

MARSHALL COUNTY COMMISSION
SEPTEMBER 27, 2011

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

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, September 27, 2011, at 9:30 A.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 22nd day of September, 2011.

s/Jan Pest, County Clerk

COMMISSIONER COMMENTS:

COMMISSIONER MASON Chaired the Health Board meeting on September 16; and attended the State County Commissioner's Legislative meeting on Sunday, September 18, followed by the CCAWV Annual meeting on Monday.

Wednesday, September 21, Commissioner Mason attended the annual OVIBDC meeting, followed by the bi-monthly R.E.D. Partnership meeting.

Thursday through yesterday, Commissioner Mason attended a 50th Wedding Anniversary celebration in Chicago.

COMMISSIONER PADLOW was busy over the weekend with personal activities, including working on Saturday which prevented him from attending the Zombie Walk and Fall Festival held in Moundsville. All reports were impressive and the 1st Zombie Walk was a great success.

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On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission will send a letter of congratulations to the Moundsville Economic Development Council for their great success. Motion carried.

Friday, Commissioner Padlow traveled to Clarksburg for a Bishop Donahue football game, which was a sloppy victory. While there, he was able to talk with Commissioner Ron Watson.

The Mountaineers lost a big game to LSU on Saturday; and the Steelers struggled to win on Sunday. Last night's Reserve game was rained out.

Commissioner Padlow reminded everyone of the Annual Chamber of Commerce Dinner this Thursday.

There will be no Commission meeting for the next two weeks; October 4 is Election Day and the Commission will Canvass the Election on October 11. The next meeting, a Regular Session, will be held October 18, 2011.

The next Task Force meeting will be held October 11, 2011, at 12:30 PM at Grand Vue Park.

COMMUNITY PARTICIPATION PROJECT GRANTS – The Commission received a letter from House of Delegates Members Michael Ferro and Scott Varner stating the following grants have been earmarked:

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| Maxwell Acres Watershed Project | \$15,000 |
| Marshall County Fire Association | 7,000 |
| Marshall County Sewerage Dist - Portable Generator | 4,000 |

Delegate Ferro stated the grants have been made through the House budgetary process and were supported by Senators Kessler and Edgell.

CORRESPONDENCE:

CAMERON CROSS COUNTRY PARENTS ASSOC – Wild & Wet Invitational October 15, 2011

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 141 - thank you for Resolution supporting local workers

WV STATE AUDITOR – Washington Lands VFD audit ending 12/31/08

SEWERAGE DISTRICT – Board highlights for 9/2011

RT 2/I 68 AUTHORITY – UPDATE – Fred Brunner, Rt. 2/I 68 Authority member, reported on the meeting held last night. The final cost of the 1.6 miles of Route 2 south of Moundsville was \$26,810,000. It was stated any discussion with potential businesses locating in West Virginia, the first question is how close the property is to a four-lane highway.

Economic development was discussed, and the development of literature, to be paid for by the Rt. 2/I 68 Authority, for sites available along Route 2.

TIF PROJECT PLAN – MARSHALL COUNTY FRANKLIN DISTRICT PROJECT NO. 1

– Josh Jefferson, R.E.D. Partnership, appeared for the public hearing for the TIF Project

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Plan, Marshall County Franklin District Project No. 1, in the Natrium area. Mr. Jefferson stated this is the second step for the Project, which includes 5 acres in the Natrium area in Franklin District. The TIF Project will help in attracting new businesses; and will also help existing businesses.

Those attending the public hearing included: Betsy Frohnapfel, Tom Hart, Gary Shreve, James Cochran, Fred Brunner, Alfred N. Renzella, Fred Conners, James E. Pettit, Jan Pest, Winnie Reilly, Jason Padlow, Donald Mason and Josh Jefferson.

The Commission opened the floor for public comments on the Project. Fred Renzella, Marshall County Schools Superintendent, submitted a letter of support for the Project. The letter stated the Board of Education recognizes that this initiative will encourage capital investments and increase employment and business opportunities throughout the County.

Mr. Jefferson stated the Marshall County Board of Education has been a partner in all aspects of economic development in the County, and Mr. Jefferson thanked Mr. Renzella for the support.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission authorized a letter to the Marshall County Board of Education thanking them for their support in all economic development issued in Marshall County. Motion carried.

