

MARSHALL COUNTY COMMISSION
DECEMBER 20, 2016

NOTICE OF REGULAR SESSION

The County Commission of Marshall County, West Virginia convened this day pursuant to the following call: Stanley C. Stewart, President; Scott G. Varner, Commissioner; Jan Pest, County Clerk; Betsy Frohnapfel, County Administrator; and Jeanne Shook, Deputy Clerk.
Absent: Robert A. Miller, Commissioner

The County Commission of Marshall County, West Virginia will meet in Regular Session at the Courthouse thereof, on Tuesday, December 20, 2016 at 9:00 AM 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/Stanley C. Stewart, President

Posted at the front door of the Courthouse on the 15th day of December, 2016.

S/Jan Pest, County Clerk

MINUTES –

On motion of Commissioner Varner, seconded by Commissioner Stewart, the Commission approved the minutes of the Regular Session held December 13, 2016.
Motion carried.

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COMMISSIONER COMMENTS –

COMMISSIONER VARNER had no formal meetings last week, but dealt with a few constituent phone calls.

COMMISSIONER STEWART attended a Moundsville Historic Landmarks Commission meeting, December 15, 2016, and dealt with constituent concerns.

GRAND VUE PARK UPDATES – Craig White, General Manager, appeared before the Commission with updates and upcoming events at Grand Vue Park. Craig thanked the Commission for support and wished everyone a Merry Christmas. The Cookies & Crafts Event last week was a great success. The cabins are all full for the month of January, 2017. GVP is offering tickets for \$10 for a chance to win Sweethearts Night in a Treetop Villa with a couples massage, chocolates, and champagne. Craig invited everyone to visit the Cockayne Farmstead Welcome Center which is open daily.

Note: Mary Jo Guida from Senator Joe Manchin's Office was present for the meeting.

CAMERON FLOODING UPDATE – Tom Hart, OEM Director, updated the Commission on the flooding last weekend. Little Grave Creek, Middle Grave Creek, Big Grave Creek, and Fish Creek were all affected. The hardest hit area was Cameron. The Red Cross was also called to help. Cleanup is ongoing.

REED HUBBS, CONCERNED CITIZEN – Reed Hubbs appeared before the Commission. Mr. Hubbs owned a property development on Roberts Ridge in Moundsville and built a central sewerage plant which later he turned over to the Marshall County Sewerage District. A new deed was made but Mr. Hubbs failed to retain his mineral rights and believes he should be receiving royalties on the property. Commissioner Stewart stated Mr. Hubbs concerns are duly noted, and if he wishes to be put on a future agenda to be heard, he can contact Betsy Frohnapfel, County Administrator.

2017 COMMISSION MEETING SCHEDULE AND RULES FOR CONDUCTING

PUBLIC MEETINGS - On motion of Commissioner Varner, seconded by Commissioner Stewart, the Commission approved and adopted the 2017 Commission meeting schedule and rules of conducting public meetings. Motion carried. The meetings and rules are as follows:

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MARSHALL COUNTY COMMISSION

RULES FOR CONDUCTING PUBLIC MEETINGS

SECTION 1: GENERAL

- 1.1 SCOPE
This rule governs the public meeting of the Marshall County Commission; and supersedes and replaces any rules formerly adopted.
- 1.2 AUTHORITY
West Virginia Code §6-9A et seq and §7-1-2
- 1.3 EFFECTIVE DATE
January 1, 2017

