

MARSHALL COUNTY COMMISSION
FEBRUARY 21, 2012

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, Chief 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, February 21, 2012, 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 16th day of February, 2012.

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 7, 2012, as mailed. Motion carried.

COMMISSIONER COMMENTS:

COMMISSIONER SCHAMBACH stated the Board of Review and Equalization will meet today and Friday; it is going well.

Commissioner Schambach has been in touch with Jim McCune concerning roads; currently the issue is mud. The ground is usually frozen this time of year, but not this year.

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Chesapeake and TransEnergy are releasing weekly newsletters; Gastar will consider doing the same.

Budget request meeting start this afternoon.

COMMISSIONER MASON stated there was no Commission meeting last week due to the annual WV Association of Counties legislative meeting in Charleston.

February 7, Commissioner Mason attended the Energy Task Force meeting where they discussed road issues and escort vehicles.

That evening, Gastar held an informational meeting and Commissioner Mason thanked Michael McGowan for arranging the meeting.

Thursday, February 9, Commissioner Mason attended the Bel-O-Mar meeting; and Friday chaired the Health Board meeting. The budget was discussed and the loss of funds for the dental program. Commissioner Mason talked with Senator Kessler and Delegates Ferro and Varner concerning funding for the program.

Sunday through Tuesday, February 12-14, Commissioner Mason attended the annual WVACo meeting in Charleston; County Clerk Jan Pest is the secretary for that Association.

Thursday, Commissioner Mason attended the R.E.D. Partnership Executive Committee meeting held in Wheeling.

The Commission has been sitting as the Board of Review and Equalization and will continue to do so with two hearing dates remaining.

The budget hearings start this afternoon and the Commission will be busy through March with the budget process.

COMMISSIONER PADLOW thanked Commissioners Mason and Schambach for filling in for him; he was absent due to health issues.

Budget request meetings are a good time to visit with outside agencies; and the DHHR Job Fair will be held soon.

The Board of Review and Equalization will be closing Friday; there is another opportunity for a hearing in the fall, however, requests must be received now.

THE WALL PROJECT - Phil Remke appeared before the Commission to let everyone know of the Wall Project set for August 22-26, 2012. The Wall is 4/5 the size of the Wall in Washington DC and will be displayed in front of the old penitentiary. A meeting will be held the 23rd at 6PM and Mr. Remke would like the Commissioners to appear and speak to the matter. Sponsorships will be sold to help fund the project.

TRI-STATE AMBULANCE SERVICE – Ken Joseph and Bill Estep of Tri-State Ambulance appeared before the Commission with updates and assurance that the Company is and will continue to serve Marshall County. Trucks have been upgraded and all have access to the internet and also GPS. The Moundsville location has been moved to Eleventh Street. It was agreed the Agreement should be updated.

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COMMUNITY PARTNERSHIP GRANT – CAMERON/MCMECHEN CAD EQUIPMENT

– Betsy Frohnafel, County Administrator, submitted the Community Participation Grant Application and Resolution for Commission approval. Mrs. Frohnafel explained the funds, in the amount of \$20,000, will be used by the Cities of McMechen and Cameron for CAD Equipment.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission adopted the Resolution and the Commission President and Clerk were authorized to sign the Application and Resolution. Motion carried.

RECESS – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission took a recess to sit as the Board of Review and Equalization. Commission reconvened.

NORTHERN PANHANDLE HOME CONSORTIUM – FIRST TIME HOMEBUYERS

PROGRAM – PUBLIC HEARING – Vickey Battista, HOME Program Coordinator; Cindy Tribett, Benwood Housing Authority; and Wendy Pagot, USDA Rural Development; appeared before the Commission for the Public Hearing for the First Time Homebuyers Program. Rhonda Wade, newly appointed Board member for the Northern Panhandle HOME Consortium Board also appeared. Mrs. Tribett stated they appeared to give the Commission an overview of the Program and to request continued support.

Mrs. Pagot and Mrs. Battista explained how they work together with the First Time Homebuyers Program and the USDA Rural Development Home Purchase Loans. Mrs. Pagot stated she covers the Northern Panhandle in West Virginia with a local office in McMechen. There is some discussion of closing the McMechen office which would make local people travel to the Parkersburg office.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission will write letters of support for each Program and to keep the USDA Rural Development office in McMechen open. Motion carried.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the public hearing was closed. Motion carried.

WV AUDITOR'S OFFICE – EXIT INTERVIEW – Tiffany Hess of the West Virginia

Auditor's Office appeared before the Commission for the exit interview after completing audits of Marshall County for years ending June 30, 2008, 2009 and 2010. Mrs. Hess stated the Parks and Recreation Board is considered a component of Marshall County and requires an annual audit, just like the Board of Health.

Betsy Frohnafel, County Administrator, stated the Parks and Recreation Board is preparing to publish a request for bids for an audit. Mrs. Hess stated they can contact the Auditor's Office for an audit and be put on their bid list. Mrs. Frohnafel will pass along the information.

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Due to the OPEB liability, an actuarial is also necessary. Letters from Sheriff John Gruzinkas and County Clerk Jan Pest were submitted to the Auditor's Office in response to audit findings.

