

MARSHALL COUNTY COMMISSION  
FEBRUARY 25, 2014

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, Commissioner; Jan Pest, County Clerk; Betsy Frohnafel, County Administrator; and Jeanne Shook, Deputy Clerk.

Absent: Robert Miller, Commissioner

The County Commission of Marshall County, West Virginia will meet in Special Session at the Courthouse thereof, on Tuesday, February 25, 2014 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 13th day of February, 2014

s/Jan Pest, County Clerk

**MINUTES** – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the minutes of the Special Session held February 18, 2014.

**COMMISSIONER COMMENTS** –

COMMISSIONER SCHAMBACH stated the Board of Equalization and Review meetings are complete.

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COMMISSIONER SCHAMBACH stated Budget Hearings are scheduled for today and Thursday.

COMMISSIONER SCHAMBACH met with a couple of Magistrates to discuss their concerns.

COMMISSIONER SCHAMBACH also met with Ronda Francis, Marshall County Health Department Administrator, on a couple of items with which COMMISSIONER SCHAMBACH would like to move forward.

COMMISSIONER MASON stated the Board of Equalization and Review meetings were completed last week.

COMMISSIONER MASON will be continuing with Budget Hearings today and Thursday evening.

COMMISSIONER MASON stated the Commission will be hosting the Bel-O-Mar Regional Council meeting at the Moundville Country Club on Thursday. These meetings consist of issues regarding highways and future highways and how to obtain funding for them.

**GRAND VUE PARK** – Craig White, General Manager of Grand Vue Park, appeared before the Commission. On behalf of the Marshall County Chamber of Commerce, Craig stated the Home and Business Expo will be February 28th and March 1st. On the Tourism Committee perspective, Grand Vue Park will be there rolling out their bundling package at the Expo which consists of a \$20 cost for a ticket that will last for 30 days to visit all of their attractions. March 4th is the Marshall County School Board's first public hearing about changing the school calendar. Craig is planning on attending this meeting to discuss other options and what would happen to parks if school were to start on August 4, 2014. Craig stated two cabins are completed. March 2, 2014, Mick Burk will be presenting Mysteries of the Mound, beyond the history books from 4:00pm – 6:00 pm.

**E-911 ROAD NAME ISSUE** – Mr. & Mrs. Jerry Williams appeared before the Commission in regards to their road name which is Redneck Lane. Mrs. Williams feels the name is disgraceful and would like the Lane renamed. Mrs. Williams submitted eight signatures of the nine families which live on the lane who would like the name changed. Mrs. Williams submitted the names of Sycamore Drive or Lee Drive which would be acceptable.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission tabled the issue to allow time for further review. Motion carried.

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**COMMUNITY PARTICIPATION GRANT** – Betsy Frohnapfel, County Administrator, submitted a Grant agreement for the Appalachian Outreach Program in the amount of \$10,000.

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

**GOVERNOR'S COMMUNITY PARTICIPATION GRANT** - Betsy Frohnapfel submitted two Grants for the Marshall County Sewerage Authority. Both are for the Washington Lands Sewerage Treatment Plant. One in the amount of \$4000, and one in the amount of \$10,000.

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

**GOVERNOR'S COMMUNITY PARTICIPATION GRANT** – Betsy Frohnapfel submitted a Grant for the Marshall County Daycare, in the amount of \$10,000. This was for the final draw down.

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

**GOVERNOR'S COMMUNITY PARTICIPATION GRANT** – Betsy Frohnapfel submitted a Grant for the Cockayne Farmstead, in the amount of \$5000.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission accepted the Grant and the President was authorized to sign the same.

**ATLAS GEOGRAPHIC INCORPORATED CONTRACT** – Jan Pest, County Clerk, presented on behalf of Assessor Chris Kessler a contract between Marshall County and Atlas Geographic Incorporated. The contract is in regards to the County wide tax parcel mapping and the Database Development Services.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the contract and the President was authorized to sign the same.

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**FIRST TIME HOMEBUYERS PROGRAM – PUBLIC HEARING** – Cindy Tribett, Executive Director, and Vickey Battista, FSS Coordinator, appeared before the Commission for the required public hearing on the First Time HOME Buyers Program. Mrs. Battista reviewed the requirements of the Program and stated the total Fiscal Year 2013 funds are \$296,900.00.