SECTION 2: SESSIONS

- 2.1 The Marshall County Commission shall meet on the 1st Tuesday of January each year to set the date, time and place of its annual regularly scheduled meeting except when the 1st Tuesday is a holiday, then the meeting date of the 1st meeting in January shall be determined in the last meeting held in December. Said annual schedule will be posted as soon as possible after adoption on the front door of the courthouse and in the Office of the Marshall County Clerk, and sent to the news media.
- 2.2 In the event that a special meeting is necessary, the public and news media are to be notified at least 2 (two) days prior to any such meeting and will be posted at the front door of the courthouse; excluding Saturday, Sunday and Legal Holidays; and such notice shall include the time, location and purpose of the meeting, and/or a meeting agenda.
- 2.3 In the event of an emergency that requires immediate official action the notice shall be posted at the front door of the courthouse and news media shall be informed as soon as practicable, setting forth the time, location, reason for, and purpose of, the emergency meeting.
- 2.4 The Marshall County Commission will meet in regular session as determined by 2.1 above, in the event a regularly scheduled meeting falls on a Holiday, or there is some other conflict, this regularly scheduled meeting date for the meeting shall be determined at a previous meeting and posting and notice of the same will be given as previously stated.
- 2.5 All regularly scheduled meetings; special meetings and emergency meeting shall be open to the public.
- 2.6 The Commission, upon the direction of its presiding officer, may remove any member of the public from the meeting who is disrupting the meeting to the extent that orderly conduct of the meeting is compromised.
- 2.7 The attendance within the meeting room shall be limited by applicable rules and regulations of the Fire Marshall. The Commission, when practicable, may change the venue for a meeting in the event that the meeting room is not large enough to accommodate the number of people wishing to attend or speak at the meeting. The change in meeting location shall be posted as soon as practicable in the same location as the meeting notice and agenda, and shall also be posted in the meeting room door. The start of the meeting may be delayed up to 30 (thirty) minutes to accommodate the relocation effort. When it is not practical to move the meeting, the attendance shall be permitted on a first come, first serve basis. If it is necessary to allow other persons in the room for purposes of hearing oral presentations or public comments, then the Commission shall ask for volunteers to leave the room. If there are no volunteers then the Presiding Officer may request that designated person leave the room so long as the Presiding Officer has a rational basis for this decision and states the basis on the record and directs that it be noted in the meeting minutes.
- 2.8 Executive Session during a regular, special or emergency meeting shall be in compliance With WV State Code § 6-9A-4.

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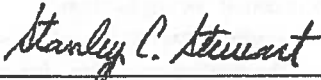
SECTION 3: AGENDA

- 3.1 The Marshall County Commission shall make available to the public an agenda no less than 2 (two) days in advance of a regular scheduled meeting.
- 3.2 The 2 (two) day notice period is calculated by excluding the day of the meeting as well as any preceding day which falls on a Saturday, Sunday or legal holiday; for example: the meeting is on a Tuesday, the last day to be put on the agenda is noon on the preceding Thursday, provided there are no legal holidays between the same.
- 3.3 The agenda shall be made available to the public by having copies available in the Office of the County Clerk during normal business hours, posted on the front door of the Courthouse and posted on the County website. The agenda will be available by close of business 2 (two) days before the meeting.
- 3.4 Issues which arise after the deadline for issuing an agenda has passed must be held over until the next meeting, unless an emergency which requires immediate official action by the County Commission.
- 3.5 Except for emergencies, the County Commission may not take official action on a matter which is not on the agenda. An issue raised in a public comment period which is not on the agenda, may be considered only to determine if it should be placed on the agenda of a subsequent meeting for official action.
- 3.6 Each agenda may contain a period for public comment. Anyone wishing to address the Commission should arrive before or at the time of the scheduled meeting.
- 3.7 Any person/group who wishes to discuss a specific issue with the County Commission must request to be put on the agenda in accordance with Section 3.2 above. The person/group on the agenda should arrive by the time the meeting begins.
- 3.8 Each person/group on the agenda to address a specific issue with the County Commission may receive 10 minutes. The County Commission reserves the right to limit any person/group to a lesser amount of time.

SECTION 4: MINUTES

- 4.1 The County Commission shall provide for the preparation of written minutes of all meetings. Such meetings may be recorded or written notes taken by the County Clerk or their designee. Official minutes shall be available to the public after the adoption of the draft minutes by the County Commission at its next scheduled meeting. Said minutes shall contain the following:
- A. date, time and place of meeting;
 - B. name of each member of the governing body who is present and absent;
 - C. all motions, proposals, resolutions, orders, ordinances and proposed measures; the name of person making motion and of the person seconding; and a record of the vote of each member by name.

Adopted the 20th Day of December 2016.



