

**MARSHALL COUNTY COMMISSION**  
**SEPTEMBER 11, 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 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, September 11, 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 6<sup>th</sup> day of September, 2012.

s/Jan Pest, County Clerk

The Commission began with a prayer by Rev. Wesley Howsare, followed by a moment of silence for the victims and families of the events that occurred September 11, 2001. The Commission also observed a moment of silence for the WV State Troopers that were shot August 28.

**MINUTES** – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the minutes of the Special Session held August 28, 2012. Motion carried.

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**COMMISSIONER COMMENTS:**

COMMISSIONER SCHAMBACH mentioned the Williams Partners announcement, and is excited about the amount of jobs that will be available. He spoke with Scott Carney, Communications Officer with Williams, and will obtain the directions to access the employment opportunities with Williams in Marshall County.

Commissioner Schambach announced he did ride the zip line at Grand Vue Park!

Commissioner Schambach will attend the Senior Citizens meeting this afternoon.

COMMISSIONER MASON remembers the morning events that happened 11 years ago today; and the first responders that went into the buildings while others were running out.

The Commission did not meet last week, but did tour the new Cameron High School, which will be a state-of-the-art building when opened.

The Williams announcement was great news for Marshall County; they will be moving into part of the TeleTech building and will invest approximately \$3 billion in Marshall County facilities.

COMMISSIONER PADLOW was also very happy with the Williams announcement and feels this is a win-win situation for Marshall County. The County continues to grow, which has been a goal of the Commission for several years. Reduce Taxes and create jobs. Commissioner Padlow thanked Don Rigby and Josh Jefferson of R.E.D. Partnership, for their efforts in getting Williams to Marshall County.

September 11, 2001, started out like today, very bright skies and nice weather; Commissioner Padlow sent our thoughts and prayers to the families that lost loved ones on that day, eleven years ago.

**MONARCH CARD INCENTIVE PROGRAM** – Jason Marling, Assistant Principal at John Marshall High School, appeared before the Commission concerning the Monarch Card Incentive Program. Mr. Marling explained the program was implemented to promote characteristics that businesses look for in potential employees. Specifically: attendance, punctuality, and good character.

Local businesses have agreed to take part in the program and offer discounts when the card is presented. To earn a card, a student must have perfect attendance, perfect behavior and no tardy-to-school violations. Mr. Marling informed the commission that the Westest scores have improved since the implementation of the Card Program.

Mr. Marling requested Commission participation in the Program and further stated \$3-5,000 would support the Card Program for three years.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission denied the request to participate in the Card Program, for the reason that it benefits only one school. Motion carried.

**2012 GENERAL ELECTION – ELECTION OFFICIALS** – Jan Pest, County Clerk, submitted the Poll Officials lists submitted by the Democrat and Republican Executive

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Committees for the 2012 General Election. Mrs. Pest requested Commission approval of the lists.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the Poll Official lists for the 2012 General Election based on recommendations of each party Executive Committee. Motion carried.

**2012 SPECIAL ELECTION – POLLING PLACES** – Jan Pest, County Clerk, submitted a Notice of Intent to Change Polling Places for the December 2012 Special Election. Mrs. Pest explained due to the Election being held on a Saturday, some polling places are not available.

The Polling Place locations to be changed are:

Precinct 25 will move to the T. O. Dickey Room  
600 Marshall Street, McMechen

Precincts 26, 28, and 30 will move to the  
McMechen School  
8<sup>th</sup> & Marshall Streets, McMechen

Precinct 14 will move to the  
Glen Dale Grade School

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the Polling Place changes for the December 15, 2012 Special Election. Motion carried.

**INDUSTRIAL ACCESS ROAD AGREEMENT** – Betsy Frohnapfel, County Administrator, submitted an Industrial Access Road Agreement for Commission approval. Mrs. Frohnapfel explained the Agreement is between the WV Department of Transportation, Division of Highways; the City of Glen Dale; and the Marshall County Commission; to access Warren Distribution.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President and County Clerk were authorized to sign the Industrial Access Road Agreement. Motion carried.

**PREVENTION RESOURCE OFFICER – SHERRARD MIDDLE SCHOOL** – Betsy Frohnapfel, County Administrator, submitted an Agreement for a Prevention Resource Officer at the Sherrard Middle School for Commission approval. The Marshall County Board of Education has agreed to pay 75% of the costs of the Officer, and the Commission will pay the remaining 25% of the costs.

The PRO will be at the Sherrard Middle School from August to May, and will be available to the Sheriff's Department June and July. The costs will include the Officer's salary, weapons, uniforms and vehicle.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the Agreement with the Marshall County Board of Education for

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payment of a Prevention Resource Officer at the Sherrard Middle School; with the Board of Education responsible for 75% of the associated costs, and the Commission responsible for the remaining 25%. Motion carried.

**SHERIFF'S DEPARTMENT – NEW DEPUTY** – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission authorized the Sheriff to move forward with the hiring process for a new Deputy, to fill the vacancy left by the Sherrard Middle School PRO. Motion carried.

