

**MARSHALL COUNTY COMMISSION
JULY 25, 2017**

NOTICE OF REGULAR SESSION

The County Commission of Marshall County, West Virginia convened this day pursuant to the following call: Robert Miller, President; Scott Varner and John Gruzinskas, Commissioners; Jan Pest, County Clerk; Betsy Frohnafel, County Administrator; and Melanie Madden, Chief Deputy Clerk.

The County Commission of Marshall County, West Virginia will meet in Special Session at the Courthouse thereof, on Tuesday, July 29, 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/Robert Miller, President

Posted at the front door of the Courthouse on the 20th day of July, 2017.

s/Jan Pest, County Clerk

MINUTES – Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner, the Commission approved the minutes from July 11, 2017.

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COMMISSIONER COMMENTS –

COMMISSIONER GRUZINSKAS attended several Veterans' Plaza Committee meetings, and a Family Resource Network meeting. He also met with Department of Highway officials and representatives of Triton Construction. He met the new Marshall County Schools Superintendent, attended meetings with Bel-O-Mar, Grand Vue Park and a ribbon cutting for the opening of the Marshall County Fair. Commissioner Gruzinskas also noted that on this day in 1919 the first West Virginia State Trooper, Sam Taylor, was sworn in.

COMMISSIONER VARNER attended an Airport Authority meeting, and met with Josh Jefferson, from RED, regarding several items. He also dealt with constituent phone calls.

COMMISSIONER MILLER noted he attended several of the same events as the other Commissioners, including the ribbon cutting at the Marshall County Fair. He also attended a multi-state rural internet conference at Washington State Community College.

GRAND VUE PARK UPDATE – Craig White, Manager of Grand Vue Park, appeared before the Commission to update it on events at the Park, including an Adventure Park and dance event for Middle School students. He also informed the Commission the City of Glen Dale was awarded Outstanding City for a Soap Box Derby; Mr. Steve Jumper was awarded Outstanding Director of a Soap Box Derby and Landon, our entrant in the Derby for the Stock Division made it to the semi-finals and completed 9 runs. The awards were presented by the First Energy All American Soap Box Derby organization.

MERGER APPROVED – The Commission in receipt of an Order, from the Public Service Commission of West Virginia, approving the merger between Marshall County Public Service District No. 1 and Glen Dale Heights Public Service District.

KATHY'S HOUSE FOUNDATION – The Commission is in receipt of a request, in the amount of \$1500., for an Annual Veterans' Day Project, sponsored by Kathy's House Foundation. Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner, the Commission tabled the request for further review.

SCHOENE APPOINTED TO BOARD – Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner and passed, the Commission appointed Richard Schoene to serve the unexpired 3 year term, replacing Joe Blair, on the Marshall County Planning Commission.

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CORRESPONDENCE -

PSD#3 – Minutes of Board Meeting held on June 13, 2017.

American Legion - Thank you for donation.

Marshall County Sewerage District – Minutes of Board Meeting held in July, 2017.

Sons of the American Legion – Thank for donations and notification of Golf Scramble.

Rt 2 I-68 Authority – Thank you for contribution.

Youth Services System, Inc. - Thank you for supporting Celebrate Youth 2017 with donation.

Letter from ISO – Thank you for cooperation during recent Public Protection Classification survey.

TEMPORARY EMPLOYEE – Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner and passed, the Commission approved the employment of Amy Zumbrunnen as a temporary employee in the Assessor's Office, upon the recommendation of Assessor Kessler.

REMOVAL OF FIDUCIARY - Adam Barney, Esquire appeared before the Commission regarding the removal of Michael A. Rose as the Fiduciary for the Elevation Mae Rose Estate. He informed the Commission that Michael A. Rose is now deceased and Jeffray Lee Rose has agreed to serve as Fiduciary. Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner, the Commission continued the matter until Jeffray Lee Rose appears in the County Clerk's Office to be appointed as Fiduciary.

REMOVAL OF FIDUCIARY – Adam Barney, Esquire appeared before the meeting regarding the removal of William South as Administrator of the Estate of Charlotte South, Deceased. Mr. William South has not responded to any communication regarding settling the Estate of Charlotte South. Mr. Douglas South, an heir of the Estate of Charlotte South has agreed to serve as Fiduciary of the Estate. Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner, the Commission removed Mr. William South as Administrator of the Estate of Charlotte South, Deceased and appointed Mr. Douglas South as Fiduciary of the Estate of Charlotte South, Deceased, upon the recommendation of Mr. Adam Barney in his capacity as Fiduciary Commissioner. Mr. Douglas South will need to qualify as Fiduciary in the County Clerk's Office.

RESOLUTION – Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner, the Commission approved the following Resolution upon Bel-O-Mar request.

