

**MARSHALL COUNTY COMMISSION  
FEBRUARY 12, 2013**

The Commission convened this day pursuant to the following call: Donald K. Mason, President; Brian L. Schambach and Robert Miller, Jr., Commissioner; Jan Pest, County Clerk; Betsy Frohnafel, County Administrator. 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, February 12, 2013, 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/Donald K. Mason, President

Posted at the front door of the Courthouse on the 7<sup>th</sup> day of February, 2013.

s/Jan Pest, County Clerk

**MINUTES** – On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the minutes of the Special Session held January 8, 2013. Motion carried. Commissioner Mason abstained from voting due to his absence.

On motion of Commissioner Miller, seconded by Commissioner Mason, the Commission approved the minutes of the Special Session held February 5, 2013. Motion carried. Commissioner Schambach abstained from voting due to his absence.

**COMMISSIONER COMMENTS:**

COMMISSIONER MILLER requested to be appointed to the Wheeling Creek Watershed Commission to replace his father on the Commission. Betsy Frohnafel, County Administrator, stated Howard Coffield currently serves as the Commission

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appointee on the Commission; however, there is an at-large position that needs filled. The Commission will send a letter requesting to move Mr. Coffield to the at-large position and the County Commission can then make a new appointment.

Commissioner Miller also welcomed Commissioner Schambach back after his recent surgery.

COMMISSIONER SCHAMBACH stated his doctor was able to do 80% of what he wanted with the surgery to correct a detached retina, and he is glad to be back.

Commissioner Schambach commended the Health Department for banning smoking in public places, especially ballfields.

A memorial dinner will be held for Sandy Stenger at St. James/St. John's school tomorrow from 3:30 – 6:30 P.M.

Commissioner Schambach introduced a former client and friend, Mike Nichols, who is here today to observe.

COMMISSIONER MASON stated he is also glad to have Commissioner Schambach back and welcomed Mr. Nichols to the meeting.

Last Tuesday, Commissioner Mason attended the reception celebrating 20 years of service for Scott Varner. The event was very nice and well attended.

Friday, Commissioner Mason chaired the Health Board meeting where a new regulation was passed. The intent is to keep second hand smoke from areas where children are. Hotels and motels were included, and an amendment was applied to give them the opportunity to apply for permits for smoking areas. The new regulation takes effect April 1, 2013.

**IN-HOUSE BUDGET REVISION** – On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved an in-house budget revision for Department 700 in the amount of \$10,000. Motion carried.

**VISION INSURANCE – EMPLOYEE BENEFIT** – Jan Pest, County Clerk, passed along information to the Commission that our vision insurance, VSP, added a program for hearing aids, at no additional cost to the County or employee.

**CORRESPONDENCE:**

**THANK-YOU** – Special Olympics

**WVU EXTENSION** – 9<sup>th</sup> Annual Small Farm Conference Feb 28-Mar 2

**PSD#4** – schedule of monthly meetings

**BISHOP DONAHUE HIGH SCHOOL – AFTER-PROM** – The Commission received a letter from Diane Schau and Jamie Kudla, BDHS After-Prom Committee Co-Chairpersons, requesting a contribution to the event to be held May 4, 2013 at the Chambers YMCA.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved a contribution in the amount of \$300 for the Bishop Donahue

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High School After-Prom event; and also for John Marshall High School and Cameron High School, upon receipt of a request. Motion carried.

**MARSHALL COUNTY ACTIVITIES DEVELOPMENT AUTHORITY – BOARD**

**APPOINTMENT** – The Commission received a letter from Howard Coffield, Secretary for the Marshall County Activities Development Authority, requesting the appointment of Cindy Richmond to the Board. Mrs. Richmond has accepted the responsibility of becoming a member.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the request and appointment Cindy Richmond to the Marshall County Activities Development Authority Board. Motion carried. The Commission also requested a letter be sent to Mrs. Richmond thanking her for taking the appointment; and a letter to the Authority informing them of the appointment of Mrs. Richmond.

