

MARSHALL COUNTY COMMISSION
APRIL 17, 2012

The Commission convened this day pursuant to the following call: Jason E. Padlow, President; and Donald K. Mason, Commissioner; Jan Pest, County Clerk; Betsy Frohnafel, County Administrator; and Winnie Reilly, Chief Deputy of the County Clerk's Office. Absent: Brian L. Schambach, Commissioner.

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, April 17, 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 12th day of April, 2012.

s/Jan Pest, County Clerk

MINUTES – Commissioner Mason noted an error on page 496, of the minutes of the April 3, 2012 Commission meeting. The Animal Control Vehicle bids listed the 2013 GMC Sierra #2500 from Bob Robinson at \$30,645, which should be \$31,645. With the correction, on motion of Commissioner Mason, seconded by Commissioner Padlow, the minutes were approved. Motion carried.

COMMISSIONER COMMENTS:

COMMISSIONER MASON stated there was no Commission meeting last week, however it was a busy week. On Tuesday afternoon Commissioner Mason attended the OVRTA meeting on Wheeling Island; and Tuesday evening attended the Operation Pride dinner at Grand Vue Park. Some of the people attending have been volunteers

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longer that Commissioner Mason has known them, and others are new. Roger Frame was named Volunteer of the Year by the Solid Waste Authority.

Wednesday, the Commission met with the Sewerage Authority concerning the Mozart project; and Thursday was the ground breaking on Cameron Ridge for the new tower. Commissioner Mason acknowledged Betsy Frohnapfel, County Administrator; Tom Hart, OEM Director; and Larry Newell, E-911 Director, for their work on this project over the past 7 years. This is a great addition for the County.

COMMISSIONER PADLOW also thanked Mrs. Frohnapfel, Mr. Newell and Mr. Hart; as well as Dave Kelley and Dave Larson of CONSOL; and Terry McDonald with AT&T. With everything going on in the community there needs to be better communication.

Mrs. Frohnapfel stated the tower will be up in 60-80 days, with AT&T's projected completion date in October.

The Commission noted the passing of Ray Cecil, father of Chief Deputy Kevin Cecil; and Henry Crebs, prior council member of Benwood. The Commission extended our thoughts and prayers to those families.

ASSESSOR – PUBLIC UTILITIES – Assessor Chris Kessler informed the Commission of a situation with Trans Alleghany Interstate Line Company. The transmission line company thought their transmission lines were in Pennsylvania; however, it is Marshall County. The company has been operating since 2008.

The State Tax Department does not have any means to collect back taxes on the public utility, however, the Assessor's Office does. Mr. Kessler can issue a supplemental bill for 2010 and 2011. The assessed value for 2010 is \$3,178,366; and for 2011 \$25,150,310. Mr. Kessler has two checks to deposit with the Sheriff in the amounts of \$85,062.20 for 2010; and \$518,917.93 for 2011.

Mr. Kessler will issue the 2012 tax bill in August.

GRAND VUE PARK – UPDATES – Grand Vue Park Manager Craig White informed the Commission that the zip line is 35% complete at the Park. In two weeks, there will be something very special happening at the Park.

Mr. White introduced Rick Vargo, the Park's newest addition. A soft opening day for the zip line is scheduled for Memorial Day.

FEDERAL HUMANE ORGANIZATION – Betty Burkett, President of the West Virginia Chapter of the Federal Humane Organization, appeared before the Commission to pass along information about the group. A conference will be held May 4 and 5 in Sutton, WV; and Mrs. Burkett has provided this information to all local law enforcement and Animal Control Officers. A class on animal cruelty and investigation will be held on Friday.

The Commission thanked Mrs. Burkett for the information.

NORTHERN PANHANDLE HOME CONSORTIUM – 2012 HOME INVESTMENT

PARTNERSHIP PROGRAM RESOLUTION – Betsy Frohnapfel, County Administrator, submitted a Resolution for the 2012 HOME Investment Partnership Program with the Northern Panhandle HOME Consortium for Commission approval.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission adopted the Resolution, and authorized signatures on the same. Motion carried.

GRANT – PREVENTION RESOURCE OFFICER – Betsy Frohnapfel, County Administrator, submitted a Grant Application for Commission approval. Mrs. Frohnapfel explained the Marshall County Board of Education is requesting a Prevention Resource Office for the Sherrard Middle School. The Grant requirements are very specific, and the Board of Education has agreed to help with funding.

The Grant, in the amount of \$65,407, has a match of \$16,352 which will be cover by the Board of Education.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved the Grant Application and the Commission President was authorized to sign the same. Motion carried.

