

**MARSHALL COUNTY COMMISSION
SEPTEMBER 10, 2013**

NOTICE OF SPECIAL SESSION

The Commission convened this day pursuant to the following call: Donald K. Mason, President; Brian L. Schambach and Robert Miller, Jr., Commissioners; Jan Pest, County Clerk; Betsy Frohnapfel, County Administrator; and Jeanne Shook, Deputy Clerk.

The County Commission of Marshall County, West Virginia will meet in Special Session at the Courthouse thereof, on Tuesday, September 17, 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 12th, day of September, 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 August 27, 2013.
Motion carried.

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COMMISSIONER COMMENTS -

COMMISSIONER MILLER and COMMISSIONER MASON both traveled to Charleston, per Governor Tomblin's request, to accept a 1.5 million dollar grant awarded for the Mozart Sewer Project. John Blair is the District Chairman of the project and Scott Hicks and Eric Fecat of Belomar also attended.

COMMISSIONER SCHAMBACH visited the Marshall County Airport to see the T- hangars which are now complete. Most hangars are already rented.

COMMISSIONER SCHAMBACH stopped at Williams Facility and was told they may hire an additional 200 contractors for the construction project. COMMISSIONER SCHAMBACH also visited the Oak Grove Site.

COMMISSIONER SCHAMBACH will be attending a Senior Center meeting at 1:00 pm today.

COMMISSIONER MASON, COMMISSIONER SCHAMBACH, and COMMISSIONER MILLER attended the Bishop / Cameron Commissioner's Cup Football Game on Thursday August 29th, at Wheeling Island Stadium.

COMMISSIONER MASON received a phone call from Betsy Frohnapfel, County Administrator, that a \$120,000 Grant was awarded for the Airport Authority.

VETERANS OF FOREIGN WARS POST #437 LADIES AUXILIARY – Della Deskins and Beth Matheny of the VFW Post #437 Ladies Auxiliary, appeared before the Commission requesting a donation to help re-pay a loan used to put on a new roof at the VFW.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission tabled the request for further review. Motion Carried.

GRAND VUE PARK UPDATES – Craig White, General Manager of Grand Vue Park, appeared before the Commission. The fire hydrants at the park have been repaired and are ready to use if needed. October 5th, The Park will be hosting Irish Road Bowling. This weekend the West Virginia Doubles Championship Golf Tournament will be held. Rich Knoblich, of the Storytelling Guild will be storytelling October 3, 10, and 17th. Last week Grand Vue Park completed eight fitness stations along the four mile loop. Asplundh will be mulching this area as well. Eventually the mulch will be given to people of the community. A new commercial for the cabins at Grand Vue Park will be airing soon. October 26, the Park is planning a Fall Festival. Craig is traveling to South Carolina, September 21st, to play in a vintage 1860's baseball game.

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NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH, 2013 – Bob Kinnick, Regional Director of The Division of Rehabilitation Services, appeared before the Commission with a Proclamation in support of the Americans with Disabilities Act of 1990 (ADA).

On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission adopted the following, read by Commissioner Mason:

MARSHALL COUNTY COMMISSION

DONALD K. MASON, PRESIDENT
BRIAN L. SCHAMBACH
ROBERT A. MILLER

BETSY WILSON FROHNAPFEL, ADMINISTRATOR
JAN PEST, COUNTY CLERK

National Disability Employment Awareness Month, 2013

This year marks the 23rd anniversary of the Americans with Disabilities Act of 1990 (ADA). The ADA has allowed disabled persons to participate more fully in our society; and it has opened doors for countless Americans by removing barriers, improving employment opportunities, expanding government services, and regulating public accommodations, transportation, and telecommunications. Much work remains to be done; for many individuals with disabilities still find it difficult to pursue an education, obtain a job, or own a home. All of our citizens should have the opportunity to live and work with Dignity and freedom.

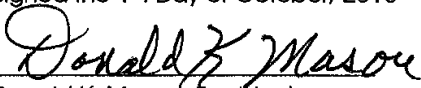
WHEREAS: Every October, we observe National Disability Employment Awareness Month, to recognize the talents, skills, and dedication of disabled Americans who are a vital part of our workforce.

WHEREAS: During this month, we reaffirm our commitment to ensuring that people with disabilities who want to work can receive the training they need to achieve their goal.

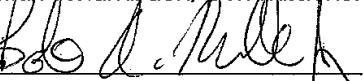
WHEREAS: The Marshall County Commission, through the National Organization on Disabilities (NOD), remains committed to helping American's more than 50 Million disabled persons to obtain meaningful work and to achieve the ADA's promise of equality of opportunity, independent living, and economic self-sufficiency.

NOW, THEREFORE, We, the Marshall County Commission, hereby proclaims October, 2013 as National Disability Employment Awareness Month. We ask all government leaders, labor leaders, and employers to collaborate to ensure the full inclusion of our Nation's persons with disabilities in the 21st century workforce.

Signed the 1st Day of October, 2013


Donald K. Mason, President


Brian Schambach, Commissioner


Bob Miller, Jr., Commissioner

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CAMERON AMERICAN LEGION – Bill Harris, Commander of the Cameron American Legion, appeared before the Commission with an update on the restoration of the NAPA building in Cameron. Eventually Mr. Harris hopes the facility will become a community building for Weddings, Social Events, and parties. Mr. Harris invited the Commission to tour the facility.

