

MARSHALL COUNTY COMMISSION
AUGUST 16, 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 Frohnapfel, 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 2:00 P.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, August 16, 2011, at 2:00 P.M. for the following purposes, that is to say:

To Approve the Carryover Revisions
And to approve the Employee Longevity Pay

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 11TH day of August, 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 August 2, 2011, as mailed. Motion carried.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the minutes of the Special Session held August 5, 2011 as presented. Motion carried.

COMMISSIONER COMMENTS:

COMMISSIONER SCHAMBACH mentioned the article in Sunday's paper stating some pipelines are heading south. This is because in the interim period, some separation of the gas needs to occur. This does not rule out a cracker facility in Marshall County.

Commissioner Schambach will meet with Dave Taylor of the Lee Day Report Center to discuss the regional jail costs.

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Commissioner Schambach has communicated with Jim McCune, WV DOT, through emails concerning the lack of cooperation from TransEnergy concerning the road conditions. Bill Woodburn, COO of TransEnergy, has attended monthly Task Force meetings saying they will help, but that is not happening.

Commissioner Schambach is getting in touch with Bill Blake, to replace Biggie Byard on the Senior Citizen Board.

COMMISSIONER MASON stated there was no Commission meeting last week due to Commissioner training. Tuesday, August 2 the Commission had a workshop on the carryover; Wednesday, the Commission met with the Marshall County Animal Rescue League to discuss plans for the Spay/Neuter Clinic; Friday, August 5, the Commission held a Special Session to approve the carryover budget revisions; and Saturday, Commissioner Mason attended the WV County Commissioner's Association Board meeting in Morgantown, and stayed through Tuesday for the required annual Auditor's training.

Commissioner Mason attended the Park Board meeting on Wednesday, August 10, where a discussion was held on the feasibility of a zip line at the Park.

Sunday, Commissioners Mason and Schambach attended the Republican picnic at the home of Jim Thomas on Nauvoo Ridge. Also attending were Congressman McKinley, and Gubernatorial candidate Bill Maloney.

COMMISSIONER PADLOW stated the past two weeks have been very busy, in a good way.

Commissioner Padlow also attended the annual Auditor's training and received very helpful information. An IRS representative outlined several changes that need to be made, which will affect financial reporting for local government. He feels the Commission should have a workshop meeting with PSDs, VFDs and Elected Officials to discuss the necessary changes.

The IRS is starting to audit County governments; Boone County was the first in West Virginia to have this completed.

Commissioner Padlow feels it is good to network at the meetings and learn of experiences of other Counties. Marshall County is very fortunate and blessed with cooperation among Elected Officials, as well as Municipalities.

The Commission met with the El Paso Pipeline Company; they will be coming to Marshall County soon with a Southwest approach. Delegate Mike Ferro; OEM Director Tom Hart; Sheriff John Gruzinskas; and Commissioner Mason also attended the meeting. They presented good information and the Commission invited them to participate in the monthly Task Force meetings.

Thursday, Commissioner Padlow met with the Mt. Olivet Lions Club concerning the Mt. Olivet Park. Issues include liability insurance and funding; the good news is there are some funds in the Association account.

Commissioner Padlow passed attended the County Fire meeting where Mary Velas spoke on AED equipment. Mrs. Velas lost her son at Wheeling Central, and

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spoke of the necessity to have maintenance checks on the equipment. Commissioner Padlow spoke with OEM Deputy Director Mike Muccheck about the possibility of having Countywide inspections. The Marshall County Fire School will be held October 8 and 9. Brad Varlas is still recuperating and getting better, with surgery scheduled for August 31.

Commissioner Padlow cautioned everyone to watch out for school buses and children, school will start Thursday.

The Commissioner's Cup football game will be held Thursday, August 25 at 8:00 PM and Wheeling Island Stadium. Bishop Donahue will be hosting Cameron for the event. If tickets are purchased through the schools, the funds will be distributed to the schools.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES – JOB FAIR – Lisa

Gongola and Brenda McGill, Department of Health and Human Resources, presented the Commission with a plaque and thanked them for their contributions to the Job Fair. This year several companies, including Chesapeake, conducted interviews at the Job Fair.

GRAND VUE PARK – UPDATES – Craig White, Manager of Grand Vue Park,

appeared before the Commission with several updates. The Rip Rock Fest will be held Saturday, starting at 11:30, with 11-12 bands participating in the event. Fireworks will end the festivities.

Thursday night bands and movies were a great success, and Mr. White just received information that the Park was included in after-school programs in a grant request. Trail signs and maps will be completed by September 1; there are now 67 miles of mountain bike trails.