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

**FIRST TIME HOMEBUYER PROGRAM – RELEASE OF DEED OF TRUST** – The Commission received a letter from Vickey Battista, Program Coordinator for the First Time Homebuyer Program, for Jimmy D. & Amanda L. Truex. Mrs. Battista stated Jimmy & Amanda Truex have fulfilled their obligations for the Program, and there is a Deed of Trust which needs to be released for the property.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission President was authorized to sign the Release of Deed of Trust for Jimmy D. & Amanda L. Truex. Motion carried.

**FIRST TIME HOMEBUYER PROGRAM – RELEASE OF DEED OF TRUST** – The Commission received a letter from Vickey Battista, Program coordinator for the First Time Homebuyer Program, for Judi B. Gamble. Mrs. Battista stated Judi B. Gamble has fulfilled her obligation for the Program, and there is a Deed of Trust which needs to be released for the property.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission President was authorized to sign the Release of Deed of Trust for Judi B. Gamble. Motion carried.

**RELAY FOR LIFE OF MARSHALL COUNTY** – Karen Coffield, Event Chairman, and Lottie Durbin appeared before the Commission on behalf of Relay for Life. Plans are currently being made for the 2014 Relay for Life of Marshall County. It will be held in the North parking lot of John Marshall High School on June 13, 2014. They are asking the Marshall County Commission to proclaim May 14, 2014 – June 14, 2014 Paint the Town Purple Relay for Life Days.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the Proclamation recognizing May 14 – June 14, 2014, Paint the Town Purple, Relay for Life Days. The Proclamation is as follows:

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Paint the Town Purple - Relay for Life Proclamation

Whereas, Relay for Life is the signature activity of the American Cancer Society and celebrates cancers survivors and caregivers, and remembers those lost to the disease, and empowers individuals and communities to fight back against cancer, and

Whereas, money raised during the American Cancer Society Relay for Life of Marshall County helps the Society save lives and create more birthdays by helping individuals stay well, get well, find cures and fight back, and

Whereas, Relay for Life helps make possible programs such as free wigs and head wear, Look Good... Feel Better sessions for women undergoing treatment, support networks, and cancer care specialists who are there to answer questions 24/7 any time or day of the week at 1-800-227-2345 and funds more than \$1.50 billion in cancer research each year;

Now, Therefore, Be It Resolved that Wesley Marshall County, Commission President, do hereby proclaim May 14, 2014, through June 14, 2014, as

"Paint the Town Purple - Relay for Life Days"

in Marshall County and encourage citizens to Paint the Town Purple for cancer awareness & participate in Relay for Life of Marshall County on June 13, 2014 at John Marshall High School's North Parking Lot from 6pm-6am.

*Donald X Mason*  
*Brian Schambach*

Lottie Durbin also requested the Commission purchase and display purple street banners or flags and purchase a display board which is set up along the walking track. The total amount requested is \$567.80.

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

**JOE PARRIOTT – DISPLAY REQUEST** – Joe Parriott appeared before the Commission. Mr. Parriott would like a portrait of John Parriott to be placed in the Courthouse. John Parriott was elected to the State Legislature in 1827 and every year thereafter until Marshall County was created in 1835. John passed away April 28,

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1855. Joe Parriott stated the Marshall County Historical Society voted to send a letter in support of this action.

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

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

**MARSHALL COUNTY PSD #3 BOARD APPOINTMENT** – Walter Johnson, current PSD #3 Board member passed away. The Commission received a letter from Craig Madden asking for consideration for the appointment to the Board of Directors of Marshall County Public service District #3. Mr. Madden had served on the Board in the past.

On motion of Commissioner Schambach, seconded by Commissioner Mason, The Commission approved the appointment of Craig Madden to the PSD #3 Board. The Commission will send a letter to the Board notifying it of the appointment. Motion carried.

**MARSHALL COUNTY AIRPORT AUTHORITY BOARD RESIGNATION** – Dan Masters submitted a letter of resignation to the Commission from the Airport Authority Board, effective February 24, 2014.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission regrestfully accepts Mr. Master's resignation and will send a letter of appreciation for his years of service. Motion carried.