Mrs. Hess stated the MD&A was eliminated due to several graphs and pie charts which were difficult to reproduce since several adjustments were made to the Financial Statement. Commission approval is needed for the elimination and adjustments.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the elimination and adjustments. Motion carried.

The Sheriff's Tax Office spoke with Mrs. Hess concerning three nonsufficient fund checks that were minimal in amount and very old. They need Commission permission to write-off the checks.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission gave permission to the Tax Office to write-off three nonsufficient fund checks. Motion carried.

DHHR – JOB FAIR – Lisa Gongola and Sue Drake from the Department of Health and Human Resources appeared before the Commission concerning the annual Job Fair. Mrs. Gongola stated the event will be held May 16, and Bayer has agreed to cover the rent again this year.

Last year 291 job seekers attended and submitted a list of employers that attended. Chesapeake and all the coal mines will attend again, and they are hoping to get the oil and gas companies on board as well. This will be the 7th year for the event, with the Commission contributing the last 4 years.

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

BEL-O-MAR – UPDATE – Scott Hicks of Bel-O-Mar appeared before the Commission with updates on several water and sewer projects. The City of Benwood project to eliminate 4 combined sewer overflows is being submitted to the WV IJDC in February.

The City of Cameron Phase II water line replacement project is 90% complete. The Glen Dale waterline extension is completed; but there is a right-of-way dispute at the end.

The Moundsville Sanitary Board sewer improvements collection system contract is 99% completed; and the contractor has some paving to finish in the spring.

The preliminary application for the Mozart sewer expansion project has been submitted for review February 28 by the Committee and to the full Council March 7.

The Commission thanked Mr. Hicks for the information.

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CORRESPONDENCE:

PSC – cc: letters concerning training for PSD#2 Board Members

SEWERAGE DIST – Feb 2012 meeting highlights

STATE TAX DEPT – letter re: mineral account value

PSD#4 – Jan 9 minutes

COSTANCO & ASSOC – Sewerage Dist audits ending June 30, 2011 & 2010

LEE DAY REPORT CENTER – LETTER OF SUPPORT – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President was authorized to sign a letter of support for the Lee Day Report Center's grant application for continued funding in Fiscal Year 2013. Motion carried.

PSD#3 – BOARD APPOINTMENT – The Commission received a letter from Joe Garcia indicating interest in serving on the Public Service District #3 Board.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the appointment of Mr. Garcia to the PSD#3 Board; authorized a letter of the appointment to the Board and a letter of thanks to Mr. Garcia for his service. Motion carried.

BLAKE BROS. #46 AMERICAN LEGION AUXILIARY – GIRLS STATE – The Commission received a letter from Linda Crumm, treasurer for the American Legion Auxiliary #46 requesting sponsorship to help send four girls to the WV Girls State event. The cost is \$200 per girl for the week-long event held at Wheeling Jesuit University.

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

SOLID WASTE MANAGEMENT BOARD – REAPPOINTMENT – The Commission received a letter from the WV Solid Waste Management Board stating the term of Roger Frame will expire June 30, 2012. The commission has the option to reappoint Mr. Frame, or appoint someone new for the full, four-year term ending June 30, 2016.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission re-appointed Roger Frame to the Solid Waste Management Board for the four-year term beginning July 1, 2012. Motion carried. The Commission also authorized a letter to Mr. Frame thanking him for his service; and a letter to the Board of the appointment.

RUSSELL TYLER ESTATE – ORDER – The Commission received a copy of the Receipts and Disbursements filed by William A. Tyler, II, in the Russell Tyler Estate, as requested by the Commission.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the Order removing Mr. Tyler as fiduciary of the Estate and signed the same. Motion carried.

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IN-HOUSE BUDGET REVISIONS – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved an in-house budget revision for Department 401 in the amount of \$2,000. Motion carried.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved an in-house budget revision for Department 401 in the amount of \$180. Motion carried.

EXONERATIONS – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the following 11 erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

Derrow, Samuel Richard etux	43.00
Allison, Steven M & Donna L	1.42
Allison, Steven M & Donna L	3.22
Allison, Steven M & Donna L	1.32
Hall, Michael R & Linda S	2.88
Christman Trucking Co LLC	167.90
Ross, Charles J & Cecilia	48.02
Labrosse, Anne D	186.88
Palmer, Ilene G	9.98
Carpenter, Jerry & Melinda S	34.78
McFadden, Lotus F & Judy D	91.00
Gaiser, Jeremy L & Joni M	106.44

NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the Notice of Apportionment of Jointly Owned Motor Vehicles for Debra L. and Jeffrey V. Gamble. Motion carried.

E-911 – ROAD NAMES – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the following two road names submitted by Larry Newell, E-911 Director: Dry Run Road and Hawkey Hill Road. Motion carried.

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

<u>GENERAL COUNTY FUND</u>	144,741.64
<u>COAL SEVERANCE FUND</u>	87,168.77
<u>E-911 FUND</u>	7,254.24
<u>HOME CONFINEMENT FUND</u>	302.00
<u>DOG FUND</u>	219.80

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

PRESIDENT