The Grand Vue Park Internet Café will be open from 10-2 at Shelter 1. People can enjoy the view, a cup of coffee and conduct business on the internet. A zip line project and software program for the Park are in future plans.

TOURISM COMMITTEE – Craig White reported the Strand Theatre will host the Wheeling Jamboree August 20, and thanked the Commission for their help with the restoration project.

PSD#4 – REQUEST – George Lagos, PSD#4 Manager, appeared before the Commission requesting financial assistance with a hydraulic analysis of the PSD existing water system. Mr. Lagos explained he has been trained to conduct the analysis; however, the estimated time and expense of the manual testing are extremely higher than the estimate received from Cerrone Associates.

The estimated cost from Cerrone Associates is \$2,000; and the ISO study will be conducted by using the WaterCAD Hydraulic Report Data system.

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On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the expenditure of \$2,000 for the PSD#4 hydraulic analysis. Motion carried.

E-911 – ROAD NAMES – Larry Newell, E-911 Director, submitted two new road names for Commission approval.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the following two road names: Mickey Lane and Three Sons Drive. Motion carried.

E-911 – TRAINING – Larry Newell, E-911 Director, submitted a request for approval of the registration costs for three MCC911 Telecommunicators to attend a training seminar for the Emergency Medical Dispatching project. The total registration costs will be \$1,140. There will be additional Instructor training in October.

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

OEM – RESOLUTION – OEM Deputy Director Mike Mucke submitted a Resolution for Commission approval. Mr. Mucke explained OEM has a Mitigation Plan in place; however, FEMA and the State want to regionalize the Plans. Therefore, Mr. Mucke submitted a multi-jurisdictional Mitigation Plan, which includes Ohio, Marshall and Wetzel Counties. The only change to the original Plan was to add Ohio and Wetzel Counties.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission adopted, and the Commission President was authorized to sign the following:

**RESOLUTION
MARSHALL COUNTY MULTI-JURISDICTIONAL ALL-HAZARDS
MITIGATION PLAN AND MARSHALL-OHIO-WETZEL COUNTIES MULTI-
JURISDICTIONAL ALL-HAZARDS MITIGATION PLAN**

WHEREAS natural, technological, and man-made hazards can affect Marshall County; and

WHEREAS significant structural, historical, and economic losses could result from an occurrence of a natural, technological, or man-made hazard events; and
WHEREAS undertaking mitigation projects during pre-disaster periods could decrease the total losses Marshall County incurs as a result of said hazard occurrences.

THEREFORE the Marshall county Commission has undertaken a project to update the existing *Marshall County Multi-Jurisdictional All-Hazards Mitigation Plan*, adopted in 2004, and partner in the development of the initial *Marshall-Ohio-Wetzel Counties Multi-Jurisdictional All-Hazards Mitigation Plan* in an effort to further identify, define, and characterize the hazards affecting Marshall County as well as to continue identifying and prioritizing projects that could lessen hazard vulnerability.

WHEREAS the Marshall County Commission has a strong interest in reducing losses from future hazard occurrences; and

WHEREAS the hazard mitigation plan is a federal and state requirement to maintain eligibility for hazard mitigation funding, and, by that requirement, must be updated a minimum of every five (5) years; and

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WHEREAS a cooperative, joint effort is a proven, efficient way to plan for and reduce hazard susceptibility in all government jurisdictions in Marshall County, West Virginia.

THEREFORE the Marshall County Commission joined the municipalities in the County in the completion of this plan update.

NOW BE IT RESOLVED THAT the Marshall County Commission does hereby adopt the updated *Marshall County Multi-Jurisdictional All-Hazards Mitigation Plan* and the initial *Marshall, Ohio and Wetzel County Multi-Jurisdictional All-Hazards Mitigation Plan* this 16th day of August, 2011.

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

2011 GENERAL ELECTION – POLL OFFICIALS – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the Poll Official lists submitted by the Democrat and Republican Executive Committees for the General Election to be held October 4, 2011. Motion carried.

NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the Notice of Apportionment of Jointly Owned Motor Vehicles for Edgar A. and Kimberly S. Tustin submitted by the Assessor. Motion carried.

CORRESPONDENCE:

THANK-YOU – Youth Services System

SECRETARY OF STATE – ES&S Voting Machine Maintenance

PANHANDLE PUMPERS SOCIETY – Honoring the Fire Service Sept. 11, 9-4, Wheeling WV's Heritage Port

MISS ELIZABETHTOWN FESTIVAL PAGEANT - August 21

FIRST TIME HOMEBUYER PROGRAM – RELEASE – The Commission received a letter from Vickey Battista, HOME Program Administrator, stating Amanda M. Kotson-Leasure and Timothy Jay Leasure have fulfilled their obligation for the First Time Homebuyer Program. Mrs. Battista submitted a Release of Deed of Trust for Mr. and Mrs. Leasure for Commission approval.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission President was authorized to sign the Release of Deed of Trust for Mr. and Mrs. Leasure. Motion carried.

