

MARSHALL COUNTY COMMISSION
MARCH 20, 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 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 20, 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 15th day of March, 2012.

s/Jan Pest, County Clerk

MINUTES – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the minutes of the Special Session held March 13, 2012. Motion carried.

COMMISSIONER COMMENTS:

COMMISSIONER SCHAMBACH stated the budget sessions are moving along; and he left a message for Paul Rine concerning a slip on Rine's Ridge.

Commissioner Schambach also talked with Bill Woodburn of TransEnergy concerning Bane Lane; Mr. Woodburn thought it was in good shape. However, James Pettit appearing at the Commission meeting stated otherwise.

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Commissioner Schambach also spoke with Jim McCune, WV DOH, and he is not familiar with Precision Piping. He did, however, supply Commissioner Schambach with a spread sheet for roads with conditions or repairs listed. Chesapeake will be working on Fork Ridge and Greenfield Ridge roads; the DOH will place piling on Birch Ridge; and there will be funds available for paving in the spring due to a mild winter.

COMMISSIONER MASON also stated the budget work continues. The Commission is waiting on insurance costs and there are a few other items to workout.

Thursday, Commissioner Mason attended the Bel-O-Mar Executive meeting and Chaired the Health Board meeting on Friday.

Commissioner Mason extended our thoughts and prayers to the Galen Beckley family, a classmate of his.

COMMISSIONER PADLOW also offered our condolences to Mr. Beckley's family. Commissioner Padlow also warned travelers to beware of children out in the warm weather.

Good things are happening in Marshall County: the Caiman sale of property; roads are not as bad as they would have been due to the mild winter; repairs in the narrows have been started earlier due to the weather and it will be good to get it back to a 4-lane.

Commissioner Padlow thanked the Commission, County Clerk Jan Pest and her staff for their work on the budget, which is due the 28th.

Commissioner Mason stated the Marshall County Clean Up Schedule for 2012 is now available.

GRAND VUE PARK – UPDATES – Craig White, Manager of Grand Vue Park, appeared with brochures for events, Youth Programs and Golf at the Park. Concrete work on landing #7 will be poured this morning for the Zip Line. Josh Chaplin, a Marshall County native, has been hired as Operations Manager for the Zip Line; and Mr. White's new office has been completed.

The back half of the Park has been opened with restrooms available. Mulching will begin soon, which puts everything one month ahead of schedule at the Park.

POLLUTION CONTROL REVENUE BONDS – NEW BOND TRUSTEE – Betsy Frohnapfel, County Administrator, submitted the necessary form to appoint a new bond trustee due to the name change of The Bank of New York Mellon. The Bank is now The Bank of New York Mellon Trust Company, N.A., and is the Trustee for the Pollution Control Revenue Bonds, Ohio Power Company, Series E and F. The Commission President's signature is required to complete the change.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President was authorized to sign the Agreement of Resignation, Appointment and Acceptance form for the name change to The Bank of New York Mellon Trust Company, N.A. Motion carried.

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E. L. ROBINSON - AIA DOCUMENT – Betsy Frohnafel, County Administrator, submitted the AIA Document between the County Commission and E. L. Robinson for the proposed annex for Commission approval. Mrs. Frohnafel explained the document is necessary due to scope changes for the proposed annex.

The original fee was \$297,000; scope changes have added additional costs of \$81,700. The Commission has already paid \$63,575; which leaves a balance of \$315,125 for the new contract.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President was authorized to sign the necessary documents for the new contract with E. L. Robinson. Motion carried.

E-911 – ROAD NAME – Betsy Frohnafel, County Administrator, submitted a letter from Larry Newell, E-911 Director, with a proposed road name of Lightner Lane. The road is in the Moundsville postal district and starts a Big Grave Creek Road.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission accepted the recommendation of Mr. Newell and approved the road name of Lightner Lane. Motion carried.

AMERICAN LEGION BOYS STATE – REQUEST – Gary Wolfe and Jim Davis, American Legion, appeared before the Commission requesting financial assistance to send 5 local high school boys to the West Virginia American Legion Boys State program. The first program was held at Jackson Mills in 1936; and the event continues to be held each year at the same facility.

There is no cost to the families; the American Legion, with help from the community, is able to send 300 plus students to the program each year at a cost of \$200 each. This is the 75th year for the event and Mr. Wolfe and Mr. Davis requested Commission assistance to send 5 students to the program this year.

Commissioner Mason, noting that he attended in 1958, moved to sponsor 5 boys for Boys State to be held June 6 through June 10, 2012. The motion was seconded by Commissioner Schambach, and carried.

AMERICAN LEGION AUXILIARY – GIRLS STATE REQUEST – The Commission discussed the previously tabled request from Linda Crumm, Treasurer for the American Legion Auxiliary Unit #46, to sponsor 4 girls for Girls State to be held June 12-17, 2012. Mrs. Crumm explained the event is held at Wheeling Jesuit University and the cost for each participant is \$200.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission authorized a contribution of \$1,000 for up to 5 girls to attend Girls State. Motion carried.

