

MARSHALL COUNTY COMMISSION
MAY 20, 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; Bob Miller, Commissioner; Jan Pest, County Clerk; Betsy Frohnappel, 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, May 20, 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 15TH day of May, 2014

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 May 6, 2014. Motion carried.

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COMMISSIONER COMMENTS –

COMMISSIONER MILLER stated we had a good turnout compared to other counties for the Primary Election. Yesterday the Commission met to conduct the Canvass for the Election, which went smoothly.

COMMISSIONER MILLER attended the job fair Friday at the former West Virginia Penitentiary, sponsored by the WV DHHR. It was a nice event.

COMMISSIONER SCHAMBACH stated we have a nice crowd here today and thanked everyone for attending.

COMMISSIONER SCHAMBACH received a good doctor's report, got out of his wheelchair after 53 days and 9 hours, and thanked the other Commissioner's for filling in for him on Election Day and working many hours.

COMMISSIONER SCHAMBACH did attend the Canvass for part of the day, yesterday.

COMMISSIONER MASON stated we did not meet last week due to the Primary Election on Tuesday. He doesn't like to see the low voter turnout for Marshall County although we did have a larger turnout than most in the state with a little over 24%.

COMMISSIONER MASON attended the Marshall County Health Board meeting on Wednesday, May 14, in the morning and in the evening he attended the OVRTA meeting on Wheeling Island.

COMMISSIONER MASON attended his grandson's confirmation at the Shady Grove Methodist Church in North Carolina last weekend.

COMMISSIONER MASON also attended his first Nascar Race last Saturday with his son and had a great day.

COMMISSIONER MASON has a granddaughter who will be graduating from Bishop Donahue High School tonight. Renae has the honor of being the salutatorian. COMMISSIONER MASON is very proud of her.

MARSHALL COUNTY PSD #4 – Donna Crawford, Chairman of the Marshall County PSD #4, appeared before the Commission to thank them for a donation to purchase a new truck. Donna also stated she was a poll official and thanked Jan Pest and her staff for a wonderful job on the Election.

MARSHALL COUNTY CLERK – Jan Pest, County Clerk appeared before the Commission and stated the canvass results were declared and posted on the front door of the Courthouse at 3:40 pm as required. Anyone who wishes to contest any results

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will have 48 hours to do so. Jan also presented the Commission with the insurance renewal rates.

COMMUNITY DEVELOPMENT FUND 2014 – Betsy Frohnafel, County Administrator, presented final recommendations for approval for the Community Development Fund.

On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved the recommendations for the year 2014 in the amount of \$50,000. Motion carried. The list is as follows:

**COMMUNITY DEVELOPMENT 2014
ORIGINAL**

ORGANIZATION	RECEIVED LAST YEAR	REQUESTED THIS YEAR	COMMITTEE RECOMMENDED	COMMISSION APPROVED
City of Benwood	\$2,600.00	\$6,000.00	\$3,500.00	\$3,500.00
City of Cameron	\$2,600.00	Your Discretion	\$3,500.00	\$3,500.00
City of Glen Dale	\$2,600.00	\$2,000.00	\$3,500.00	\$3,500.00
Big Run Community Center	\$2,800.00	\$10,000.00	\$3,000.00	\$2,700.00
Bowman Ridge Community Assoc.	\$2,800.00	Your Discretion	\$3,000.00	\$2,700.00
Cameron Community Dev. Association, Inc.	\$2,800.00	\$2,800.00	\$3,000.00	\$2,700.00
Dallas Community Assoc.	\$2,800.00	\$3,000.00	\$3,000.00	\$2,700.00
Graysville Community Assoc.	\$2,800.00	Your Discretion	\$3,000.00	\$2,700.00
Limestone Community Assoc.	\$2,800.00	Your Discretion	\$3,000.00	\$2,700.00
Maxwell Acres Assoc.	\$2,800.00	\$3,000.00	\$3,000.00	\$2,700.00
Robert's Ridge Community Building	0	\$3,000.00	0	\$2,500.00
Washington Lands Community Watch	0	Your Discretion	0	\$2,500.00
American Legion Post #5	\$750.00	\$750.00	\$750.00	\$750.00
American Legion Post #18	0	Your Discretion	\$750.00	\$750.00
Bonwood Mine Disaster Memorial	0	Your Discretion	0	0
Moundsville Veteran Honor Guard	\$1,500.00	Your Discretion	\$2,100.00	\$2,100.00
Mt. Olivet Park	\$2,800.00	\$10,000.00	\$3,000.00	\$3,000.00
VFW Post #437	0	\$10,000.00	\$500.00	0
Fostoria	0	\$20,000.00	0	0
Marshall County Day Care	0	\$5,000.00	0	0

