

MARSHALL COUNTY COMMISSION
MAY 22, 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; 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 22, 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 17th day of May, 2012.

s/Jan Pest, County Clerk

MINUTES – On motion of Commissioner Schambach, seconded by Commissioner Mason, the minutes of the Special Session held May 1, 2012 were approved. Motion carried.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the minutes of the Special Session of Board of Canvassers held May 14, 2012 were approved. Motion carried.

Commissioner Padlow thanked County Clerk Jan Pest, her staff and all election workers participating in the 2012 Primary Election. Commissioner Padlow discussed changes that need to be made to the canvassing process and congratulated all winners, and everyone brave enough to place their name on the ballot.

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COMMISSIONER COMMENTS:

COMMISSIONER SCHAMBACH thanked Jan, Winnie, Betsy and Mel for their help during the canvassing process.

Commissioner Schambach extended our condolences to the family of Coach Bill Stewart on his passing. Coach Stewart was a personal friend of Commissioner Schambach, and his brother spent 11 years with Coach Stewart on the sidelines. Coach was always a southern gentleman.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission will send a sympathy card to the family. Motion carried.

Commissioner Schambach attended the quarterly County Fire Chiefs meeting. Tom Hart, OEM Director, is working with oil and gas companies on signage for drilling sites throughout the County in case of emergencies.

COMMISSIONER MASON stated the Commission did not meet last week due to the canvassing process. On Wednesday, May 2, he attended the Governor's Intergovernmental Task Force meeting, attended by 36 representatives from the County Commissioners' Association; WVACO; Municipal League and State representatives. New issues were addressed and explanations on how to work through State offices. It was very informative.

A representative from the National Guard gave a presentation on the Boy Scout Jamboree to be held in Fayette County. He explained what to expect from the large group attending the event. They are expecting 20,000 Scouts, with an additional 20,000 Scout leaders and parents.

Thursday, May 3, the National Day of Prayer services were held at the Courthouse, and were well attended. May 8 was Election Day and Jan and her staff were very busy.

May 10 was the County Fire Chiefs quarterly meeting; Commissioner Padlow congratulated Toby Lemmon on becoming the new President of County Fire.

May 14 and 15 the Commission conducted the Canvass; May 16 Commissioner Mason attended the R.E.D. Board meeting; May 17 the Commission certified Election results for local offices and issues, and will certify the rest of the results today.

Friday, Commissioner Mason Chaired the Health Board meeting, and Sunday and Monday attended the County Commissioners Association Spring Board meeting in Charleston.

COMMISSIONER PADLOW stated it has been a busy couple of weeks. Commissioner Mason stated the Commission decided to be part of the National County Government Day and participate in the CCAWV sponsored essay contest for 8th graders: 'How Does My County Government Make My Life Better'. The winner was from Mingo County, and Commissioner Mason would like to see the entries from Marshall County to see how the 8th graders here think their County Government is making their lives better.

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Commissioner Padlow thanked Betsy Frohnapfel, County Administrator, for attending Career Day in his place today.

Commissioner Padlow attended the Job Fair, co-sponsored by the Commission. It was well attended with over 400 when he left. ConSol, Chesapeake, Army Reserves, colleges and industry were among those participating. Commissioner Padlow is hoping to have a follow-up report to see how many gained employment through the Job Fair.

Last week Commissioner Padlow attended a compact meeting with coal unions concerning building coal fired power plants. Commissioner Padlow feels the Commission should check into that; the demands and technology are there and it can be built to EPA standards. Commissioner Padlow feels we need to send letters in support of the issue.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission will send letters to our representatives, coal and electric companies requesting a meeting to discuss a coal fired power plant. Motion carried.

The Commission agreed there will be no Commission meeting next week; the next Commission meeting will be June 5, 2012.

Commissioner Padlow congratulated Marvin Byard on receiving the State Pharmacist of the Year award. Shirley Byard informed Commissioner Padlow that former Commissioner Biggie Byard celebrated his birthday Friday, turning 86!

ANTIQUE POWER ASSOCIATION – CONTRIBUTION – Gary Shreve of the Antique Power Association appeared before the Commission requesting a contribution for the Annual Show to be held June 21-23.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved a contribution in the amount of \$1,500 to assist and help with electrical boxes for exhibitors staying in campers and participating in the Antique Power Association Exhibition. Motion carried.

PSD#4 BOARD – RESIGNATION – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission accepted the resignation of PSD#4 Board Member David Beaver Glover. The Commission will start the process to fill that position.