**FIRST TIME HOMEBUYER PROGRAM – RELEASES OF DEEDS OF TRUST** – The Commission received a letter from Vickey Battista, HOME Program Administrator, requesting the approval of a Release of Deed of Trust for Hayley Allman-Urbaneck. Ms. Allman-Urbaneck has fulfilled her obligation for the Program.

Mrs. Battista also submitted a Release of Deed of Trust for Commission approval for Brittany J. Hanket-Birch. Ms. Hanket-Birch also fulfilled her obligation for the Program.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission President was authorized to sign the Releases of Deeds of Trust. Motion carried.

**E-911 – ROAD NAMES** – The Commission received two letters from Larry Newell, E-911 Director, requesting the approval of road names. Mr. Newell recommended the name of Bahulavan Lane and Pavilion Road on McCrearys Ridge in the Moundsville Postal District.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission accepted the recommendations of Mr. Newell and approved the road names. Motion carried.

**RECESS** – On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission recessed to conduct the Board of Equalization and Review hearing. Commission reconvened.

**FIRST TIME HOMEBUYERS PROGRAM – PUBLIC HEARING** – Cindy Tribett, Executive Director, and Vickey Battista, HOME Program Administrator, appeared before the Commission for the required public hearing on the First Time HOME Buyers

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Program. Mrs. Battista reviewed the requirements of the Program and stated the funding for this year will be \$58,082.

Also attending the public hearing were Joseph L. Rush, Ron Morris, Jim Thomas, Mike Nichols, Fred Brunner, J. W. Johnson, Jr., James Cochran, Betsy Frohnapfel, Jan Pest and Winnie Turner.

The Commission thanked Mrs. Tribett and Mrs. Battista for the information and their work on the Program. The public hearing was closed.

**EXECUTIVE SESSION – ASSESSOR – PERSONNEL** – On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission went into an executive session with Assessor Chris Kessler on a personnel matter. Commission reconvened.

**WILLIAMSBURG FARMS – 911 ADDRESSING ISSUES** – The Commission discussed a previously tabled request to not change the addresses in Williamsburg Farms with the 911 addressing standards. Commissioner Mason stated he visited the area and has concerns regarding the covenants of the development if the changes were made to the 911 addressing. Commissioner Mason recommended leaving the addressing as is in that area.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved keeping the addressing the same and not implementing the 911 addressing for the Williamsburg Farms area. Motion carried.

**OEM – MEDICAL RESERVE CORP CAPACITY BUILDING AWARD** – Tom Hart, Director, and Mike Muecheck, Deputy Director, appeared before the Commission to submit an Agreement for the Medical Reserve Corp Capacity Building Award. Mr. Muecheck stated the Award is in the amount of \$4,000 this year, usually \$5,000.

The Award is through National Association of County and City Health Officials for the Medical Reserve Corp to help with building rentals, provide updates to the MRC of programs and plans, and to participate in assessments.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the grant for OEM through NACCHO in the amount of \$4,000, and the Commission President was authorized to sign the same. Motion carried.

**WEST VIRGINIA COUNTIES RISK POOL – PRESENTATION** – Steve Rollins, WV Counties Risk Pool, appeared before the Commission with a presentation to join the Risk Pool insurance program. Mr. Rollins stated currently there are 39 County Commissions and 71 Authorities that are members of the Risk Pool. The benefit is stability, and the rates are lower than when the Risk Pool was started in 2007.

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The Risk Pool now includes workers compensation and 33 of 34 County Commissions joined that also. The Commission thanked Mr. Rollins for the presentation.

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

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

<u>GENERAL COUNTY FUND</u>	40,990.20
<u>COAL SEVERANCE FUND</u>	14,750.00
<u>E-911 FUND</u>	210.25
<u>HOME CONFINEMENT FUND</u>	1,152.95
<u>DOG FUND</u>	502.15
<u>MAGISTRATE COURT FUND</u>	202.51

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

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PRESIDENT