Stanley C. Stewart, President

Robert A. Miller, Commissioner



Scott G. Varner, Commissioner

APPROVED

DEC 20 2016 

BY COUNTY COMMISSION
MARSHALL COUNTY, WV

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Marshall County Commission

Meeting Schedule 2017

The Marshall County Commission will meet on the following Tuesdays at 9:00 A.M. in Regular Session in the County Commission Room in the Marshall County Courthouse for the calendar year 2017; unless otherwise posted:

Tuesday, January 3, 2017
Tuesday, January 10, 2017
Tuesday, January 24, 2017
Tuesday, January 31, 2017
Tuesday, February 7, 2017
Tuesday, February 14, 2017
Tuesday, February 28, 2017
Tuesday, March 7, 2017
Tuesday, March 14, 2017
Tuesday, March 21, 2017
Tuesday, March 28, 2017
Tuesday, April 4, 2017
Tuesday, April 11, 2017
Tuesday, April 18, 2017
Tuesday, April 25, 2017
Tuesday, May 2, 2017
Tuesday, May 9, 2017
Tuesday, May 16, 2017
Tuesday, May 23, 2017
Tuesday, June 6, 2017
Tuesday, June 13, 2017
Tuesday, June 27, 2017
Tuesday, June 6, 2017

Tuesday, July 11, 2017
Tuesday, July 18, 2017
Tuesday, July 25, 2017
Tuesday, August 1, 2017
Tuesday, August 8, 2017
Tuesday, August 15, 2017
Tuesday, August 22, 2017
Tuesday, August 29, 2017
Tuesday, September 12, 2017
Tuesday, September 19, 2017
Tuesday, September 26, 2017
Tuesday, October 3, 2017
Tuesday, October 17, 2017
Tuesday, October 24, 2017
Tuesday, November 7, 2017
Tuesday, November 14, 2017
Tuesday, November 21, 2017
Tuesday, November 28, 2017
Tuesday, December 12, 2017
Tuesday, December 19, 2017

APPROVED

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BY COUNTY COMMISSION
MARSHALL COUNTY, WV

PLOTTER PRINTER PURCHASE – TOM HART OEM - Tom Hart, OEM Director, appeared before the Commission requesting permission to purchase a printer, previously budgeted, for E-911 and OEM. Tom received three quotes and is recommending the quote from Document Solutions, Monroeville, Pa., in the amount of \$8,415.

On motion of Commissioner Varner, seconded by Commissioner Stewart, the Commission approved the request, in the amount of \$8,415, for a printer from Document Solutions. Motion carried.

CORRESPONDENCE –

Sheriff Kevin Cecil – November Financial Statement

FIRST TIME HOMEBUYER LOAN RELEASE OF DEED OF TRUST – Jennifer Kordack, HOME Program Administrator, sent a letter to the Commission as notice that Mary Ellen & Terry L. Glover have fulfilled their obligations for the First Time Homebuyer Program. The lien can now be released.

On motion of Commission Varner, seconded by Commissioner Stewart, the Commission approved the release of lien, and the Commission President was authorized to sign the same. Motion carried.

RETIREMENT REQUEST – MINNIE LEMASTERS – The Commission received a letter from Sheriff Kevin Cecil, requesting the approval of a retirement request from Minnie K. Lemasters. She is using her accrued sick time until December 31, 2016. Her remaining days of sick leave will be used for retirement purposes, and she will be paid her remaining vacation time.

On motion of Commissioner Varner, seconded by Commissioner Stewart, the Commission thanked Minnie for her thirty seven (37) years of loyalty and service, and accepted her retirement request. Motion carried.

FIDUCIARY MATTERS – On motion of Commissioner Varner, seconded by Commissioner Stewart, the Commission approved and accepted all Fiduciary Settlements received by Jan Pest, County Clerk, for the month of November, 2016. Motion carried.

CREATION OF COUNTY OWNED EMS SERVICE IN CAMERON & HEALTHNET PROPOSAL – On motion of Commissioner Varner, seconded by Commissioner Stewart, the Commission approved moving forward with creating a County owned EMS operation in the Cameron area, moving forward to start the process to purchase 2 ALS, 4WB Box/Van units & equipment and supplies, and approved moving forward to start the process to hire EMTs & Medics to cover the area 24/7/365. Motion carried.

On motion of Commissioner Varner, seconded by Commissioner Stewart, the Commission approved the proposal from Healthnet in the amount of \$112,945 to assist the County in all phases of startup, implementation and management. Motion carried.

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Note: This was Commissioner Stanley C. Stewart's final Commission meeting. Commissioner Stewart stated it has been an honor serving as a Marshall County Commissioner. Stan saluted the Marshall County Courthouse team and how wonderful they work together. Stan wished us all the very best in the coming new year and stated the County, with God's help, will move forward. Merry Christmas to all.

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

<u>GENERAL COUNTY FUND</u>	\$ 87,192.42
<u>E-911 EMERGENCY COMMISSION</u>	996.21

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

PRESIDENT