The Commission declared the public hearing closed, and Mr. Jefferson submitted a Resolution for Commission approval stating the public hearing was held and approval to submit the TIF Project Application.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the County Commission adopted the following Resolution, and the Commission President was authorized to sign the same, as well as any other document necessary for this process. Motion carried.

SUBMISSION RESOLUTION

WHEREAS, The County Commission of Marshall County, West Virginia (the "County Commission") is authorized by the West Virginia Tax Increment Financing Act, Chapter 7, Article 11B of the Code of West Virginia 1931, as amended (the "Act") to create and establish development and/or redevelopment tax increment financing districts, cause tax increment financing project plans to be prepared, issue tax increment financing obligations and take such other actions to facilitate the development and/or redevelopment of Marshall County, West Virginia (the "County"), all as more fully set forth in the Act;

WHEREAS, the County Commission has received and reviewed an Application for Creation of a Redevelopment District and Approval of Project Plan (the "TIF Project Application"), attached hereto as Exhibit A, from the Regional Economic Development Partnership ("RED") proposing the creation of a redevelopment district in the Franklin district of the County, to be known and designated as the "Marshall County Development Project District No. 2" (the "TIF District"), and which TIF Project Application includes a project plan regarding the project to be known and designated as the "Marshall County Franklin District Project No. 1" (the "TIF Project");

WHEREAS, the County Commission did, on September 27, 2011, at 10:00 a.m., following proper notice thereof in accordance with the Act, hold a public hearing

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with respect to the TIF Project Application wherein interested parties were afforded an opportunity to express their views on the proposed TIF District, TIF Project and the TIF Project Application;

WHEREAS, the County Commission hereby finds and determines that approval of the TIF Project Application will benefit the County Commission and its residents by facilitating the redevelopment and economic stability of the County, and that development therein will encourage additional public and private investment in job creating, private development and expand the tax base of the County, that future capital improvements and private development will result in the increase in the value of real and personal property located in the TIF District and the County and will encourage increased employment, business activity and benefit the residents within such area and will serve a public purpose of the County; and

WHEREAS, the County Commission now desires to submit the TIF Project Application to the West Virginia Development Office for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF MARSHALL COUNTY, WEST VIRGINIA, AS FOLLOWS:

1. It is hereby found and determined, following the public hearing thereon, that the TIF Project Application is approved and is in form and substance suitable for submission to the West Virginia Development Office for its approval. It is hereby found and determined that the TIF District and the TIF Project described in the TIF Project Application is not reasonably expected to occur without the use of tax increment financing.

2. It is hereby found and determined that the TIF District and the TIF Project, as set forth in the TIF Project Application, will not be solely used for development of commercial businesses that will unfairly compete in the local economy and that the TIF District and the TIF Project is in the public interest because it will (i) discourage commerce, industry or manufacturing from moving their operations to another state; (ii) result in increased employment in the County; or (iii) result in preservation or enhancement of the tax base of the County.

3. It is hereby authorized and ordered that the President of the County Commission or the County Administrator cause the TIF Project Application and all other necessary documentation to be submitted to the West Virginia Development Office, together with a request for approval thereof.

4. The President of the County Commission and the County Administrator and other officials and employees of the County Commission are hereby authorized and directed to take such actions as they shall deem appropriate in facilitating the approval of the TIF Project Application.

5. This Resolution shall become effective immediately upon adoption.

Adopted this 27th day of September, 2011.

OEM – EMERGENCY MANAGEMENT PERFORMANCE GRANT – Tom Hart, OEM

Director, appeared before the Commission with the 2011 Emergency Management Performance Grant Application for Commission approval. Mr. Hart explained the Grant, in the amount of \$52,701, covers 50% of employee costs, training and planning.

The Grant closes December 31, 2011, and Mr. Hart requested approval to submit the Application.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission President was authorized to sign the 2011 Emergency Management Grant Application, and further authorized the Application be submitted to the West Virginia Division of Homeland Security. Motion carried.

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

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| <u>GENERAL COUNTY FUND</u> | 68,729.52 |
| <u>COAL SEVERANCE FUND</u> | 1.88 |
| <u>E-911 FUND</u> | 2,525.66 |
| <u>AIRPORT AUTHORITY</u> | 1,411.83 |
| <u>MAGISTRATE COURT FUND</u> | 108.45 |

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

PRESIDENT