

MARSHALL COUNTY COMMISSION
JUNE 12, 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, June 12, 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 7th day of June, 2012.

s/ Jan Pest, County Clerk

MINUTES – Commissioner Mason noted on page 530, 3rd paragraph of the Insurance item, of the June 5, 2012 minutes, should read the current co-pays from \$7.50-\$15. With the correction, on motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the minutes of the Special Session held June 5, 2012. Motion carried. Commissioner Padlow abstained from voting due to his absence.

COMMISSIONER COMMENTS:

COMMISSIONER SCHAMBACH attended the Energy Task Force meeting which was chaired by Commissioner Mason, and was short! TransEnergy and Jim

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McCune, WV DOH, also met; Commissioner Schambach stated TransEnergy is stepping up and helping with the roads.

Commissioner Schambach also talked with Craig White of Grand Vue Park; and participated in the Chamber of Commerce Golf Scramble yesterday.

RG Steel is cutting back and Marshall County workers are losing their jobs. The current administration needs to put a stop to the dumping. The economy is bad in China and the Government is subsidizing those companies to be very competitive. Imports were up 30% in March alone.

COMMISSIONER MASON enjoyed company from Chicago for 10 days and visited several area restaurants during that time.

Commissioner Mason did Chair the Energy Task Force meeting and feels everything is going smoothly with the gas industry. Two new companies, Noble Energy and Chevron, joined the Task Force. Abstractors have now slowed down due to larger companies buying the smaller companies; and researching the titles again.

Commissioner Mason reminded everyone Thursday is Flag Day; and was informed the deadline for budget revisions was extended to next week due to the County Clerk training scheduled for this week.

Commissioner Mason will be having a total knee replacement on June 20, so he thought the Courthouse should close! It is West Virginia Day also.

COMMISSIONER PADLOW thanked Commissioners Mason and Schambach for covering for him while he enjoyed some well needed time off. While spending time in the Fish Creek area, Commissioner Padlow was able to see firsthand the pipeline on the hill top, which he thinks is amazing.

The Caiman and Dominion plants are coming alive due to the Marcellus and Utica shale, as well as the coal industry.

Commissioner Padlow attended a meeting with Tony Gentile, Tyler Morando and Josh Jefferson, R.E.D. Partnership; to discuss a special project for small businesses in Marshall County. Hopefully, funding will be available for small businesses to upgrade, or expand, their current businesses.

Commissioner Padlow thanked the Chamber of Commerce for a great golf scramble, as well as the Health Plan.

Commissioner Padlow also added he attended celebrations on Memorial Day at the Courthouse and McMechen; they were very nice and well attended.

YOUTH SERVICES SYSTEMS INC – YOUTH DAY – Marc Abraham appeared on behalf of Youth Services Systems Inc., with information on the Youth Day to be held August 2, 2012. They are expecting 4,000 participants, and the \$1,000 contribution from the Commission last year helped with the event.

Mr. Abraham also explained the Youth Services operates the Helinski Shelter in Marshall County; as well as an emergency shelter, Northern Juvenile Detention Center, which is open during the winter freeze, December 15 through March 15, for homeless.

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A fund raising event, Sleep in a Box, has been very successful and brings awareness to the homeless children. Mr. Abraham requested the Commission help with the Youth Day again this year.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission tabled action on the request until after July 1, 2012. Motion carried.

COUNTY ROAD ISSUE – Julie Dobbs appeared before the Commission concerning a previously recognized County road. Mrs. Dobbs has appeared before the Commission before on this issue, and requested Commission support stating the road was, and still is, a County road.

Mrs. Dobbs provided information recognizing the County road, and stated her neighbor claims the road is on his property and is not a public roadway. Not using this road would land lock Mrs. Dobbs' property.

Mrs. Dobbs was also informed by the WV Department of Transportation that this road, County Road 88/4, was not included in HARP.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission tabled action on the request to review with the Prosecuting Attorney. Motion carried.

RT 2/I 68 AUTHORITY – REQUEST – Don Shenefiel, President, and Charlie Clement, Executive Director, of the RT2/I68 Authority, appeared before the Commission requesting support for WV RT 2 projects. Mr. Clement stated since its inception in 1997, the Authority has continued to keep the WV DOT informed as to the need of a four-lane RT 2 and economic benefits of extending Interstate 68 from Morgantown to the Ohio Valley.