**ANIMAL CONTROL – VEHICLE BIDS** – After proper publication of specifications, the Commission received the following 6 bids for a vehicle for Animal Control:

Robinson Auto Group 2013 Chevrolet Silverado	30,858
Robinson Auto Group 2013 GMC	28,563
Ohio Valley Ford 2013 Ford F150	26,489
Whiteside Chevrolet 2013 Chevrolet Silverado	29,743
Robinson Auto Group 2013 Chevrolet Silverado	29,189
Whiteside 2012 Chevrolet 2500	29,743

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

**EXONERATIONS** – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the following 17 erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

Gaughan, Michael W & Leslie	17.84
Gaughan, Michael W & Leslie	67.72
Rice, Mary Ann	2.76
Jochum, Gregory D & Deborah	2.76
Cawthon, Timothy A & Elizabeth	108.12
Brautigan, Keith A	53.30
Dick, Henry Jr & Barbara	24.02
Spielvangel, Margaret E	2.76
Burkett, Tina S	2.76
Hawkins, Sharon K	231.20
Crow, Rena – Life etal	30.80
Crow, Rena – Life etal	32.08
Crow, Rena – Life et al	31.64
Crow, Rena – Life etal	33.12
Crow, Rena – Life etal	33.46
Sebastain, Prakash	91.98
McEhoes, Richard Allen	36.04

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**EULA NAOMI MORRIS ESTATE – PETITION FOR REMOVAL** – Rhonda Wade, Fiduciary Commissioner, and Lamara K. Schultz, Administratrix, appeared before the Commission concerning the Petition for Removal of Personal Representative in the Eula Naomi Morris Estate. Ms. Wade stated she feels Ms. Schultz is fulfilling her duties as Administratrix, and requested the Commission deny the Petition for Removal.

Further, Ms. Wade informed the Commission she feels it will take another 90 days to complete the administration of the Estate, largely due to the sale of the home.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission accepted the recommendation of the Fiduciary Supervisor, Rhonda Wade, and denied the Petition for Removal filed by Patricia Snyder. Motion carried.

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

**TAX OFFICE – DELINQUENT LIST** – Sheriff John Gruzinkas and Chief Deputy Amy Carmichael appeared before the Commission to submit the 2011 Real Estate Delinquent Tax List. Mrs. Carmichael explained the list of delinquent taxes is smaller than last year, however the amount due is larger. This difference is due to the oil and gas leases.

Mrs. Carmichael also explained reminder letters will be mailed earlier in an attempt to gain more current addresses for tax payers.

**EQUITABLE SHARING AGREEMENT** – On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission President was authorized to sign the annual Equitable Sharing Agreement for the Tax Office. Motion carried.

**CANINE FUND ACCOUNT** – Amy Carmichael, Chief Tax Deputy, submitted a bank signature card for the Commission President and County Clerk to sign. Mrs. Carmichael explained it was necessary to place the Canine Fund in a three-signature account, with the Sheriff being the third signature.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission President and County Clerk were authorized to sign the Canine Fund Account bank card for United Bank. Motion carried.

**MARSHALL COUNTY MEDICAL EXAMINERS – TRAINING** – The Commission received a request from Carol Robinson and Carla McBee to attend the annual training and recertification to be held in Charleston October 22-25, 2012. The costs is \$200 per person for registration.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved expenses for training for the Medical Examiners. Motion carried.

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**CORRESPONDENCE:**

**R.E.D. PARTNERSHIP** – coal bed methane severance tax to be used for economic development

**CHAMBER OF COMMERCE** – invitation for annual dinner October 4, 2012

**THANK-YOU** – Youth Services System

**GOVERNOR TOMBLIN** – WV Blue Ribbon Commission on Highways

**WV DEPARTMENT OF AGRICULTURE** – The Commission received a letter from Gus R. Douglass, Commissioner of Agriculture, stated Assessor Christopher J. Kessler has completed the Farm Census of 2012 and complied with the requirements of the Farm Statistics Law.

The Commission also received a letter from Assessor Chris Kessler requesting payment of the Farm Statistics Payroll Check.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission authorized payment of the Farm Statistics Payroll Check to Assessor Chris Kessler. Motion carried.

**ANIMAL CONTROL – VEHICLE BIDS** – Howard Coffield, Maintenance Supervisor, returned to the Commission meeting with the Animal Control Vehicle Bids. The Commission, noting the low bid was received from Ohio Valley Ford-Mercury for a 2013 Ford F-150 Super Cab 4X4.

On motion of Commissioner Mason, seconded by Commissioner Schambach, the Commission approved the bid from Ohio Valley Ford in the amount of \$26,489 for the 2013 Ford F-150. Motion carried.

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

<u>GENERAL COUNTY FUND</u>	67,518.35
<u>COAL SEVERANCE FUND</u>	145,959.48
<u>E-911 FUND</u>	3,604.07
<u>HOME CONFINEMENT FUND</u>	1,097.10

**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