

MARSHALL COUNTY COMMISSION  
NOVEMBER 5, 2013

NOTICE OF SPECIAL SESSION

The County Commission of Marshall County, West Virginia 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, November 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 31<sup>st</sup>, day of October, 2013.

s/Jan Pest, County Clerk

**MINUTES** – On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved the minutes of the Special Session held October 29, 2013.

**COMMISSIONER COMMENTS** –

COMMISSIONER MILLER will be attending a presentation by Motorola tonight at Grand Vue Park on emergency radios. He feels it will be very beneficial.

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COMMISSIONER MILLER received thank you emails from Kansai Economic Federation executives and Aichi Prefecture Assembly government officials for meetings they attended in October.

COMMISSIONER SCHAMBACH toured the Cockayne House this morning to see the latest updates that have been made and the new geothermal unit. There have been a lot of changes made to the house in the last two years. COMMISSIONER SCHAMBACH stated the work by Nila Chaddock, Committee Chairman and Project Coordinator for the Historical Society continues to be very impressive.

COMMISSIONER SCHAMBACH is looking forward to meeting with Silling Associates tomorrow to discuss the building schematics of the Sheriff's Department, E-911, and Office of Emergency Management.

COMMISSIONER SCHAMBACH visited the Northern Regional Jail to accept a \$300 donation for the LeeAnn Foundation. The employees paid a fee of \$2.00 to wear jeans to work on a Friday and the total amount was donated to this worthy cause.

COMMISSIONER MASON stated the announcement was made that Consol Energy has sold assets to Murray Coal. Consol announced they would be making some cutbacks in coal production because of excess reserves. Hopefully the public will be informed about potential changes.

COMMISSIONER MASON attended the OVIBDC executive meeting last Tuesday where they elected new officers.

COMMISSIONER MASON stated there have been a lot of rumors and discussion about whether he will run for Commission next term. COMMISSIONER MASON announced today he will not be running for Commission next term. By the time he completes his term, next year, he will have been in office over 28 years.

COMMISSIONER MASON would like to see what real retirement is like.

COMMISSIONER SCHAMBACH stated COMMISSIONER MASON has been a southern gentleman, very professional and very helpful since he started out as a Commissioner. COMMISSIONER MILLER shared COMMISSIONER SCHAMBACH'S sentiments.

**MEMORIAL BENCH – ROD BERRY** - Barbara Scott, Chairman of a Memorial Committee for Rod Berry, appeared before the Commission to follow up on a memorial bench to be put on the Courthouse lawn in honor of Rod Berry. Betsy Frohnafel, County Administrator, stated this is an ongoing project and spoke with Mrs. Scott on the issue.

**JERRY GENTHER ROAD ISSUE** – Jerry Genther appeared before the Commission with an issue on the name of his road. Mr. Genther also appeared last week about his problem. Larry Newell, E-911 Director, is aware of the issue and tried to reach Mr.

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Genther by phone but was unable. Betsy Frohnafel, County Administrator spoke with Mr. Genther and assured him Larry Newell would call him this evening between 5 o'clock and 6 o'clock.

**JEFF KADY – COMPLIANCE FACTORS** – Jeff Kady, Managing Partner of Compliance Factors, an environmental Health and Safety Consulting Firm, appeared before the Commission. Jeff is back in the area and wanted to attend a meeting to see what is going on in Marshall County.

**CORRESPONDENCE** –

WV Regional Jail & Correctional Facility Authority – inmate daily billing rate unchanged at \$48.25 for the fiscal year starting July 1, 2014.

Magistrate David McLaughlin – request for a few minor upgrades to Magistrate building, emergency lighting & fire alarm

**FIDUCIARY COMMISSIONER'S REPORT** – The Commission received a letter from J.K. Chase IV, Fiduciary Commissioner, concerning the Estate of Susan L. Perry. Mr. Chase included the first and final accounting in regards to claims and recommendations, as well as a proposed Order.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission accepted the recommendations of J.K. Chase IV, Fiduciary Commissioner, in the Estate of Susan L. Perry and approved the proposed Order. Motion Carried.

**JAN PEST, COUNTY CLERK** – Jan Pest, County Clerk, informed the Commission we have received the coal severance quarterly allotment in the amount of \$843,382.69, and the coal reallocation quarterly distribution in the amount of \$196,497.22.

**GENERAL COUNTY BUDGET REVISION #2** – Jan Pest, County Clerk, submitted a General County Budget Revision for approval.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved the Budget Revision in the amount of \$30,779. Motion carried. The Budget Revision is as follows:

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LGSD BR (Rev. 2011)

Ora Ash, Director  
West Virginia State Auditor's Office  
200 West Main Street  
Clarksburg, WV 26302  
Phone: 627-2415 ext. 5114  
Fax: 627-2417

**REQUEST FOR REVISION TO APPROVED BUDGET**

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.  
(§ 11-8-26a)

**COPY**

MARSHALL COUNTY  
GOVERNMENT ENTITY

CONTROL NUMBER

**2014**  
FY  
**1**  
FUND  
**2**  
REV. NO.  
**1 of 1**  
PG. OF NO.

Person To Contact Regarding  
Budget Revision: **JAN PEST**  
Phone: **304 845-1220**  
Fax: **304 845-5891**

P O BOX 459  
STREET OR PO BOX  
MOUNDSVILLE 26041  
CITY ZIP CODE

COUNTY  
Government Type

**REVENUES: (net each acct.)**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
299	Unassigned Fund Balance	3,621,799	9,891		3,631,690
347	Special Patrol/Security Systems		20,888		20,888
	#N/A				

**NET INCREASE/(DECREASE) Revenues (ALL PAGES)**

**30,779**

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

**EXPENDITURES: (net each account category)**

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
699	Contingencies	82,234	9,891		92,125
708	Police Special Duty		20,888		20,888
	#N/A				

**NET INCREASE/(DECREASE) Expenditures**

**30,779**

APPROVED BY THE STATE AUDITOR

BY: **Director, Local Government Services Division** Date

AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

**COUNTY CLERK – NEW EMPLOYEE** – Jan Pest, County Clerk requested approval from the Commission to employ Glenna Powell in the County Clerk's Office. Glenna will be transferring from the tax office to the county clerk's office and will start November 18, 2013, filling a vacancy left by Daunetta Fromhart, who is retiring December 31, 2013.

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**MARSHALL COUNTY PRECINCT BOUNDARY CHANGES** – Jan Pest, County Clerk, submitted new boundaries and maps for Precincts 7 and 17 to the Commission. It has become necessary to establish new precinct boundaries due to the closing of Precinct 16, Bethel AME Church. Precinct 16 has been closed. Jan has divided Precinct 16 into Precincts 7 and 17. A notice will be published in the newspaper for a thirty day public comment period. After that time an order will be signed by the Commission for the change of precinct boundaries which will then be published in the newspaper.

**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>	\$ 42,546.19
<u>COAL SEVERANCE FUND</u>	38,361.49
<u>E- 911 FUND</u>	296.91
<u>MAGISTRATE FUND</u>	49.48

**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