Mr. Clement also stated the Authority realizes the extension of I68 is meaningless unless RT2 is four lanes. With the development of natural gas industry in our area, the improvement of these two highways has become even more important. Safety is a critical issue and traffic flow is restricted due to the large number of trucks using our roads.

Mr. Clement requested help with two items: first, to emphasize the need for these highways to the administration in Charleston and Washington, DC; and support in identifying new sources of revenue for our infrastructure development and maintenance.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission publicly acknowledged support for the project, and will continue to help the project move forward. Motion carried.

THE LORDS PANTRY – CONTRIBUTION REQUEST – Lori Kettlewell, The Lords Pantry, appeared before the Commission requesting financial assistance for The Lords Pantry, which is based in the Mt. Olivet United Methodist Church. Ms. Kettlewell stated

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the Pantry is currently serving 65-73 families each month, and they are trying to add non-food items to items they supply.

Ms. Kettlewell also stated she personally delivers to 12 homes between Moundsville and Wheeling each month. Ms. Kettlewell requested a donation of \$2,000 from the Commission.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission tabled action on the request until after July 1, 2012. Motion carried.

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

LITIGATION RETAINER AGREEMENT – Jan Pest, County Clerk, submitted a Retainer Agreement for Commission approval. Mrs. Pest explained Hancock County signed a Retainer Agreement with Bailey & Glasser LLP to file litigation against the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, et al, for failing to pay real estate transfer tax when conveying property in West Virginia. Upon approval of the Retainer Agreement, Marshall County will join in the litigation. The Agreement was reviewed by the Prosecuting Attorney.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission President was authorized to sign the Retainer Agreement joining litigation to be filed by Bailey & Glasser LLP regarding property transfer taxes. Motion carried.

HOME CONSORTIUM – RELEASE OF DEEDS OF TRUST – The Commission received a letter from Vickey Battista, HOME Program Administrator, stating Jason M. and Jessica D. Studebaker, and Gary L. and Sara Matthews have fulfilled their obligations for the First Time Homebuyer Program. Mrs. Battista submitted Release of Deeds of Trust for Commission approval.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President was authorized to sign a Release of Deed of Trust for Jason M. and Jessica D. Studebaker and Gary L. and Sara Matthews; and authorized recording the same. Motion carried.

NORTHERN PANHANDLE WORKFORCE INVESTMENT BOARD, INC. – RE-APPOINTMENT – The Commission received a letter from Rosemary Guida, Executive Director NPWIB, requesting the Commission appoint a Board member to serve on the NPWIB Executive Committee. Joe Donahue, a Commission Board appointment, is currently serving on the Executive Committee.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the re-appointment of Joe Donahue to the NPWIB Executive

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Committee; and further authorized letters to Mr. Donahue and the Board of the appointment. Motion carried.

H. P. EXCAVATING, INC. – INVOICE – Betsy Frohnapfel, County Administrator, submitted an invoice from H.P. Excavating, Inc., for Commission approval. The invoice is for cleaning out the drainage culvert in Sun Valley.

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

CORRESPONDENCE:

THANK –YOU – Sen. Joe Manchin; Special Olympics

IN-HOUSE BUDGET REVISIONS – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision for Department 402 in the amount of \$500. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision for Department 406 in the amount of \$1,100. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision for Department 401 in the amount of \$16,265. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision for Department 405 in the amount of \$1,500. Motion carried.

COMMUNITY DEVELOPMENT FUND – The Commission received the recommendations of the Community Development Fund Committee for requests received for 2012. The Commission made two adjustments: Moundsville Legion Baseball will receive \$1,500; and the Marshall County Special Olympics was removed from the list. The Commission also added \$2,000 to the Helping Heroes.

With the adjustments, on motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the 2012 Community Development Fund distribution list, which is attached to these minutes. Motion carried. The Commission thanked the Committee for their work on the project.

VOCA GRANT – AGREEMENT – Betsy Frohnapfel, County Administrator, submitted the Grant Contract Agreement for the Victims of Crime Act Program Grant for Commission approval. The Grant is in the amount of \$21,773.00.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President was authorized to sign the Grant Contract Agreement for the VOCA Grant. Motion carried.

