

MARSHALL COUNTY COMMISSION
APRIL 3, 2012

The Commission convened this day in Regular Session as the law directs. Notice of time and place of this Session was posted at the front door of the Courthouse on the 29TH day of March, 2012, in compliance with the West Virginia "Sunshine" Law.

PRESENT: Jason Padlow, President; and Donald K. Mason, Commissioner; Jan Pest, County Clerk; Betsy Frohnafel, County Administrator; and Winnie Reilly, Deputy of the County Clerk's Office. Absent: Brian L. Schambach.

MINUTES – Commissioner Mason stated an error on the minutes of March, 27, 2012, on page 487, under correspondence, WV Development Office, should read: TIF district project for Franklin Dist approved - \$19,700,000.

With the correction, on motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved the minutes of the Special Session held March 27, 2012. Motion carried.

COMMISSIONER COMMENTS:

COMMISSIONER MASON enjoys the budget process every year, but is glad it is over. Commissioner Mason attended the R.E.D. Partnership Board meeting last Wednesday and is proud that R.E.D. and the Hockey Association of Wheeling are owners of a hockey team. This will benefit the entire area, not just Wheeling.

April is National County Government Month and the County Commissioner's Association is conducting an essay contest for 8th grader students throughout the State. The deadline to submit an essay is April 13, 2012.

The Commission approved the budget and County Clerk Jan Pest sent the budget to the Auditor's Office electronically, it was approved the same day. We will lay the levy later this month.

This is a Regular Session of the Commission, one of four required annually under the West Virginia Code.

COMMISSIONER PADLOW stated the County Commissioner's Essay Contest got a plug in the County News.

There are lots of political events going on, the Democrat Executive Committee held a Chili Cook-Off on Sunday. Chili sounds like chili, but there were several different kinds in the competition.

Baseball season has started; the Bishop Reserve team last to Wheeling Central. There seems to be a game every day.

Commissioner Padlow is glad to see spring, which means lots of fishing.

The budget was approved the same day it was submitted to the State; Commissioner Padlow feels we have a great process and thanked everyone involved. He is also glad the process is over.

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R.E.D. PARTNERSHIP – TIF DISTRICT – Josh Jefferson, R.E.D. Partnership, appeared before the Commission with the Final Order for the Marshall County Development Project District No. 2, which is located in Franklin District. Mr. Jefferson stated this will benefit existing businesses, as well as future businesses in the area.

The process started in September with a public hearing, and is an economical development driver for Marshall County. This will be the second TIF District in Marshall County. Approval for the TIF District was received March 16, 2012.

Mr. Jefferson thanked Todd Hooker and Mark Julian of the WV Development Office, and Governor Tomblin, for their help on this project. The Final Order needs to be approved by the Commission and will be available for public inspection in the County Clerk's Office, as well as the County Commission Office.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission President was authorized to sign the Final Order for the TIF District in Franklin District. Motion carried.

CORRESPONDENCE:

WV State Auditor – Notice of Approval of the Levy Estimate (Budget)

THANK-YOU – Custodial Staff; American Legion for Boys State

SEWERAGE DISTRICT – NEW CUSTOMER CONNECTION RESERVE – The Commission received a letter from John Blair, Sewerage District Board Chairman, concerning their New Customer Connection Reserve. Mr. Blair stated in the budget request forecast to the Commission, the Sewerage District overlooked the impact of the oil/gas drilling activities and subsequent abnormally high demand for sewer service.

Mr. Blair stated the Sewerage District has 4 requests for sewer service at this time, and approximately \$2,000 in their New Customer Connection Reserve. Mr. Blair requested a grant of \$6,000 from the Commission for the New Customer Connection Reserve Account.

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

FIRST TIME HOMEBUYER PROGRAM – RELEASE OF DEEDS OF TRUST – The Commission received a letter from Vickey Battista, Program Coordinator for the First Time Homebuyer Program, for Marcie South-Robbins. Mrs. Battista stated Marcie South-Robbins fulfilled her obligations for the Program, and there are two Deeds of Trust which need to be released for her property.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission President was authorized to sign two Releases for Deeds of Trust for Marcie South-Robbins. Motion carried.

UNITED BANK – DEPOSITORY BOND PLEDGED COLLATERAL – The Commission received a request from Amanda M. Boyd, Investment Accounting Department for

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United Bank, to release certain pledged securities. Ms. Boyd stated they have evaluated the outstanding deposit balances each month and found that sufficient market value of pledged collateral exists to cover the outstanding deposits if the securities are released.

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

GRANTS – Betsy Frohnapfel, County Administrator, submitted two grants for Commission approval, as follows:

The first grant in the amount of \$10,000 is for the Marshall County Sewerage Authority, Washington Lands Sewage Plant. The project will include the purchase and installation of an emergency back-up sewage pump and other improvements as funds permit.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission President was authorized to sign the contract between the WV Development Office and the Marshall County Commission in the amount of \$10,000. Motion carried.

The second grant in the amount of \$20,000 is to purchase new CAD computers for Cameron, Glen Dale and McMechen, along with materials and supplies that tie in with the County computer network linking County law enforcement agencies.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission President was authorized to sign the contract between the WV Development Office and the Marshall County Commission in the amount of \$20,000. Motion carried.

The Commission thanked Governor Tomblin; Senator Kessler; and Delegates Varner and Ferro for their help with the grants.

NORTHERN PANHANDLE WORKFORCE INVESTMENT BOARD – UPDATED

AGREEMENT – Betsy Frohnapfel, County Administrator, submitted an updated Agreement with the Northern Panhandle Workforce Investment Board for Commission approval. Mrs. Frohnapfel stated the agreement is the same as previously approved.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission President was authorized to sign the Agreement with the Northern Panhandle Workforce Investment Board. Motion carried.