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DOMINION GAS – UPDATES – Bob Orndorff of Dominion Gas appeared before the Commission with updates on the Marshall County projects. Mr. Orndorff stated the five Marshall County projects include a 40 mile 30” line to Burch Ridge; the Natrium project on Route 2 is ahead of schedule; Price Gregory is the company on the G150 8” propane line going to Follansbee; the in-take/discharge line from Burch Ridge to Natrium project is being completed by Precision Pipeline; and 1800 construction jobs have been filled in Marshall County. CB&I is offering local training programs.

Dominion has invested \$1.2 billion in Marshall County, which Commissioner Padlow pointed out adds new values to our tax books.

The Commission thanked Mr. Orndorff for the updates.

CORRESPONDENCE:

PSD#4 – ltr from B. Michael Whorton showing interest in serving on Board

SHERIFF’S DEPARTMENT – GRANT – Sheriff John Gruzinskas and Det. Sgt. Ross Lockhart appeared before the Commission requesting approval to apply for a grant. Det. Sgt. Lockhart explained the grant is for the purchase of equipment for drug enforcement. Although a match is not required, they prefer the County to put some funds towards the project.

The grant application, in the amount of \$36,773, would have a County match of \$7,845, and include overtime for drug interdiction; training; and new programs with hardware and software. Marshall County has the highest overdose deaths in the State, which is the highest in the nation. This is a reimbursement grant for overtime and purchases; not for hiring new personnel.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the application for the Purdue Pharma Asset Forfeiture Funds Grant Program, and the Commission President was authorized to sign the same. Motion carried.

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

AFTER PROM PROGRAMS – The Commission received request from John Marshall H.S., Cameron H.S. and Bishop Donahue H.S., asking for financial assistance for their After Prom Parties.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved a contribution in the amount of \$300 for each school After Prom Party. Motion carried.

MARSHALL COUNTY HISTORICAL SOCIETY – COCKAYNE HISTORIC

PRESERVATION COMMITTEE – The Commission received a letter from Nila Chaddock, Project Coordinator, of the Cockayne Historic Preservation Committee

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requesting assistance from the Commission to obtain the smaller Cockayne house presently used as the project's offices. Mrs. Chaddock stated the Cockayne Farmstead was awarded a Cultural Facilities Capitol Resources Grant in the amount of \$80,000; \$43,500 for acquisition of the smaller house, and \$36,500 for climate control.

The Grant has a 50/50 match and the climate control match is fully funded through Federal TE funds. Private donors have contributed \$34,500 towards the acquisition, leaving \$21,000. Mrs. Chaddock requested assistance from the Commission in the amount of \$15,000.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved a contribution in the amount of \$15,000 for part of the matching funds for acquisition of the smaller house on the Cockayne Farmstead. Motion carried.

OEM – BLUESTONE DAM FUNCTIONAL EXERCISE – AGREEMENT – Tom Hart, OEM Director, appeared before the Commission requesting approval to sign an Extent of Play Agreement to participate in the Bluestone Dam Functional Exercise to be held June 16, 2012. Mr. Hart explained this will be a statewide exercise and will meet Emergency Management Performance Grant requirements for 2012.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission authorized Mr. Hart to sign the Extent of Play Agreement to permit him and Mike Mucke, Deputy OEM Director, to participate in the Bluestone Dam Functional Exercise June 16, 2012. Motion carried.

SHERIFF'S DEPARTMENT – CRUISER BIDS – Sheriff John Gruzinkas and Chief Deputy Kevin Cecil appeared before the Commission to address the cruiser bids received and opened by the Commission last week. Chief Deputy Cecil stated there were only two vehicles meeting the original specifications. Chief Deputy Cecil requested authorization to re-bid for a 2011 in-stock vehicle.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the request to re-bid for one 2011 vehicle needed as soon as possible. Motion carried.

Chief Deputy Cecil informed the Commission that Ohio Valley Ford met specifications for two 2013 vehicles, which need to be ordered.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission authorized the purchase of two 2013 vehicles to be ordered from Ohio Valley Ford. Motion carried.

EXONERATIONS – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the following 15 erroneous assessments previously approved by the Assessor and Prosecuting Attorney:

Maxwell, Donna Garrison	42.92
Barberio, Samuel A	55.04

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Carpenter, Martha C – Life	220.56
Carpenter, Martha C – Life	221.24
Carpenter, Martha C – Life	172.06
Carpenter, Martha C – Life	169.72
Carpenter, Martha C – Life	162.58
Ohio Valley Mobile Wash	162.90
Ohio Valley Mobile Wash	153.18
Ohio Valley Mobile Wash	149.82
Ohio Valley Mobile Wash	157.98
Ohio Valley Mobile Wash	169.18
Doty, Harry Jr	2.88
Blake, Opal M	2.88
Blatt, Raymond G	2.88

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

<u>GENERAL COUNTY FUND</u>	72,054.35
<u>COAL SEVERANCE FUND</u>	4,296.10
<u>E-911 FUND</u>	15.15
<u>HOME CONFINEMENT FUND</u>	405.50
<u>MAGISTRATE COURT FUND</u>	88.61

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