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RESOLUTION 10232013

WHEREAS, the collection of waterborne commerce statistics pertaining to rivers, harbors, and waterways and the compilation and publication of such data by the U.S. Army Corps of Engineers are required by federal law; and

WHEREAS, creation of a statistical boundaries of the Mid-Ohio River Valley Port District would more accurately reflect the local waterborne commerce activity and increase tonnage recorded by the Waterborne Commerce Statistics Center of the U.S. Army Corp of Engineers Navigation and Civil Works Decision Support Center, elevating the rank of the Port among the inland ports in the United States further supporting local economic development; and

WHEREAS, the proposed creation of the statistical boundaries will provide significant marketing and may result in investment opportunities leading to job creation and economic growth for Marshall County, Ohio/West Virginia; and

NOW, THEREFORE BE IT RESOLVED that the Marshall County Board of Commissioners supports the port boundary creation with recognized limits of the Ohio River mile 40 and river mile 256 to include the entire riverfront of Marshall County from river mile 93 to river mile 122 on the Ohio River. Said support extends for statistical purposes only and not to any waterways organization or further control of the Ohio River nor does the created boundary impact any existing or future public port or economic development authorities.

APPROVED: 07/25/2017

THE MARSHALL COUNTY BOARD OF COMMISSIONERS

s/ Bob A. Miller, Jr.

s/ Scott G. Varner

s/ John Gruzinskas

EXONERATIONS – Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner, the Commission approved the following erroneous assessments previously approved by the Prosecuting Attorney and Assessor:

Frank A. Wolfe & Patricia V.	\$ 17.16
Craig W. & Tony L. Terry	\$ 61.50
Donnie Richmond	\$ 3.80
Louise Adams	\$ 4.36
Garland E. Lowe, etux	\$ 100.72
Ralph & Ella Bea Chaplin	\$ 3.80
Betty Knowles	\$ 3.80
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Keith A. Ferrell, etux	\$ 41.04
Leroy & Donna K. Anderson	\$ 3.80
Ralph & Ella Bea Chaplin	\$ 3.80

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George & Lauren Mikels	\$ 527.06
George & Lauren Mikels	\$ 55.44
Ralph Chaplin	\$ 3.80
Brian L. Burdette	\$1,197.80
Victoria Lynn Anderson	\$ 3.80
Norman D. Leach	\$ 3.80
Betty M. Williams	\$ 3.80
Mary & Thomas Tighe	\$ 3.80
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Mary & Thomas Tighe	\$ 3.80
Donnie & Margaret Richmond	\$ 3.80
William R. Clegg	\$ 52.86
Brian Tubaugh	\$ 63.42
Laura Minor	\$ 26.78
Bradford L. & Joyce B. Berletch	\$ 41.58
Thomas A. & Christine M. Brooks	\$ 11.66
Lewis Devault	\$ 27.50
Rodney J. Fonner	\$ 55.32
Mark Christman	\$ 24.44
Daniel London Properties Moundsville	\$3,898.64
T & C Dedicated Hauling LLC	\$ 132.54
T & C Dedicated Hauling LLC	\$ 6.50

FAMILY RESOURCE NETWORK – Stacy Dei, Director of the Family Resource Network, appeared before the Commission to present it with the winning trophy due to the Marshall County Courthouse being the largest contributor to the canned food drive held by the FRN. The Courthouse collected over 1,000 lbs. of food for the drive. Upon motion of Commissioner Gruzinkas, seconded by Commissioner Varner, the Commission approved a free lunch for the employees of the County Clerk’s Office and the Assessor’s Office in recognition of their efforts.

ADALINE BRIDGE – Mr. Matt Powell, representing Triton Construction, appeared before the Commission to inform it the current proposal to replace the Adaline Bridge has been withdrawn. Several residents, from the Fish Creek area, applauded the decision. The current bridge will remain viable while a new bridge is constructed.

EXECUTIVE SESSION – Upon motion of Commissioner Gruzinkas, seconded by Commissioner Varner, the Commission voted to go into Executive Session to discuss a legal matter.

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RECONVENE – Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner, the Commission reconvened into Regular Session.

COAL SEVERANCE TAX – Jan Pest, County Clerk informed the Commission the County is in receipt of the April – June, 2017 Coal Severance Tax Distribution in the amount of \$1,006,282.61 and Coal County Reallocation Severance Tax in the amount of \$725,382.40.

CONSIDER INCREASE - Ms. Pest, County Clerk, also asked the Commission to consider raising the Transfer Tax on real property conveyances due to new legislation which permits counties to increase its portion of transfer tax. After reviewing figures, the Commission will render a decision on the issue.

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

<u>GENERAL COUNTY FUND</u>	\$ 81,102.52
<u>COAL SEVERANCE FUND</u>	\$242,967.81
<u>HOME CONFINEMENT</u>	\$ 2,332.92
<u>EMERGENCY COMMUNICATIONS</u>	\$ 1,413.34
<u>GENERAL SCHOOL</u>	\$ 14,610.00

RECESS – Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner, the Commission voted to recess awaiting an Order to be submitted.

RECONVENE – Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner, the Commission reconvened into Regular Session.

ORDER ADOPTED – Upon motion of Commissioner Gruzinskas, seconded by Commissioner Varner and passed, the Commission adopted an Order regarding Opioid issues in Marshall County as a public nuisance. The Order is kept on file in the County Clerk's Office.

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

PRESIDENT