COUNTY CLERK'S OFFICE – NEW LOOKUP STATIONS – Jan Pest, County Clerk, informed the Commission she is working on new lookup stations in her office for people researching records. The more computers that are available for looking up information, the less the actual books will be handled.

Mrs. Pest submitted a quote from Capitol Business Interiors in the amount of \$4,289 for two new stations. Mrs. Pest also stated there is sufficient money in the

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Courthouse improvement funds for the project. Also, Mrs. Pest estimates the cost of new lookup computers to be \$6,000, which will be covered by current funds in the County Clerk's budget.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission authorized Jan Pest and Betsy Frohnafel to proceed with the project with current funding. Motion carried.

NATIONAL LIBRARY WEEK – Susan Reilly, Director; Mike Ferro, Board Member; and David Dalzell, Jr., President of the Moundsville-Marshall County Public Library Board of Trustees; appeared before the Commission for National Library Week. Ms. Reilly submitted a Proclamation for Commission approval, which was read by Commissioner Mason.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission gladly approved and signed the following:

PROCLAMATION
BY
MARSHALL COUNTY COMMISSIONERS

WHEREAS, libraries have historically served as our nation's great equalizers of knowledge by providing free access to all;

WHEREAS, libraries work to meet the changing needs of their users, including building collections, expanding outreach services and increasing programming;

WHEREAS, our nation's libraries provide a forum for diverse ideas and points of view that help us better understand each other and ourselves;

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in a challenging economy;

WHEREAS, librarians design and offer programs to meet their community's economic needs, providing residents with resume writing assistance and job seeking resources;

WHEREAS, libraries are part of the American dream, places for education, opportunity and lifelong learning;

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, be it resolved that we, the Marshall County Commissioners, proclaim **NATIONAL LIBRARY WEEK, APRIL 8-14, 2012**. We encourage all residents to visit public libraries in Marshall County this week to take advantage of the wonderful library resources available @ your library.

DONE at the Marshall County Court House, City of Moundsville, State of West Virginia, this the Third day of April, in the year of our Lord, Two Thousand Twelve.

QUARTERLY BUSINESS – FIDUCIARY MATTERS – On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission accepted and approved

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all Fiduciary Matters received by the county Clerk for the previous quarter, and admitted them to the record. Motion carried.

IN-HOUSE BUDGET – On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved an in-house budget revision for Department 402 in the amount of \$5,000. Motion carried.

ANIMAL CONTROL VEHICLE – BID OPENINGS – After proper publication, the Commission received the following bids for a vehicle for Animal Control as follows:

BOB ROBINSON	2012 GMC SIERRA #2500	30,645
	2013 GMC SIERRA #2500	30,645
BOB ROBINSON	2012 GMC SIERRA #1500	29,252
	2013 GMC SIERRA #1500	30,252

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

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

BRUCE WHIPKEY – ANNEX PROJECT – Bruce Whipkey of Cameron appeared before the Commission with concerns about the proposed Courthouse annex. Mr. Whipkey first stated he felt the Commission was doing a wonderful job, and everyone in Courthouse offices have been very helpful.

Mr. Whipkey, however, stated he felt funds set aside for the Courthouse annex could be better spent on law enforcement and equipment.

The Commission informed Mr. Whipkey that the annex is still in the planning stages, and no contracts for the project have been signed. Larry Newell, E-911 Director, explained space at the 911 Center has become an issue and offered to take Mr. Whipkey on a tour of the facility at the close of the Commission meeting.

JOHN TOTH – E-911 UPDATES AND ISSUES – John Toth of the Dallas area of Marshall County, appeared before the Commission with questions on when the 911 addressing will be completed. Mr. Toth thanked the Commission for their fiscal responsibilities in lowering the levy rate for the proposed budget.

Commissioner Mason stated it is part of the Commission's job and duty to look at the levy rate each year. Mr. Toth requested a copy of the budget.

Larry Newell, E-911 Director, stated a letter was recently received from the Wheeling Post Office stating conflicts with named streets in the Wheeling zip code area. Mr. Newell also stated he currently has 50 requests for addresses for well sites from one company. These requests are not easy to address, because the location must be confirmed first.

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CASA – JAG GRANT – Susan Harrison, Program Director for the Court Appointed Special Advocates, appeared before the Commission requesting assistance with a WV Justice Assistance Grant. Mrs. Harrison stated CASA is an 11 year old Program which was originally under the Wheeling YMCA. The Moundsville office was opened in 2010.

Mrs. Harrison also stated CASA has benefitted from JAG grants in the past, however, this year funds will be cut and it is necessary to go through a Government Agency to receive the grant. Mrs. Harrison will serve the Program Director, with Betsy Frohnapfel, County Administrator, serving as the Financial Officer. Mrs. Harrison submitted the JAG Application for Commission approval.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission agreed to serve as the pass through Agency for the WV Justice Assistance Grant Program Application in the amount of \$24,159; and the Commission President was authorized to sign the same. Motion carried.

The Commission thanked Mrs. Harrison for her work on the CASA program.

EXECUTIVE SESSION – On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission went into executive session with Jeff Cramer, Prosecuting Attorney, on legal issues. Commission reconvened.

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

<u>GENERAL COUNTY FUND</u>	5,443.10
<u>COAL SEVERANCE FUND</u>	40,490.55
<u>E-911 FUND</u>	3,794.23
<u>MAGISTRATE COURT FUND</u>	88.61

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

PRESIDENT