

MARSHALL COUNTY COMMISSION
AUGUST 28, 2012

The Commission convened this day pursuant to the following call: Jason E. Padlow, President; and Donald K. Mason and Brian L. Schambach, Commissioners; Jan Pest, County Clerk; Betsy Frohnafel, County Administrator; and Winnie Reilly Turner, 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, August 28, 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 23RD day of August, 2012.

s/ Jan Pest, County Clerk

MINUTES – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the minutes of the Special Session held August 21, 2012, as presented. Motion carried.

COMMISSIONER COMMENTS:

COMMISSIONER SCHAMBACH stated he and Commissioner Padlow toured the Spay/Neuter Clinic located near the Animal Clinic last Tuesday. They have state of the art equipment and Commissioner Schambach extended our appreciation to the Dlesk Family for their support of the Clinic.

Wednesday, Commissioner Schambach spoke at the Moundsville Rotary meeting for the Lee Ann Foundation; and thanked Jennifer for her nice article.

MARSHALL COUNTY COMMISSION
AUGUST 28, 2012

The Commission co-sponsored the Business-After-Hours held Thursday at the Mound Museum and Commissioner Schambach thanked Betsy Frohnapfel and Missy Tschappat for their help in setting up the event.

Commissioner Schambach also thanked Phil Remke for a great job over the past few days during the 'Cost of Freedom' event held in Moundsville.

Saturday, Commissioner Schambach attended the first half of the John Marshall Football Game and then went to the Cameron Bishop Football Game, where he presented the Bishop Donahue Team with the Commissioners' Cup. Commissioner Padlow is being very humble as the father of the starting quarterback; but the sophomore played a great game.

COMMISSIONER MASON thanked Commissioners Schambach and Padlow for covering for him over the past week; he had a death in the family. He did manage to attend a couple morning sessions of the Cost of Freedom and thought Phil Remke did an outstanding job.

While his sons were in town on Saturday, Commissioner Mason gave them a tour of Grand Vue Park and tried out the zip line; there are 97 steps up to the zip line.

Commissioner Mason wished everyone a very safe and enjoyable Labor Day Weekend.

COMMISSIONER PADLOW also commended Phil Remke on an amazing event and stated he is very proud of Marshall County. We have to be the most patriotic County in the State, and quite possibly the Nation. 150 volunteers helped with the event over the 4-day event.

Commissioner Padlow noted the passing of Mrs. Wise, Bishop Principle Tom Wise's mother, and Commissioner Mason's sister-in-law. Our thoughts and prayers continue with the family.

There will be no meeting of the Commission next week due to the Labor Day Holiday.

The football game Friday evening was amazing! Bishop won 41-26, but the Coach expected a better performance from the team. They were up early Saturday morning for practice.

Commissioner Padlow congratulated the Bishops and talked with Cameron Coach Rogers, wishing him a 9-1 season.

John Marshall did not fair so well this week either and Commissioner Padlow wished everyone good luck this weekend. The Mountaineers will also open at home against Marshall University.

The Spay/Neuter Clinic is equipped with state of the art equipment and Commissioner Padlow also thanked the Dlesk family for their contributions through-out the State.

Commissioner Padlow also commended Betsy Frohnapfel and Missy Tschappat on a great job with the Business-After-Hours.

MARSHALL COUNTY COMMISSION
AUGUST 28, 2012

GRAND VUE PARK – UPDATES – Craig White, General Manager of Grand Vue Park, appeared before the Commission with updates from the Park. Mr. White stated the entire tour on the zip line is completed and he is waiting on paving to have the grand opening. Mr. White extended an invitation to the Commission for a ride through the trails to see firsthand all the additions.

In an effort to maintain the beauty of the Park, bird feeders and seed have been acquired, with the help of Scott Shalaway, for a section of the Park to be dedicated as a naturalization area.

Clean up of the trails is now underway to get ready for the Cross-Country event in mid-September.