LEVY ORDER – FISCAL YEAR 2012-2013 – Commissioner Mason stated after receiving approval from the State Auditor’s Office for the proposed Budget, this is the week to lay the Levy, as follows:

Class I	11.25 cents per \$100
Class II	22.50 cents per \$100
Class III & IV	45.00 cents per \$100

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved the levy rates for Fiscal Year 2012-2013 and authorized the County Clerk to sign the same. Motion carried.

IN-HOUSE BUDGET REVISIONS – On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved an in-house budget revision for Department 401 in the amount of \$3,332. Motion carried.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved an in-house budget revision for Department 712 in the amount of \$3,000. Motion carried.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved an in-house budget revision for Department 412 in the amount of \$3,800. Motion carried.

GENERAL COUNTY BUDGET REVISION #3 – On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved the attached General

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County Budget #3 and Resolution in the amount of \$77,187; and approved sending the same to the State Auditor's Office for approval. Motion carried.

FIRST TIME HOME BUYERS PROGRAM – RELEASES – The Commission received two Releases of Deeds of Trust for Kevin and Tricia Goode from Vickey Battista, HOME Program Administrator. Mrs. Battista explained two Deeds of Trust were recorded due to a misunderstanding of the property address.

Kevin and Tricia Goode fulfilled their obligation for the First Time Homebuyer Program, and Mrs. Battista requested approval of the Releases of Deeds of Trust.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission President was authorized to sign the two Releases of Deeds of Trust for Kevin and Tricia Goode. Motion carried.

INDEPENDENT LIVING CENTERS – Debra Crouse, Community Organizer, appeared before the Commission with information concerning Independent Living Centers. The Centers provide services to individuals with significant disabilities including information and referral; peer counseling; independent living skills training, and individual and systems change advocacy.

Services to the community will include disability awareness, technical assistance and disability related information. Mrs. Crouse stated she is requesting support for the project for the community.

The Commission thanked Mrs. Crouse for the information.

SHERIFF'S DEPARTMENT – INTERACT BILL – Sheriff John Gruzinskas appeared before the Commission with a bill from InterAct Public Safety Systems in the amount of \$16,948.53. Sheriff Gruzinskas stated this system runs the Records Management System of the CAD Program used by law enforcement. This bill represents the Sheriff's Department portion of the annual maintenance for the system.

Betsy Frohnafel, County Administrator, explained E-911 funds can be used for the CAD portion of the program; however, the RMS used by law enforcement cannot be paid for with E-911 fees.

Sheriff Gruzinskas requested funds from the Commission to pay the bill, stating they were not aware this bill would be due in March.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved the addition of \$17,000 to General County Budget #3 for the InterAct bill. Motion carried.

On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved payment of \$16,948.53 to InterAct Public Safety Systems. Motion carried.

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

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EXONERATIONS – On motion of Commissioner Mason, seconded by Commissioner Padlow, the Commission approved the following 10 erroneous assessments previously approved by the Assessor and Prosecuting Attorney:

Earliwine, William e	\$ 20.54
Earliwine, Lemoyne	1.66
_McCarrihan, Geo E etal	66.78
Matchett, Kimberly L & Sandra Kirby	199.20
Yocum, Clifton E Sr & Sondra J	3.14
Yocum, Clifton E Sr & Sondra J	67.50
Yocum, Clifton E Sr & Sondra J	296.38
Bumgardner, George D II & Laurie	112.53
Howard, William R etal (Jon Montesano)	8.00
Board of Education	1,283.72

CORRESPONDENCE:

CHAMBER OF COMMERCE – March 28 minutes

BRAD'S GRATEFUL DOGGS, LLC – requesting permission to continue vending food

AMERICAN LEGION AUXILIARY – thank you

ANIMAL CONTROL VEHICLE – BIDS – Betsy Frohnapfel, County Administrator, submitted two additional bids for the Animal Control vehicle, which were submitted timely in the County Clerk's Office, but were not brought before the Commission due to a misunderstanding.

The Commission accepted the bids, which were as follows:

Ohio Valley Ford Mercury	
2012 F150	\$26,585
Whiteside	
2012 Chevy 2500	30,800

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

2012 PRIMARY ELECTION – PUBLIC TESTING OF EARLY VOTING EQUIPMENT –

The Commission proceeded with the Public Test of iVotronics to be used in Early Voting for the Primary Election to be held May 8, 2012. Also present were Winnie Hinerman and Cathy Jefferson, Ballot Commissioners.

At the conclusion of the testing, with everyone satisfied that the equipment was functioning properly, the Flashcard was sealed and locked in the safe.

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

<u>GENERAL COUNTY FUND</u>	257,168.51
<u>COAL SEVERANCE FUND</u>	16,083.33
<u>E-911 FUND</u>	2,731.71

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<u>MAGISTRATE COURT FUND</u>	108.86
<u>HOME CONFINEMENT FUND</u>	951.20
<u>GENERAL SCHOOL FUND</u>	2,950.00

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

PRESIDENT