E-911 – AGREEMENT – E-911 Director Larry Newell and Benwood Mayor Ed Kuca appeared before the Commission concerning an Agreement for 911 dispatching. Mr. Newell submitted the Agreement for Commission approval between the City of Benwood, Benwood VFD, Marshall County Commission and Marshall County Communications 911.

Mr. Newell explained the Agreement, approved by the Prosecuting Attorney's Office, will allow for 911 to dispatch the Benwood VFD, 24/7. Mayor Kuca explained he feels this Agreement will be better for everyone and is a good quality thing to do.

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On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved entering into the Agreement and the Commission President was authorized to sign the Agreement, which will be effective June 1, 2012. Motion carried. Benwood VFD Chief Mike Smith also appeared and signed the Agreement.

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

EONERATIONS – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the following 5 erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

Bruhn, Flora Bell	2.88
Cain, Rickey e & Brenda Johnson	94.26
Reynolds, Charles F & Nicole	55.04
Russell, Stacey A Scherrer	47.30
Fish, George & Sharon D	53.30

2012 PRIMARY ELECTION – CERTIFICATION – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved and certified the State and Federal election results for the 2012 Primary Election. Motion carried.

REQUEST FOR REIMBURSEMENT – COURTHOUSE FACILITIES IMPROVEMENT

AUTHORITY – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President was authorized to sign all necessary documents for the Request for Reimbursement from the Courthouse Facilities Improvement Authority in the amount of \$132,800. Motion carried.

GRANT – STOP VIOLENCE AGAINST WOMEN ACT – AGREEMENT – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President and County Clerk were authorized to sign all necessary documents for the STOP Violence Against Women Act Grant approved funding in the amount of \$36,400. Motion carried.

CORRESPONDENCE:

SEWERAGE DIST – highlights for Board meeting held May, 2012

WV DOH – STIP for 2012-2017

EL ROBINSON – golf tournament June 25

WVACO – 2012 Regional Wrap Up schedule

CITY OF MCMECHEN – CONTRIBUTION – The Commission received a request from Mike Gracik, Mayor of the City of McMechen, for a contribution for municipal projects. The City of McMechen would like to purchase two riding lawn mowers with bagger attachments at a cost of \$2,500 each.

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On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved a contribution to the City of McMechen in the amount of \$3,000 to supplement the purchase of two riding lawn mowers. Motion carried.

MARSHALL COUNTY HEALTH DEPARTMENT – CONTRACT – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President was authorized to sign the annual Contract between the Marshall County Commission and the Marshall County Health Department for a contribution in the amount of \$140,000, to be made in quarterly allotments. Motion carried.

CITY OF BENWOOD – CONTRIBUTION – The Commission received a request from the City of Benwood Mayor Ed Kuca, Jr., for a contribution for municipal projects. Mr. Kuca stated the City of Benwood is planning to pave the Benwood City Park, with a total cost of \$25,500.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved a contribution to the City of Benwood in the amount of \$3,000 toward the paving project for the Benwood City Park. Motion carried.

WASHINGTON LANDS SEWAGE TREATMENT PLANT – GRANT AWARD

CONTRACT – The Commission received a letter from the WV Development Office awarding a grant in the amount of \$4,000 for sanitary improvements for the Washington Lands Sewage Treatment Plant.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President was authorized to sign the Contract between the Marshall County Commission and the WV Development Office for the Grant award in the amount of \$4,000. Motion carried.

NORTHERN PANHANDLE HOME CONSORTIUM – RELEASE – The Commission received a letter from Vickey Battista, Northern Panhandle HOME Consortium Program Administrator, stating Shiela A. Walton-Haught fulfilled her obligation for the First Time Homebuyer Program. Mrs. Battista submitted a Release of Deed of Trust for Commission approval.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President was authorized to sign the Release of Deed of Trust and record the same. Motion carried.

IN-HOUSE BUDGET REVISIONS – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved an in-house budget revision for Department 700 in the amount of \$200. Motion carried.

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On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision for Department 424 in the amount of \$5,000. Motion carried.

E-911 – ROAD NAMES – Larry Newell, E-911 Director, appeared before the Commission and submitted two road names for approval.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission accepted the recommendations of Mr. Newell and approved the following road names: Honeysuckle Lane and Patterson Lane. Motion carried.

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

<u>GENERAL COUNTY FUND</u>	285,419.20
<u>COAL SEVERANCE FUND</u>	22,738.09
<u>HOME CONFINEMENT FUND</u>	1,076.85
<u>E-911 FUND</u>	2,773.41
<u>DOG FUND</u>	490.00
<u>MAGISTRATE COURT FUND</u>	90.24

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