HILLVIEW RUN WATERSHED ASSOCIATION – UPDATES AND CONTRIBUTION –

Lori White, Maxwell Acres resident, and House of Delegates Member Mike Ferro appeared before the Commission with updates on the Hillview Run Watershed project. Mrs. White stated the project started about 3 years ago, and working with the Commission; Delegates Ferro and Scott Varner; and Senator Kessler; have finally resulted in bids for the project. J & R Excavating will soon be starting the project.

The Association has received \$20,000 through Delegates Ferro and Varner; and another \$25,000 is coming. The bid was \$45,568, along with a consulting fee of \$10,660. Mrs. White stated this leaves the Association approximately \$11,000 short.

Commissioner Padlow commended Mrs. White and the Association for their efforts on the project and stated the Commission is prepared to help with the shortfall. The Commission contributed \$5,000 for the start of the project, which takes time to complete.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved a contribution up to \$11,000 for the Hillview Run Watershed Association project. Motion carried.

Delegate Ferro also thanked Governors Manchin and Tomblin; Delegate Varner; Senate President Kessler and Senator Edgell for their part in acquiring the Community Partnership Grants for the project.

PHIL REMKE – Phil Remke appeared before the Commission stating that he has received great reviews of the 'Cost of Freedom' event held over the past several days. Mr. Remke was humbled by the thanks and stated he turned the vision into a reality with a great team. Between 30,000-35,000 people visited the event in 6 days from Virginia, Pennsylvania and all over West Virginia. Positive comments are still pouring in.

Mr. Remke stated there is interest in turning Moundsville and Marshall County into a patriotic site for an annual event. With great sponsors like the UMWA; Main Street Bank; and the County Commission, Mr. Remke feels this can be done. Mr. Remke thanked the Commission for their support of the project.

MARSHALL COUNTY COMMISSION
AUGUST 28, 2012

FAMILY RESOURCE NETWORK – REQUEST – Stacie Dei, Executive Director of the Marshall County Family Resource Network, Inc., appeared before the Commission with a request for financial support for a data collection and data-driven plan. Mrs. Dei explained updated information and data is necessary to make informed decisions for the community.

The plan would include updating the 2008 County Profile; GIS mapping; and housing development. AmeriCorps VISTA members will use the updated data, tools and housing plan in designing community development initiatives.

The total cost of the project will be \$76,000; with \$25,500 in outside investments, Mrs. Dei requested a \$25,000 match from the Commission.

The Commission thanked Mrs. Dei for the information and providing the Commission with the opportunity to participate in the project.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission tabled any action on the request at this time. Motion carried.

THE SANFORD CENTER – REQUEST – Al Hendershot, The Sanford Center, appeared before the Commission thanking them for their support over the past few years. Mr. Hendershot stated The Sanford Center is close to being self-sufficient and recently received a grant from the RC&D Council for handicap restrooms. The Community Center and gym are available for rentals; and the Center currently has a dance studio; real estate office; and karate school as long-term tenants.

The Sanford Center Board is comprised of volunteers, no salaries are paid. Mr. Hendershot, on behalf of The Sanford Center Board, requested continued financial support from the Commission.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved a contribution to The Sanford Center in the amount of \$5,000. Motion carried.

EULA NAOMI MORRIS ESTATE – PETITION FOR REMOVAL – Rhonda L. Wade, Fiduciary Commissioner, and Marguerite Howard appeared before the Commission for the Petition for Removal filed by Patricia Snyder in the Eula Naomi Morris Estate. Ms. Wade stated the Petitioner lives in California and is not present; however she requested Mrs. Howard be appointed as the new administrator the Estate, following the removal of Lamara K. Schultz.

Ms. Wade further stated Ms. Schultz has filed the required paperwork; however changes need to be made. Ms. Wade feels she and Ms. Howard will be able to work through this process and that removal of the Administratrix would only prolong settling the Estate. Ms. Wade requested that this matter be tabled for two weeks.

**MARSHALL COUNTY COMMISSION
AUGUST 28, 2012**

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission tabled action on the Petition for Removal until September 11, 2012, at 10:15 AM. Motion carried.

