

MARSHALL COUNTY COMMISSION
MARCH 19, 2013

President; Brian L. Schambach and Robert Miller, Jr., Commissioner; Jan Pest, County Clerk; Betsy Frohnafel, County Administrator. Winnie Turner, Chief Deputy, and The Commission convened this day pursuant to the following call: Donald K. Mason, Jeanne Shook, 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 19, 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 14th day of March 2013.

s/Jan Pest, County Clerk

MINUTES – Commissioner Mason noted a correction on page 45 of the minutes of the Special Session held March 5, 2013. The Sewerage District request was for a contribution, not a loan. With the correction, on motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the minutes of the Special Session held March 5, 2013. Motion carried.

COMMISSIONER COMMENTS:

COMMISSIONER MILLER attended the WV Association of Counties meeting in Charleston; and also met with the Governor to discuss various issues. Commissioner Miller attended the Cameron High School dedication on Sunday which was beautiful.

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Commissioners Mason and Miller, as well as Betsy Frohnapfel, County Administrator, attended the County Fire Chiefs meeting in Cameron.

COMMISSIONER SCHAMBACH stated that they have been working very hard on the budget and are close to being done. He also met with citizens regarding concerns on Coal Severance issues.

COMMISSIONER SCHAMBACH met with Marshall County Magistrates regarding many issues. He toured the Marshall County Sewerage District with Ron Morris and also met with Betty Key regarding the Benwood Mine Disaster Project.

COMMISSIONER MASON stated that there was no meeting last week due to the WV Association of Counties Legislative meeting in Charleston in which he had an opportunity to discuss various issues with the Legislators.

COMMISSIONER MASON stated that they have been busy working on the budget and it will be ready to present next week. He attended a meeting on March 5, 2013 in the evening with the Marshall County Sewage Authority Board and Scott Hicks regarding the Mozart project. February and March have been busy.

The Commisioners also purchased a cake named The Pine Wood Derby Track, as part of their annual Feller Cake Bake Auction. Suzanne Chamberlain, Scouting Coordinator, thanked the Commissioner's for their continued support.

BENWOOD MINE DISASTER PROJECT – Susan Reilly, Ed Sherman, Betty Key, and J.R .Cross appeared before the Commission to request their support to erect a monument in honor of 119 coal miners who died in an explosion in 1924 in Benwood. Consol Energy has donated the property for the monument to make this project possible. They noted that Co-Chairman of this project is Joey Tellitocetti. The lab designer of the monument is Catherine Feryok and \$60,000 is needed to start the first goal of a 3 stone monument.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved a contribution in the amount of \$5000. Motion carried.

E-911 MAP/ADDRSSING: ROAD NAME MODIFICATION AND LOCATION- Larry D. Newell, E-911 Director submitted requests for road name modifications of Raleigh Drive, Williamsburg Drive, and Jamestown Court.

On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved the road modifications. Motion Carried.

THE AMERICAN LEGION DEPARTMENT OF WV BOYS STATE- Jim Davis, Director of the WV Boys State, informed everyone about the program. Gary Wolfe was also in attendance. This year will be the 76th year at the same location of Jackson Mills. The program is for boys between their Junior and Senior year of High School with a 3.0 grade point average or higher, and be recommended by their school. Last year

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Jonathan Miller, a senior at John Marshall High School attended. He spoke about what a great experience it was and he was honored to have been elected to the seat of the County Clerk. They offer new programs this year on Anti-drugs and bullying. They requested a contribution again this year and prices have increased.

On motion of Commissioner Schambach, seconded by Commissioner Miller, a donation of \$1200.00 was approved for two students from each of the three High Schools in the County. Motion carried.

MARSHALL COUNTY ANIMAL SHELTER DOOR BIDS- Bids on new Steel Doors were received. Only one bid was received.

On motion of Commissioner Schambach, seconded by Commissioner Miller, action was tabled on the matter to allow for review.

