

**MARSHALL COUNTY COMMISSION**  
**MARCH 5, 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 Frohnappel, 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, March 5, 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 28<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 February 19, 2013. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the minutes of the Board of Equalization and Review hearing held February 22, 2013. Motion carried.

**COMMISSIONER COMMENTS:**

COMMISSIONER MILLER attended the Fostoria Glass Museum open house on Saturday and enjoyed the documentary that was showing.

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COMMISSIONER SCHAMBACH attended the Grand Vue Park Appreciation Dinner held last week; and the County Commissioners Association meeting in Charleston.

Commissioner Schambach discussed the Noble Energy/CONSOL brine spill. Commissioner Schambach stated Noble Energy and CONSOL have been very helpful with issues in the past and he sees no problem with the way they will handle this issue as well.

COMMISSIONER MASON stated it has been two weeks since the Commission has met, and it has been a very busy two weeks. The Commission has been conducting budget hearings; and completed the Board of Equalization and Review hearings, which adjourned sine die on Friday, February 22, 2013.

Commissioner Mason also attended the Appreciation Dinner held at Grand Vue Park, and noted the volunteers are easily forgotten. Craig White, General Manager, acknowledged the volunteers and presented slides of the various events and programs available at the Park.

Sunday, Commissioner Mason attended the County Commissioners Association Board/Legislative Meeting held in Charleston. Plans for the current Legislative session were discussed; with regional jail costs still the main topic.

**GRAND VUE PARK – UPDATES** – Craig White, General Manager of Grand Vue Park, thanked the Commission for their continued help with the Park and stated the Appreciation Dinner was for everyone that also continues to help at the Park.

The handicap portion of the zip line should be completed by mid March; maintenance is on-going and the permit is completed. Hopefully tours will start in April.

Golf will also start in April and cabin rentals are starting. This weekend is the Business Expo at the old prison and the Park will be there. Two canopy tours will be given away to promote the zip line.

**COUNTYCLERK – IN-HOUSE BUDGET REVISION** – Jan Pest, County Clerk, submitted an in-house budget revision in the elections department for Commission approval.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved an in-house budget revision for Department 413 in the amount of \$11,940. Motion carried.

**FEEDING BODY & SOUL – REQUEST** – The Commission received a letter from Sandye Yoho and Teresa Devlin, Co-Directors of Feeding Body & Soul Community Kitchens. The Community Kitchens serve hot lunches at the Ash Avenue Church of God and Simpson United Methodist Church Monday thru Saturday.

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The Kitchens are staffed by volunteers serving an average of 100 meals a day, sometimes more. The Kitchens operate on donations from the community, and Ms. Yoho and Ms. Devlin requested assistance from the Commission.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved a contribution in the amount of \$1,000 for the Feeding Body & Soul Community Kitchens. Motion carried.

**CORRESPONDENCE:**

**MCMECHEN SWIMMING POOL** – placed in Community Development Fund requests  
**SEWERAGE DIST** – highlights of Feb 2013 meeting

**YOUTH SERVICES SYSTEM, INC. – REQUEST** – The Commission received a letter from Marc Abraham, Youth Services System, Inc. Finance Committee Chair, requesting a \$5,000 contribution from the Commission. Mr. Abraham stated the Northern Regional Juvenile Center has youth in class 5 days a week; holds monthly family dinners; and over the past 10 years has served an average of 48 youth per year from Marshall County.

The building is in need of a new roof with a projected cost of \$193,000. Mr. Abraham requested the contribution from the Commission to help with the project.

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

**COUNTY COMMISSION – NEW CUSTODIAN** – Betsy Frohnafel, County Administrator, submitted a letter requesting Commission approval to hire Vanessa Wolfe for the open custodial position. Ms. Wolfe is a resident of Glen Dale and has many years of cleaning experience. Ms. Wolfe would begin March 18 at the starting salary of \$22,000.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the request to hire Vanessa Wolfe for the open custodial position at the starting salary of \$22,000. Motion carried.

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

**RALPH CURTIS RIGGLE ESTATE – PETITION TO WITHDRAW** – Linda Burkey appeared on behalf of Alan Wayne Riggle, personal representative in the Estate of Ralph Curtis Riggle. Mrs. Burkey stated Wayne Riggle was named as the personal representative under the will, but predeceased Ralph Curtis Riggle. Alan Riggle was named as the personal representative if Wayne Riggle could not serve.

