

MARSHALL COUNTY COMMISSION
MARCH 11, 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: Bob Miller, Commissioner

The County Commission of Marshall County, West Virginia will meet in Special Session at the Courthouse thereof, on Tuesday, March 11, 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 6th day of March, 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 25, 2014.

COMMISSIONER COMMENTS –

COMMISSIONER SCHAMBACH wished COMMISSIONER MILLER a speedy recovery, he has pneumonia. COMMISSIONER SCHAMBACH spoke to

MARSHALL COUNTY COMMISSION
MARCH 11, 2014

COMMISSIONER MILLER a few days ago, he is feeling better and hopefully he will be at next week's meeting.

COMMISSIONER SCHAMBACH attended a Chamber of Commerce event Monday, which was an opening for Howard's Hideaway Cafe. COMMISSIONER SCHAMBACH had lunch with the owner and the establishment is very nice.

COMMISSIONER MASON stated he had a stomach virus last week and Betsy Frohnapfel, County Administrator, represented the Commission at the Bel-o-Mar meeting at the Moundsville Country Club hosted by the Commission on Thursday, March 27, and the Marshall County Chamber Expo ribbon cutting on February 28, 2014. COMMISSIONER MASON stated he understands the expo went very well.

COMMISSIONER MASON stated the Commission did not meet last Tuesday and it was a quiet week.

JIM THOMAS PSD # 4 UPDATE – Jim Thomas, PSD #4 Board member, stated they lost another truck at PSD # 4, which leaves them with only one truck. Mr. Thomas, as previously requested and tabled, wants the Commission to consider a donation for upgrading PSD's fleet of trucks. On a personal note Jim's wife has breast cancer and will be having surgery tomorrow. Jim asked if we all would keep her in our prayers. On a happy note, Jim and his wife are going to be grandparents again and this time it is a boy.

CORRESPONDENCE –

Bob Robinson Chevrolet Buick GMC & Cadillac – Thank you for allowing us to service vehicle.

John E Duffy – Please continue to donate funds to Marshall County Library.

FEEDING BODY & SOUL COMMUNITY KITCHEN – The Commission received a letter from Sandye Yoho, Director, requesting a contribution. The clientele has increased as well as expenses.

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

GRAND VUE PARK – The Commission received a letter from Craig White, General Manager, requesting \$15,000 from account # 6801 which was previously budgeted.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the request in the amount of \$15,000. Motion carried.

MARSHALL COUNTY COMMISSION
MARCH 11, 2014

BISHOP DONAHUE HIGH SCHOOL AFTER PROM – The Commission received a request from Mary Fallova, BDHS After Prom Committee, requesting a donation for the school's After Prom Party, Saturday, May 3, 2014. Previously the Commission approved donations for John Marshall High School, Bishop Donahue, and Cameron High School for After Prom Parties when requests are submitted, in the amount of \$300 each.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the donation in the amount of \$300. Motion carried.

MARSHALL COUNTY TAX OFFICE – Amy Carmichael, Tax Office Chief Deputy, sent letters to area businesses who have not picked up checks which were issued. The City of Glen Dale was issued a check in 2013 and three checks were issued in 2012, which were Big Run Community Association, Glen Dale Baseball Association, and Elizabethtown Festival which were notified at the time to send in receipts and pick up the checks.

On motion of Commissioner Schambach, seconded by Commissioner Mason, Betsy Frohnafel, County Administrator, will call the businesses giving them one week to present receipts in order to receive the checks. If not presented, the checks will be voided and the money will remain in the General Fund. Motion carried.

TAXABLE FRINGE BENEFITS – SHERIFF'S DEPARTMENT – After inquiring, the County would be charged \$18,000 to receive a written ruling from the Internal Revenue Service as to Taxable Fringe Benefits. The Commission does not wish to pay for this ruling.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the issue of whether or not a "modified" Class A Uniform is taxable as a fringe benefit was tabled to allow time for further review. Motion carried.

COMMUNITY PARTICIPATION GRANT PROGRAM – Betsy Frohnafel, County Administrator, submitted an application for funding and a resolution to be used by Marshall County Commission to assist the Marshall County Historical Society with the Benwood Mine Disaster Memorial.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the application in the amount of \$15,000 and the President was authorized to sign the same. The Commission also accepted the terms and conditions of the resolution and the President and County Clerk were authorized to sign the same. Motion carried.

