

**MARSHALL COUNTY COMMISSION**  
**MAY 1, 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, May 1, 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 26<sup>th</sup> day of April, 2012.

s/Jan Pest, County Clerk

**MINUTES** – On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved the minutes of the Special Session held April 17, 2012. Motion carried. Commissioner Schambach abstained from voting due to his absence.

Commissioner Mason noted in the minutes of the Special Session held April 24, 2012, page 507, paragraph 3, his meetings were to be on Thursday, April 26, 2012. With the correction, on motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the minutes. Motion carried. Commissioner Padlow abstained from voting due to his absence.

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**COMMISSIONER COMMENTS:**

COMMISSIONER SCHAMBACH stated the Commission met with Benwood Police Chief Longwell and McMechen Mayor Kuca concerning the Industrial Park after the Commission meeting last week. The discussion was about a road extension which would help alleviate some traffic issues. The Commission feels this would be a good project and joint venture.

Commissioner Schambach attended the Bel-O-Mar meeting at Belmont Hills last Thursday; and then attended the R.E.D. Partnership meeting on development issues.

The Business-After-Hours was held at the Marshall County Co-op, where an additional shelter was build due to the weather.

Congressman McKinley will hold a town-hall meeting tonight at the Library, and the Commission will attend the Energy Task Force meeting today.

COMMISSIONER MASON also attended the Bel-O-Mar meeting on Thursday, but was unable to attend the Business-After-Hours. Friday, Commissioner Mason attended the Slim Lehart Show at the Strand Theatre, which was a sell-out! The facility holds about 500, and Commissioner Mason commended the Preservation Society for their work on the building.

Saturday, Commissioner Mason attended the WV State Conference Track Meet at Wheeling Jesuit where his grandson finished 6<sup>th</sup> in the State with a personal best in the 1500 meter fun.

Early Voting continues through Saturday at 5:00 PM.

COMMISSIONER PADLOW thanked Commissioners Mason and Schambach for covering things last week while he enjoyed his fishing trip in the snow!

The 300 Club will be held Saturday at Bishop Donahue, and a reverse raffle will be held in May.

Commissioner Padlow encouraged everyone to vote in the upcoming election. The Canvass will be held May 14, and Commissioner Padlow thanked the Election staff for their work.

B. B. Smith of the Auditor's Office stopped by to say hello and commended the Election staff in Marshall County.

**2012 WV AAU** – The Commission received a request from the WV Lady Rebels 8<sup>th</sup> Grade Girls' Basketball Team for pledges in order to raise money for the Florida trip for the AAU National Championship Games. On May 14<sup>th</sup>, each player will shoot 100 free-throws and then collect pledge money based upon the results.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission tabled action on the request as the Commission, and will address the request as individuals. Motion carried.

**CORRESPONDENCE:**

**MOUNDSVILLE WATER BOARD** – 2011 Consumer Confidence Report  
**CCAWV** – Commissioners' Corner

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STATE TAX DEPT – Appraisal Ratio Results

**WV RT 2/I 68 AUTHORITY** – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the re-appointment of Fred Brunner and Mark Frazier to the WV Route 2 & Interstate 68 Authority to represent Marshall County. Motion carried. The Commission also authorized a letter to the Authority of the re-appointments and letters thanking Mr. Brunner and Mr. Frazier for their efforts on behalf of Marshall County.

**FIDUCIARY MATTERS** – The Commission received a Fiduciary Order from Joseph R. Canestraro in the estate of Floyd C. White. Mr. Canestraro received a claim in the estate, and after reviewing same, concluded the probate assets were insufficient to pay the claim.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission adopted the proposed Order and authorized signatures on the same. Motion carried.

The Commission received a proposed Order in the Estate of Lawrence A. Ricci, from Fiduciary Commissioner Joseph R. Canestraro. Mr. Canestraro reviewed claims filed in the Estate, and found insufficient funds available to pay the claims.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission accepted the recommendation of the Fiduciary Commissioner and adopted the proposed Order and authorized signatures on the same. Motion carried.

The Commission received a proposed Order from Fiduciary Commissioner Joseph R. Canestraro in the Estate of Antoinette M. Lally. Mr. Canestraro received a Final Settlement; and an objection to the Settlement. After a thorough review of the documents, Mr. Canestraro's recommendation and proposed Order is to settle the Estate.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission accepted the recommendation of the Fiduciary Commissioner; adopted the proposed Order and authorized signatures on the same. Motion carried.

**CITY OF MOUNDSVILLE – COMPREHENSIVE PLAN** – The Commission discussed a previously tabled request from the City of Moundsville for financial support for a Comprehensive Plan for the City.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved a contribution in the amount of \$3,000 to the City of Moundsville, to keep the Comprehensive Plan updated. Motion carried.

**STRAND THEATRE PRESERVATION SOCIETY – FUND REQUEST** – The Commission discussed the previously tabled request of the Strand Theatre

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Preservation Society for a contribution towards needed repairs for the reception and concession areas.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved a contribution in the amount of \$4,600 toward the project costing an estimated \$46,000. Motion carried.

**ASSESSOR'S OFFICE – NEW EMPLOYEE** – The Commission received a request for consent from Assessor Chris Kessler to employ Lindsay Jura to fill the Office Deputy/Data Entry Specialist, which is currently vacant. Ms. Jura would start work on July 1, 2012, at the starting salary of \$22,000.

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

**IN-HOUSE BUDGET REVISION** – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision for Department 700 in the amount of \$5,500. Motion carried.

**2012 PRIMARY ELECTION – PUBLIC TEST** – The Commission, along with Ballot Commissioners Cathy Jefferson and Winnie Hinerman, were present for the public test of the iVotronics and tabulating equipment to be used for the Primary Election to be held May 8, 2012.

After proving the results of the voted test deck, the PEB results were merged with a test deck voted on the Early Voting equipment, which were uploaded with a flash card in the Election Results Management program. Final results proved the PEB totals and flash card totals merged successfully.

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

**EXECUTIVE SESSION** – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission went into executive session on legal matters. Commission reconvened.

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

<u>GENERAL COUNTY FUND</u>	11,340.60
<u>COAL SEVERANCE FUND</u>	40,479.92
<u>HOME CONFINEMENT FUND</u>	395.25

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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.

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PRESIDENT