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

YOUTH SERVICES SYSTEM, INC. – TABLED REQUEST – The Commission discussed the previously tabled request of Mark Abraham for the Youth Services System Inc. Mr. Abraham had requested Commission support for the Celebrate Youth 2012 Event. Mr. Abraham informed the Commission that the Event supplies information for young people and their parents about employment, educational and training resources available in the community.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved a contribution to the Youth Services System, Inc., in the amount of \$1,200 for the Celebrate Youth 2012. Motion carried.

NORTHERN PANHANDLE – HANDS ON AG DAY REQUEST – The Commission discussed the previously tabled request from the Northern Panhandle Hands on Ag Day Committee. The Committee requested continued sponsorship of the Hands on Ag Day for 5th graders to be held September 20 & 21.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved a contribution for the Hands on Ag Day in the amount of \$1,500. Motion carried.

EXONERATIONS – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the following 30 erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

McJunkin Red Man Corp	5,779.74
Ebeling, Wesley & Rebecca	13.32
Ally Bank	377.92
Condit, John S	297.94
Whitfield, Imogene	2.76
Stocking, Juliann	29.04
Wells Fargo Finan Lease Inc	179.20
McCracken, Wayne L & Phyllis	23.40
Amrhein, Paul F & Phyllis M	19.22
Brunner, Harry E – John & Christina L Miller	877.38
Subway	2,094.90
Dolgovskij, Nikolai & Bonnie	10.92
Horner, Charles E	3.44
Horner, Charles E	3.44
Shaw, Emily Sue	2.76
Savage, Donna J	2.76
Zubritsky, Charlene H	2.76
Chambers, Sara Jean etal	3.44
Chambers, Sara Jean etal	24.04

**MARSHALL COUNTY COMMISSION
AUGUST 28, 2012**

Maine, Francis	2.76
Wheeling Creek Watershed & Flood Prev Comm	2.76
Enervest Operating LLC	519.12
Shaffer, Walter	65.68
Saurborn, Terry E	34.10
Wayt, Richard J EST	3.44
Lagos, John C & Cindy	2.76
Mason, William A EST	3.44
Mason, William A EST	3.44
Bassett, Greg Elwood	174.38
Van Scyoc, Schane R & Joy A	1,399.82

NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the Notice of Apportionment of Jointly Owned Motor Vehicles for Michael A. and Stacie Bandy; and Mary Susan and Franklin J. Vickers. Motion carried.

OEM – NATIONAL PREPAREDNESS MONTH – PROCLAMATION – Tom Hart, OEM Director, appeared before the Commission with a Proclamation for National preparedness Month for Commission approval.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission adopted and approved the following:

Proclamation

National Preparedness Month, September 2012

WHEREAS, the United States Department of Homeland Security, the Federal Emergency Management Agency, Ready.gov and Ready West Virginia have declared September as National Preparedness Month in an effort to encourage Americans to better prepare themselves in times of emergencies & disasters;

WHEREAS, preparedness and educational materials and products for citizens will be available across the United States, the State of West Virginia and Marshall County;

WHEREAS, the Marshall County Office of Emergency Management has joined the National Preparedness Coalition in a nationwide effort to better prepare citizens across the United States, the State of West Virginia and Marshall County;

WHEREAS, the Marshall County Commission recognizes these efforts on the National and State level to better promote preparedness and the importance of such efforts on a local effort and through the Marshall County Office of Emergency Management, to join with them to better prepare all Citizens;

NOW, THEREFORE, IT IS PROCLAIMED by the Marshall County Commission that September is National Preparedness Month in the County of Marshall.

PASSED and ISSUED by the County Commission of Marshall County, State of West Virginia, this 28th day of August, 2012.

**MARSHALL COUNTY COMMISSION
AUGUST 28, 2012**

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

<u>GENERAL COUNTY FUND</u>	26,243.19
<u>COAL SEVERANCE FUND</u>	115,000.00
<u>E-911 FUND</u>	755.27

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

PRESIDENT