MARSHALL COUNTY COMMISSION
MARCH 11, 2014

COMMUNITY PARTICIPATION GRANT PROGRAM – Betsy Frohnapfel, County Administrator, submitted a Grant for the Marshall County Public Service District #1, in the amount of \$15,000. This was for the final draw down and completion.

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.

COMMUNITY PARTICIPATION GRANT PROGRAM – Betsy Frohnapfel, County Administrator, submitted a Grant for the Appalachian Outreach Inc., in the amount of \$10,000. This was for the final draw down and completion.

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.

WEST VIRGINIA JUSTICE ASSISTANCE GRANT PROGRAM – Betsy Frohnapfel, County Administrator, submitted a Grant for the Drug Task Force Program. The program pays partial salary in the amount of \$56,000 for two officers.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the Grant in the amount of \$56,000 and the President was authorized to sign the same. Motion carried.

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

DHHR JOB FAIR - Susan Drake, Brenda McGill, and Lindsay Snively, Family Support Specialists for DHHR, appeared before the Commission. Susan stated the 2013 Job Fair was a great success. Susan thanked the Commission once again for support and providing funds that make this project possible.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission provided a donation in the amount of \$1000. Motion carried.

MOUNTAINEER BASEBALL CAL RIPKEN EXPERIENCE TEAM 2014 – The Commission received a letter from Dottie Bee requesting a donation for the Mountaineer Baseball Team. The team has been selected to participate in the Cal Ripken Experience at Myrtle Beach, South Carolina in June 2014.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission rejected the request. Motion carried.

MARSHALL COUNTY COMMISSION
MARCH 11, 2014

MARSHALL COUNTY E-911 ROAD NAME / MODIFICATIONS – Larry D. Newell, E-911 director, submitted a road name modification. The current road is named Virginia Park Drive in the Wheeling Postal District. The road starts at the north Consol Coal access gate and travels south to its end.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the recommendation of the road name Virginia Park Road. Motion carried.

Larry D. Newell submitted a road name modification. The current road is named Redneck Drive and the residents are requesting the Commission remove the name and accept their recommendation of Humble Drive. The road is in the Wheeling Postal District. The road starts at Big Wheeling Creek Road and travels to a dead end.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the recommendation of the road name Humble Drive. Motion carried.

Larry D. Newell submitted a road name modification. The current road is named Huckleberry Lane and the residents are requesting the Commission remove the name and accept their recommendation of Plants Lane. The road is in the Wheeling Postal District. The road starts at Pine Hill Road and travels to a dead end.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the recommendation of the road name Plants Lane. Motion carried.

IN-HOUSE BUDGET REVISIONS – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision in the amount of \$1,000 for Department 424. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision in the amount of \$1000 for Department 425. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision in the amount of \$10,000 for Department 424. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision in the amount of \$2,000 for Department 401. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved an in-house budget revision in the amount of \$4,000 for Department 425. Motion carried.

MARSHALL COUNTY COMMISSION
MARCH 11, 2014

EXONERATIONS – On motion of Commissioner Schambach, seconded by Commissioner Mason, the Commission approved the following 19 erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

| | |
|-------------------------------|-----------|
| David R Garcia II | \$ 149.20 |
| Balaji Seward | 55.66 |
| Patrick Horan | 131.48 |
| Amy Seyler | 26.68 |
| Joseph Williamsen | 122.52 |
| John F Jura | 162.70 |
| Ralph E Dunlap | 122.20 |
| Ralph E Dunlap | 107.04 |
| Kevin L Graham | 218.36 |
| Paul E Shipley | 336.26 |
| Floyd Grosso | 31.50 |
| AES Drilling Fluids LLC | 5,309.50 |
| Alan Woodstuff | 2.64 |
| Alan Woodstuff | 2.64 |
| Laura Mae Hartley | 2.64 |
| Howard N Wayne Sr | 10.10 |
| Cathy Polis | 523.22 |
| Methodist Episcopal Church TR | 2.64 |
| Noel Wildquer | 2.64 |

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: Allen E Hager III and Brenda Hager. Motion carried.

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

| | |
|----------------------------|--------------|
| <u>GENERAL COUNTY FUND</u> | \$ 66,547.77 |
| <u>COAL SEVERANCE FUND</u> | 57,954.20 |
| <u>911 FUND</u> | 3,265.10 |
| <u>AIRPORT FUND</u> | 80,068.19 |
| <u>MAGISTRATE FUND</u> | 91 .65 |

MARSHALL COUNTY COMMISSION
MARCH 11, 2014

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

PRESIDENT