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AIRPORT AUTHORITY – CONTRIBUTION – The Commission discussed the request of Dan Masters, Marshall County Airport Authority, which was tabled last week. The Authority has received bids for three phases of a project to add a 10-unit hangar bay at the Airport. Delaying the start of the project would only increase the cost.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved a contribution from the Economic Development Funds to the Marshall County Airport Authority in the amount of \$75,000. Motion carried.

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

<u>GENERAL COUNTY FUND</u>	30,769.78
<u>COAL SEVERANCE FUND</u>	75,000.00
<u>MAGISTRATE COURT FUND</u>	345.50

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

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ORIGINAL
COMMUNITY DEVELOPMENT FUND REQUESTED 2012

ORGANIZATION	RECEIVED LAST YEAR	REQUESTED THIS YEAR	COMMITTEE RECOMMENDED	COMMISSIONERS APPROVED
City of Benwood LATE	\$2,400	Your Discretion	0	
City of Cameron LATE	\$2,400	Your Discretion	0	
City of Glen Dale	\$2,400	Your Discretion	2,400. ⁰⁰	
City of McMechen	0	Your Discretion	2,400. ⁰⁰	
City of Moundsville	\$2,400	Your Discretion	2,400. ⁰⁰	
Big Run Community Association	\$2,400	\$10,000	2,400. ⁰⁰	
Bowman Ridge Community Association	\$2,400	Your Discretion	2,400. ⁰⁰	
Cameron Community Development Association	\$1,500	\$1,500	1,500. ⁰⁰	
Dallas Community Association	\$2,400	\$3,000	2,400. ⁰⁰	
Dry Ridge Community Association	\$3,000	\$3,000	2,400. ⁰⁰	
Graysville Community Association	\$2,400	Your Discretion	2,400. ⁰⁰	
Maxwell Acres Community Association	\$2,540	\$3,000	2,400. ⁰⁰	
McCreary Cemetery Preservation Foundation LATE	\$400	Your Discretion	600. ⁰⁰	
Mt. Olivet Lions Club	0	Your Discretion	0	
Sun Valley Improvement Association LATE	0	\$575	0	APPROVED
Washington Lands Community Improvement Association	\$2,540	\$2,851	2,400. ⁰⁰	JUN 12 2012 <i>gh</i>
Glen Dale Baseball/Softball Association	\$900	Your Discretion	1,000. ⁰⁰	BY COUNTY COMMISSIC MARSHALL COUNTY, W
John Marshall Field Renovation Committee	0	Your Discretion	1,500. ⁰⁰	
McMechen Baseball Association	0	\$500	500. ⁰⁰	
Moundsville Boys Baseball Association	\$500	Your Discretion	500. ⁰⁰	
Moundsville Girls Softball Association	0	Your Discretion	500. ⁰⁰	
Moundsville Legion Baseball	\$1,500	\$3,000	2,000. ⁰⁰	1,500. -900
Marshall County Swim Team	0	Your	500. ⁰⁰	

32,660.⁰⁰

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		Discretion		
Marshall County Youth Archery Club	\$400	Your Discretion	400.00	
Marshall Ohio Counties 4-H Shooting Sports	0	Your Discretion	0	
Moundsville Rifle & Pistol Club	0	Your Discretion	0	
National Wild Turkey Federation	\$900	\$1,000	1,000.00	
Marshall County CEOS	0	\$1,500	0	
Valley Music Association	\$400	\$2,080	0	
CASA	0	\$10,000	0	
Helping Heroes	0	\$5,000	0	+2000
Marshall County Special Olympics	0	\$1,500	1,500.00	0 -1500
Strand Theatre Preservation Society	0	\$2,000	1,000.00	
The Youth Club of Marshall County	0	\$1,000	500.00	
Elizabethtown Festival	\$500	Your Discretion	500.00	
American Legion Post #3	\$500	Your Discretion	500.00	
American Legion Post #5	\$500	\$500	500.00	
American Legion Post #18	\$500	Your Discretion	500.00	
American Legion Post #46	0	\$500	500.00	
Moundsville Veteran Honor Guard	\$500	Your Discretion	500.00	
			40,000.00	