MARSHALL COUNTY ANIMAL SHELTER FLOORING BIDS -

On motion of Commissioner Schambach, seconded by Commissioner Miller, flooring bids were rejected without opening and authority was given to re-bid the project. Motion carried.

JOE PARRIOTT-DISASTROUS FLOOD CONTROL-Joe Parriott appeared to request County Government obtain the services of a recognized hydrologist to evaluate the possibility of a disastrous flood in the Middle Grave Creek watershed. He voiced concerns about the recent removal of ground cover to make way for gas well drilling pads may dramatically increase the risk of a tragic flood. The Commissioners thanked him for the information.

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

PAID OVERTIME REQUEST- The Commissioner's received a letter from Kevin Cecil requesting his paid time off and his accumulated over time pay prior to being elected Marshall County Sheriff.

On motion of Commissioner Schambach, seconded by Commissioner Miller, request was approved. Motion carried.

MAGISTRATE COURT DUTCH DOORS REQUEST- The Commission received a request from Circuit Court Chief Judge Mark A Karl to replace existing Magistrate assistant's doors with new Dutch doors.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the project was approved to replace doors as requested by Judge Mark A. Karl and to put the project out for bids. Motion carried.

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COUNTY COMMISSION AUCTION - County Administrator Betsy Frohnapfel informed the Commission that on April 9, 2013 @ 1:00 pm, an auction will be held for surplus Rail Trail property behind Warren Distribution and a vacant lot on Tharon Lane. They will also be auctioning several unused 4S iPhones.

CORRESPONDENCE –

JORDAN FROM MRS. SCARBERRY'S CLASS - Thank you card for school project
BISHOP DONAHUE AFTER PROM PARTY – Thank you for donation
AUDIT OF WV LOTTERY'S LVL MUNICIPALITY DISTRIBUTION – Underpayment to Commission, Adjustment of \$3,339.12 will be made to Feb. LVL distribution.
HARMONY HOUSE REQUEST – Information for funding given to Betsy Frohnapfel
NORTHERN PANHANDLE CONSERVATION DISTRICT – Dam inspections
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY – Inspection 3/25/13
NOBLE ENERGY PROPOSED NEW WELL - Information given to Tom Hart

FIRST TIME HOMEBUYER LOAN RELEASE OF DEED OF TRUST – Vickey Battista, Home Program Administrator sent a letter to the Commission as notice that Christopher E. Bowie has fulfilled his obligation for the First Time Homebuyer Program. Therefore, the lien that the County has placed against his property can now be released.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission President was authorized to sign the Release of Deed of Trust for Mr. Bowie. Motion Carried.

CITY OF GLEN DALE – Jane L. Criswell-Rickman, Glen Dale City Clerk sent the Commission a letter asking for funds from the Marshall County Community Development Fund for the purpose of a new vacuum for the swimming pool in the amount of \$3000.

In keeping with previous municipality contributions, Commissioner Schambach moved and Commissioner Miller seconded to approve the request. Motion carried.

EXONERATIONS – On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the following 12 erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

Wood, Richard F	\$ 43.08
Ward, Robert A	18.64
Ward, Robert A	17.50
Sinclair, Clark B	30.90
Wilson, Robert D	412.40
Blake, Paul R	389.26
Minchs, Marilyn	2.76
Barnes, Eugene H	222.86
Tsacrios Jr, Nick M	111.22
Ernest, Elizabeth	3.36
Wheeling Veterinary Assoc. PLLC	356.36
Mason, Michael L	185.70

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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 \$1000 for Department 401. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved an in-house budget revision in the amount of \$500 for Department 406. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved an in-house budget revision in the amount of \$2000 for Department 406. Motion carried.

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

<u>GENERAL COUNTY FUND</u>	\$ 162,621.85
<u>COAL SEVERANCE FUND</u>	134.85
<u>E-911 FUND</u>	12,641.29
<u>HOME CONFINEMENT FUND</u>	488.80
<u>DOG FUND</u>	87.65
<u>MAGISTRATE FUND</u>	63.68

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

PRESIDENT