CORRESPONDENCE –

Moundsville – Marshall Co Public Library – Thank you for approving grant

Marshall County Chamber of Commerce – Invitation to annual dinner 10/3/2013

Moundsville Pharmacy – Launch of Community Rx Program announced

CASA for Children Inc. – Annual Report

The Cameron Connection Event – Invitation from the Rotary Club of Cameron and the Marshall County Chamber of Commerce 9/11/13 @ 5pm

Bishop Donahue High School – sponsorships now available for Fall Casino Night fundraiser

Bishop Donahue Casino Night - Invitation to Casino Night Oct. 5, 2013

MARSHALL COUNTY SENIOR CITIZEN'S CENTER, INC. – Slim Lehart, Board President, Marshall County Senior Citizen's Center Inc., submitted a letter requesting the September contribution.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the request for Marshall County Senior Citizen's Center, Inc. Motion Carried.

MARSHALL COUNTY SOLID WASTE AUTHORITY – Howard Coffield, Building & Grounds Supervisor, sent the Commission a letter requesting the 2013/2014 contribution.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the contribution request for the annual budgeted amount. Motion carried.

E-911 ROAD NAME REQUEST – Larry D. Newell, E-911 Director, submitted a request for a road name of Bryan Drive in the Proctor Postal District. The road starts at Rine's Ridge Road and travels to a dead end.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the road name of Bryan Drive. Motion carried.

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KNIGHTS OF COLUMBUS – Lawrence W. Freeland, Grand Knight, submitted a letter requesting a donation for a fund raiser on October 5, 2013, at Grand Vue Park. The event, known as Irish Road Bowling, is a sport born in Ireland and growing in popularity in the states of New York, Massachusetts, and West Virginia.

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

CHRISTOPHER J. KESSLER, ASSESSOR – Christopher J. Kessler, Marshall County Assessor, submitted a letter to the Commission requesting the Farm Statistics Payroll Check. The Assessor has completed the Farm Census of 2013 and has complied with the requirements of the Farm Statistics Law.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the request for funds. Motion carried.

RON MORRIS – YEARS OF SERVICE – The Commission presented an award to Ron Morris for his 26 years of service to the Marshall County Sewerage Board.

John Blair, Chairman of the Marshall County Sewerage Authority, also appeared before the Commission to commend Ron for his years of service. Mr. Morris will be missed.

MARSHALL COUNTY PUBLIC SAFETY BUILDING PROJECT: Betsy Frohnafel, County Administrator, presented contracts to the Commission from Silling Associates, Inc., of Charleston, West Virginia, for Construction & Demolition and a Contract for Furnishings & Fixtures for the Marshall County Public Safety Building Project. The fee is 7.8% of the total cost of the project.

On motion of Commissioner Miller, seconded by Commission Schambach, the Commission approved the Contracts and the President was authorized to sign the same. Motion carried.

COURTHOUSE LANDSCAPE PROJECT – Betsy Frohnafel, County Administrator, presented a contract to the Commission from Hays Landscape Architecture Studio, LTD, of St. Clairsville, Ohio, for the Master Plan for Phase II and Phase III Schematic Design for the Marshall County Courthouse Landscape Project.

On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved the Contract and the President was authorized to sign the same. Motion carried.

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MARSHALL COUNTY DAY CARE GRANT – Jeffrey V. Kessler, Senate President/Lt. Governor, and Larry J. Edgell, Senate President Pro Tempore, submitted a letter to the Commission that a grant was successfully obtained on behalf of Marshall County Day Care in the amount of \$10,000. The funding is to be used to replace wood siding on the building. This grant has been approved by the Senate and forwarded to the appropriate state agency. Also included was a certificate from the Senate of West Virginia FY 2014 Community Participation Grant Program.

MARSHALL COUNTY AIRPORT – Betsy Frohnapfel, County Administrator, appeared before the Commission to inform them the Airport Authority and the Commission as co-sponsors were awarded a Grant in the amount of \$120,000 from the US Department of Transportation / FAA for the Marshall County Airport.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission accepted the Award and the President was authorized to sign the same. Motion carried.

FIRST TIME HOME BUYER'S PROGRAM – Shane A. Miller, Title Land Representative of Chevron, sent a request to subordinate the Commission's lien position to the third position giving the second position to Chevron on a First time Homebuyer Program between Robert H. Bowman, Jr. (as Borrower) and Marshall County Commission (as Lender) dated May 27, 2010.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission consented to the agreement and the President was authorized to sign the same. Motion carried.

MARSHALL COUNTY SHERIFF'S DEPT. – NEW EMPLOYEE – Kevin Cecil, Marshall County Sheriff, requested approval from the Commission to employ Tracey L. White in the Marshall County Sheriff's Department. Ms. White will start September 16, 2013.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission authorized Kevin Cecil, Marshall County Sheriff, to hire Tracey L. White effective September 16, 2013. Motion carried.

EXONERATIONS – On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the following 20 erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

Danz Ac Inc	\$ 116.18
DMR Enterprises	49.30
Ivan R Lilley	13.50

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John A Bierce II	13.82
Kevin Chamberlain	151.08
David L Hall	16.48
Robert J Hawk	19.00
Larry M Jochum	436.70
Michael Todd Kinney	161.06
Karen Warsinsky	113.28
Everest Exploration Co LLC	2.64
Everest Exploration Co LLC	2.64
Elizabeth Bowers	2.64
Elizabeth Bowers	2.64
Robert W Bonnette	2.64
Kathryn Kinsey	2.64
Lonnie W Francis	2.64
Janel L Litzenberger	7.02
Samuel Persinger	742.66
Albert Kazemka	495.98

NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES – On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved the following notice of Apportionment of Jointly Owned Motor Vehicles: Daniel A Rader and Melodee Rader

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

<u>GENERAL COUNTY FUND</u>	\$ 33,952.07
<u>COAL SEVERANCE FUND</u>	42,166.63
<u>E-911 FUND</u>	3,452.61
<u>MAGISTRATE FUND</u>	50.85

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

PRESIDENT