APPROVED

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BY COUNTY COMMISSION
MARSHALL COUNTY, WV

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National Wild Turkey Federation	\$1,250.00	\$1,000.00	\$1,000.00	\$1,000.00
Strand Theatre	0	\$6,000.00	\$1,000.00	0
Valley Music Assoc.	\$500.00	\$2,070.00	\$500.00	\$500.00
Youth Club of Marshall County	\$600.00	\$400.00	\$400.00	\$400.00
Benwood Baseball/ Softball	0	Your Discretion	\$1,000.00	\$1,000.00
Glen Dale BB & Softball Assoc.	0	Your Discretion	\$1,250.00	\$1,250.00
JM Field Renovation Committee	0	Your Discretion	\$1,000.00	0
Marshall County Swim Team	\$600.00	Your Discretion	\$600.00	\$600.00
McMechen Baseball	0	Your Discretion	\$1,000.00	\$1,000.00
Moundsville Legion Baseball	\$1,500.00	\$3,000.00	\$2,000.00	\$1,500.00
Moundsville Baseball Assoc.	\$600.00	Your Discretion	\$1,750.00	\$1,750.00
City of Moundsville (LATE)	\$2,600.00	Your Discretion	0	0
Dry Ridge Community Assoc. (LATE)	\$2,800.00	\$2,500.00	0	0
City of McMechen (LATE)	\$2,600.00	Your Discretion	0	0

FIRST TIME HOMEBUYER LOAN RELEASE OF DEED OF TRUST – Vickey Battista, Home Program Administrator sent a letter to the Commission as notice that Kristin T. Burdette has fulfilled her obligation for the First Time Homebuyer Program.

On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved the release and accepted the check for payment. The Commission President was authorized to sign the same. Motion carried.

MARSHALL COUNTY SHERIFF'S DEPARTMENT – Kevin Cecil, Marshall County Sheriff, submitted a letter to the Commission. Captain Michael Phillips of the Sheriff's Department has retired effective May 3, 2014. Captain Phillips is to be paid for 3 additional days in the amount of \$570.96 and will have no further compensatory time beyond today's date.

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On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved payment in the amount of \$570.96. Motion carried.

CORRESPONDENCE –

Earl Ray Tomblin, Governor – Pleased to inform Commission of VAWA grant award in the amount of \$24,146.

EMS Appreciation Picnic – Invite - May 17, 11AM – 3PM at Wetzel County EMS

Fostoria Glass Museum – Invite – Grand Re-opening ceremony June 12, at 11:00 AM

Marshall County Sewerage District – Board Meeting Minutes for May 2014

Marshall County PSD #4 – Minutes from Monday April 14, 2014

State Auditor's Office – Copy of audit report of the Marshall Co. Board of Health for fiscal year ended June 30, 2013.

MARSHALL COUNTY HEALTH DEPARTMENT BOARD RE-APPOINTMENT – The Commission received a letter from Ronda Francis, Administrator, Marshall County Health Department, requesting a re-appointment to the Board of Directors. The Board is recommending the re-appointment of Donald Mason to serve another five year term.

On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission accepted the recommendation of Donald Mason to serve a five year term. Motion carried.

Note: Commissioner Schambach thanked Commissioner Mason for his years of service to the Marshall County Health Department.

NORTHERN PANHANDLE STOCKMEN'S ASSOCIATION – The Commission received a letter from Tracy Fitzsimmons, Beef Marketing Specialist, WV Dept. of Agriculture, Jim Bostic, Executive secretary, WV Cattlemen's Association, and David McCardle, President, Northern Panhandle Stockman's Association. The letter was a request to hold a "Beef for Father's Day" promotion on the grounds of the Marshall County Courthouse. The event will be held June 5, 2014 at 11:00 AM until noon.