**MARSHALL COUNTY CLEAN UP SCHEDULE 2014** – Howard Coffield submitted the Marshall County Clean up Schedule for 2014 to the Commission. The schedule is as follows:

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**MARSHALL COUNTY  
CLEAN UP SCHEDULE  
2014**

Cameron	Old High School	April 5, 2014
Robertson	Old High School	April 5, 2014
Roberts Ridge	VFD Headquarters	April 12, 2014
Rusk Fork	Coal Mine Building	April 12, 2014
Hazardous Waste	Bayer (Moundsville)	April 26, 2014 9am - Noon
Hamlet	Middle School	May 5, 2014
Big Wheeling Creek	Old Fire House	May 3, 2014
Linestone	2203 W. Headquarters	May 10, 2014
St. Joe	Fire Dept.	May 10, 2014
St. Mary	City Garage	May 16, 2014
Tire Recycle	Monarch Football Field	May 17, 2014 9am - 3 pm
E-Recycle	Monarch Football Field	May 17, 2014 9am - 3 pm
McMechen	City Garage	May 16 & 17, 2014
Madisonville	Comcast Walking Trail	May 20 & 21, 2014
Glen Dale	City Garage	May 30 & 31, 2014
Washington Mills	Todd Kelly Trucking	June 7, 2014
Graysville	Community Center	June 7, 2014
River Sweep	Government Park	June 21, 2014

There will be no provisions at any of the locations to accept Tires, White Goods, Scrap Metal, Car Parts, Fuels, Hazardous Chemicals/Materials, or Household Trash.

Saturday Times: 8:00 AM - 2:00 PM

Appalachian Outreach Inc. will be available for used furniture, toys, bikes and other household items.

POC: [HowardCof@comcast.net](mailto:HowardCof@comcast.net)

Office: 304-780-9866 Fax: 304-843-1074

**LARRY NEWELL E-911 – NEW EMPLOYEE** – Larry Newell, E-911 Director, requested approval from the Commission to employ David Anton George in the Marshall County E-911 Center for the position of Marshall County Communications E-911 Telecommunicator. Mr. George will start March 17, 2014.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission authorized Larry Newell to hire David Anton George as an E-911 Telecommunicator. Motion carried.

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**LARRY NEWELL E-911 – NEW EMPLOYEE** – Larry Newell, E-911 Director, requested approval from the Commission to employ Kevin Louis Olson in the Marshall County E-911 Center for the position of Marshall County Communication E-911 Telecommunicator. Mr. Olson will start March 27, 2014.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission authorized Larry Newell to hire Kevin Louis Olson as an E-911 Telecommunicator. Motion carried.

**MARSHALL COUNTY PSD #2 BOARD RE-APPOINTMENT** – The Commission received a letter from PSD #2 requesting a re-appointment to the Board of Directors. John DeTemple would be re-appointed for a three year term. Mr. DeTemple has previously served on the Board.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the re-appointment of John DeTemple as a Board member for PSD #2. Motion carried.

**MARSHALL COUNTY HISTORICAL SOCIETY – COCKAYNE FARMSTEAD** – Betsy Frohnapfel submitted a letter to the Commission from Nila Chaddock, Committee Chairman and Project Coordinator. The Society was notified that the Cockayne Farmstead Preservation Project will receive a \$59,200 supplemental grant from the Department of Highways through the Transportation Enhancement Program. However, the Society is being asked to provide a 20% match, or \$14,800, immediately. The Society is asking if the Commission could provide \$4800 of the required match, which is less than 10% of the grant total.

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

**TAXABLE FRINGE BENEFITS** – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission authorized Jan Pest, County Clerk, to request a technical private letter ruling from the Internal Revenue Service regarding Modified Class A Uniforms. Motion carried.

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

<u>GENERAL COUNTY FUND</u>	\$	17,144.48
<u>COAL SEVERANCE FUND</u>		2417.25
<u>911 FUND</u>		4146.13
<u>PVC FUND</u>		3316.45



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

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PRESIDENT