CHAMBER OF COMMERCE - ANNUAL DINNER - The Commission received a letter from David Knuth, Executive Director for the Marshall County Chamber of Commerce, stating the Annual Dinner will be held September 29, 2011. This year the special guest speaker is Chesapeake Energy's Scott Rotruck, Vice President of Corporate Development and VP of State Government Relations. Mr. Knuth requested continued sponsorship of the Annual Dinner.

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On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved a contribution in the amount of \$1,500 to the Marshall County Chamber of Commerce Annual Dinner. Motion carried.

EXONERATIONS – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the following 67 erroneous assessments previously approved by the Assessor and Prosecuting Attorney:

Kittle, Marjorie Jean	2.88
Thomas, Luella L Bassett	9.80
Arnold, Lloyd C & Judith etal	2.88
Arnold, Lloyd C & Judith etal	2.88
Greenawalt, David T & Roberta	254.56
Greenawalt, David T & Roberta	37.98
Greenawalt, David T & Roberta	38.22
Greenawalt, David T & Roberta	71.68
West Virginia Company Inc	447.06
Pettit, Stephen G & Sarah L	142.04
Greenawalt, David T & Roberta	5.98
Boram, Brent A & Amy S	22.22
Davis, William	43.72
Schul, William Timothy & Katherine M	35.84
Spurlock, Carol J	12.90
Spurlock, Carol J	13.62
Ankrom, Robert W & Shirley	2.88
Crow, Douglas W	188.52
Dobrzynski, Heather	121.50
Allen, John G Jr & Wanda	26.00
Chavanak, John Robert & Deborah	91.88
Richmond, Jennifer L, McNamara	34.24
Parsons, Clarence E & Deanna K	77.40
Miller, Margaret J	26.88
Yohe, Penny Kay	87.10
King, Richard B & Terri J	39.78
Tagg, Kenneth B & Elizabeth L	132.98
Tagg, Kenneth B & Elizabeth L	137.98
Wilson, William E & Kimberly	89.50
Gracik, Michael A & Anne	13.78
Richards, Steven E	2.88
Gracik, Michael A & Anne	13.78
McDade, Robert D	20.78
West, Clarence W & Pamela	3.46
West, Clarence W & Pamela	3.46
West, Clarence W & Pamela	3.50
Richmond, Virginia Revocable Living TR	2.88
Richmond, Virginia Revocable Living TR	2.88
Frohnafel, Nicholas C & Jean	2.88
Frohnafel, Nicholas C & Jean	2.88
Frohnafel, Nicholas C & Jean	2.88
Rine, Brenda Faye	892.36
Greenawalt, David T & Roberta	79.20
Wu, Jian Bin	86.68
Coffield, Michael & Tylene	980.74
Coffield, Michael & Tylene	323.74
Von Philp, Ralph E	288.92
Hughes WR	2.88
Romines, Barbara Sue	242.70
Hawk, William J & Kathleen B	637.20
Blair, Zachary	554.06

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Wade, Robert G	273.08
Adkins, Millard W & Clarice	20.36
Fawson, Lacy L	17.92
Pyles, Tina L	35.48
Hughes WR	2.88
Turklay, Donald & Janice	638.80
Judge, Doreen M	323.56
Blake, James R & Joyce	144.68
Dinger, Melvin E etux	428.18
Arnold, Lloyd C & Judith etal	2.88
Arnold, Lloyd C & Judith etal	2.88
Arnold, Lloyd C & Judith etal	2.88
Arnold, Lloyd C & Judith etal	2.88
Arnold, Lloyd C & Judith etal	2.88
Arnold, Lloyd C & Judith etal	2.88
Noble, Esther	2.88

MARSHALL COUNTY FIREFIGHTER'S ASSOCIATION – CONTRIBUTION – The

Commission received a request from Brad Varlas, Marshall County Firefighters Association, for materials for the Fire Safety Trailer. Mr. Varlas estimated the costs of materials to be \$3,432.50.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the request in the amount of \$3,432.50. Motion carried.

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

<u>GENERAL COUNTY FUND</u>	149,723.24
<u>COAL SEVERANCE FUND</u>	11,482.47
<u>E-911 FUND</u>	4,711.80
<u>DOG FUND</u>	808.00
<u>MAGISTRATE COURT FUND</u>	140.32

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