On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved the request to use the Courthouse lawn for the event. Motion carried.

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MARSHALL COUNTY ANTIQUE POWER ASSOCIATION – Gary Shreve, President of Marshall Co. Antique Power Association submitted a letter requesting funds in the amount of \$1500 to help purchase a refrigerator and stove. The Association hosts a show every June and a “swap meet” in November where the members and enthusiasts come and display their collections in order to show people how their ancestors worked the farms before electricity was invented. Mr. Shreve stated most exhibitors rely on the kitchen for their meals. This year the show will be at the Marshall County Fairgrounds.

On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved a contribution in the amount of \$1500. Motion carried.

MOZART MEADOWS SEWAGE PROJECT – Paul Kudlak appeared before the Commission in regards to the sewage project in Mozart Meadows. He is concerned Mozart Meadows is not included in the project. The lane contains 47 households. Betsy Frohnafel, County Administrator, spoke to Mr. Kudlak and explained the procedures outlined in Phase I, which would include Mozart Meadows in the project. This project is still being worked on and when a cost can be estimated it will be put out to bid.

MOUNDSVILLE POWER, LLC CONCERNS – John Toth appeared before the Commission with concerns regarding the proposal for Moundsville Power, LLC. Mr. Toth stated he is concerned about the tax breaks, the potential hazards, and liabilities involved with the plant. Mr. Toth is also concerned about the increase in property taxes in Marshall County. Carl Boso also voiced concerns about the safety of residents in Washington Lands and Marshall County.

Commissioner Mason stated, in Marshall County, the levy rates have been reduced by 5.66% over the last 5 years. The Commission does not have control of the assessed values of property in Marshall County.

The Commission stated it has not made any decisions on this project other than the financial aspects. The Commission has only agreed to the PILOT payments and lease payments. The Commission would have to be sure there was absolutely no risk or liability to the citizens of the county or the tax payers before proceeding.

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

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EXONERATIONS – On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission approved the following 11 erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

Robert V Johnson	\$ 50.86
John E Harness	167.30
Norman Gray Jr	8.56
Sherry J Holmes	105.38
Sherry J Holmes	7.40
Sherry J Holmes	109.66
Sherry J Holmes	7.40
Sherry J Holmes	108.46
Sherry J Holmes	7.10
Sherry J Holmes	104.06
Sherry J Holmes	6.80

AEP - APPALACHIAN POWER – Carmen Prati-Miller, Manager External Affairs, AEP, appeared before the Commission. Carmen stated AEP has made changes to its Northern Panhandle operations. While Wheeling area operations are now managed out of Appalachian Power in West Virginia, they continue to be based in Wheeling with the same familiar Ohio Valley employees serving you.

MARSHALL COUNTY SHERIFF'S DEPARTMENT – Kevin Cecil, Marshall County Sheriff, requested approval from the Commission to employ Shelva Smith as a Deputy in the Marshall County Sheriff's Department. Mr. Smith will start June 1, 2014.

On motion of Commissioner Miller, seconded by Commissioner Schambach, the Commission authorized Sheriff Cecil to hire Shelva Smith effective June 1, 2014.

Motion carried.

Sheriff Cecil also stated a Civil Service Commission appeal has delayed the hiring process. The procedures have now been corrected by the Civil Service Commission. The list of candidates has now been compiled from a three year period as the code requires.

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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 \$350 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 \$1341 for Department 716. Motion carried.

On motion of Commissioner Schambach, seconded by Commissioner Miller, the Commission approved an in-house budget revision in the amount of \$385 for Department 716. Motion carried.

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

<u>GENERAL COUNTY FUND</u>	\$ 164,300.55
<u>E-911 FUND</u>	45,759.96
<u>COAL SEVERANCE FUND</u>	28,306.29
<u>MAGISTRATE COURT FUND</u>	47.95
<u>HOME CONFINEMENT FUND</u>	637.50

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

PRESIDENT