memorandum Agreement to the Commission by Moundsville Power, LLC, (hereinafter “Moundsville Power”), the Upper Ohio Valley Virginia Building and Construction Trades Council, AFL-CIO, and the West Virginia State Building and Construction Trades Council, AFL-CIO, (collectively referred to as the “Building Trades”), regarding construction by Moundsville Power of a natural gas electric generating facility in Marshall County, West Virginia.

Keith Hughes, representing the Iron Workers Local Union and about 6000 Building Trades members, stated he is willing to do whatever it takes to make this project happen. Mr. Hughes presented a Resolution by Project Best, Inc. which states its purpose is to promote and advance the interests of contractors and tradespersons in the construction industry. Project Best, Inc. is committed to promoting and facilitating construction projects which will utilize local contractors and local construction tradespersons and which benefit local economies in the State of West Virginia. Commissioner Mason noted the Resolution by Project Best will be entered as part of the project record.

Commissioner Mason stated we have environmental experts and insurance experts working on this project and believes we should let the experts work. As long as the County has no liability, he will support the project. Commissioner Schambach stated as long as the County is indemnified, he will support the project. Commissioner Miller stated he supports the unions although he does not favor government ownership.

Keith Hughes presented a Resolution to the Commission that supports the construction and operation of the combined-cycle natural gas electrical generating facility committed to by Moundsville Power, LLC, for approval.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission tabled the request to allow time for further review. Motion carried.

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WORKFORCE INVESTMENT BOARD UPDATE – Christine Smith, Workforce Investment Board Member, presented the Year-to-Date Rapid Response Report for the period of July 1, 2013 – June 30, 2014, The Youth Program Report for July 1, 2013 – June 30, 2014, the Summer Youth Program Report for 2014-2015, and the Individual Training Account (ITA) Program Activity as of June 30, 2014.

EQUITABLE SHARING AGREEMENT - Amy Carmichael, Chief Tax Deputy, submitted the Equitable Sharing Agreement and Certification to the Commission for approval. Mrs. Carmichael could not be reached for additional information on the agreement.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission tabled the request to allow time for further review.

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

<u>GENERAL COUNTY FUND</u>	\$ 233,745.24
<u>COAL SEVERANCE FUND</u>	162,145.15
<u>MAGISTRATE COURT FUND</u>	49.45
<u>HOME CONFINEMENT FUND</u>	182.75

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

PRESIDENT