Alan Riggle has become ill and Petitions this Commission to be removed as the personal representative. Mrs. Burkey stated two beneficiaries have stated they would be appointed to complete the process of probating this estate.

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Mrs. Burkey submitted a proposed Appraisal and requested the Commission accept the Appraisal, but not record, pending possible litigation concerning a real estate matter in the estate.

On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission accepted the resignation of Alan Riggle as personal representative in the Ralph Curtis Riggle Estate. Motion carried.

**SHERIFF'S DEPARTMENT – NEW DEPUTY** – Sheriff Kevin Cecil and Chief Deputy Bill Helms appeared before the Commission requesting approval to hire Devon West as a Deputy Sheriff. Mr. West is at the top of the Eligibility List for the position and graduated from John Marshall High School. Mr. West would start March 15, 2013 at the starting salary of \$31,500.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the request to hire Devon West as a Deputy Sheriff starting March 15, 2013 at the starting salary of \$31,500. Motion carried.

**SHERIFF'S DEPARTMENT – IN-HOUSE BUDGET REVISION** – On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved an in-house budget revision in the amount of \$4,170 for Department 700. Motion carried.

**DHHR – JOB FAIR** – Sue Drake and Brenda McGill from the Department of Health and Human Resources appeared before the Commission concerning the annual Job Fair to be held May 17, 2013. Mrs. Drake stated 63 employers participated last year, with over 300 job seekers attending.

This will be the 8<sup>th</sup> year for the event and Mrs. Drake stated concerns the rental may increase. Previous contributions from the Commission help with refreshments and employer lunches.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved a contribution in the amount of \$1,000 for the DHHR Job Fair. Motion carried.

**NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES** – On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved the following four Notice of Apportionment of Jointly Owned Motor Vehicles: Nancy and Walter Phillips; Jason Kocher and Ashley Sinclair; Lance J. and Donna J. Gossett; Leasha and Peter Barton, Sr. Motion carried.

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

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**BEL-O-MAR – WATERLINE EXTENSION** – The Commission discussed the proposed waterline extension for Green Valley, Cameron. The project would include 52 customers and extend 1.6 miles. Bel-O-Mar contacted the Commission stating a commitment was necessary to proceed with the project.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved funding for the proposed waterline extension for Green Valley in the amount of \$103,161.24. Motion carried.

**HEALTH DEPARTMENT – CLEAR AIR AWARENESS CAMPAIGN** – The Commission discussed helping the Health Department with a proposed Clear Air Awareness Campaign. Betsy Frohnafel, County Administrator, submitted a proposal to promote the Clean Air Regulation of 2013 which includes billboards; television commercials; radio commercials; and post cards. The cost of the campaign is \$5,000.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved a contribution to the Marshall County Health Department for the Clear Air Awareness Campaign in the amount of \$5,000. Motion carried.

**IN-HOUSE BUDGET REVISIONS** – On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved an in-house budget revision in the amount of \$4,570 for Department 700. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved an in-house budget revision in the amount of \$6,500 for Department 425. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved an in-house budget revision in the amount of \$1,500 for Department 711. Motion carried.

**MARSHALL COUNTY SEWERAGE DISTRICT – REQUEST** – The Commission received a request from John Blair, Marshall County Sewerage District Chairman, for a grant from the sewer budget. Mr. Blair stated Rule 42 documentation shows insufficient debt coverage to qualify for a loan consideration from the WVIJDC.

However, high maintenance expenses for repairs and upgrades to the eleven sewage collection systems and eight treatment plants in the County has made it impossible for the Sewerage District to meet its obligations. Mr. Blair requested a loan from the sewer budget in the amount of \$28,000.

On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved the request in the amount of \$28,000 for the Marshall County Sewerage District. Motion carried.

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

<u>GENERAL COUNTY FUND</u>	87,225.46
<u>COAL SEVERANCE FUND</u>	41,767.26
<u>E-911 FUND</u>	3,532.45
<u>HOME CONFINEMENT FUND</u>	131.75

**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