

REGULAR ADJOURNED SESSION OF THE COUNTY COMMISSION OF BROOKE COUNTY,
WEST VIRGINIA, HELD TUESDAY, APRIL 19, 2011

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The County Commission of Brooke County, West Virginia met in regular adjourned session this 19th day of April, 2011 at 4:00 p.m. at the Courthouse.

Present: Bernard L. Kazienko, President
Norma Tarr and Marty Bartz, Commissioners
Sylvia J. Benzo, County Clerk

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A motion was made by Marty Bartz, seconded by Norma Tarr, and unanimously passed to approve the minutes of the meeting held on April 12, 2011.

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Bill Chalfant and about five residents from the Eldersville Road area were present to see if the Commission had heard anything further with the sewer project for their area. Commissioner Bartz indicated that he attended the last Brooke County PSD meeting and felt one of the board members was terribly rude. Also, he was told that there is about \$500,000 left in money from this sewer project and felt that the Chalfant's and the residents of their area should receive sewers since there is available money for them. The area should be the alternate ad-on for the project. He indicated that the Brooke County PSD Board had voted to spend about \$250,000 of the left over money to take in the area of the Leon property and felt there was still money that the Chalfant area could be done. Several weeks ago the Commission adopted a Resolution to include the Chalfant area in the project. Bill Chalfant indicated that the PSD keeps bringing up the number of houses that the project would involve and discussed the Peacock Lane residents now being included. Angel DiPasquale indicated that she has minutes of a previous meeting where Burgess & Nipple included the residents of Peacock Lane. Commissioner Bartz felt the Commission needed to invite Amy Swann of the PSC to a meeting for discussion purposes. Commissioner Kazienko indicated that the Commission could invite her, however; indicated that the Commission only appoints the members but cannot control their actions. Dave Cross, Prosecutor was present and explained that the Commission can only appoint members but cannot control their actions, however; the residents can seek legal council on their own and also have the PSC review their circumstances. The Commission discussed writing a letter to the PSC. Commissioner Bartz suggested getting signatures on a petition to stop what the PSD is doing.

Jeff Hensler was present and wanted to know how Wayne Mielke is associated with the project and if the charter can be changed if the Commission does not like decisions being made by the board members. Mr. Cross indicated that this would take legislation.

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At about 5:05 p.m. the Commission entered into executive session with the Prosecutor.

The Commission convened their regular meeting at about 5:20 p.m.

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A copy of the following correspondence was given to each of the Commissioners for their review:

A notice from Comcast that effective April 29th they will be launching new Hispanic Multi Latino Cable Packages.

A letter from the WV Development Office thanking Commissioner Kazienko for attending the Regional Meeting at Oglebay Resort and welcoming new ideas.

A letter from the WV Courthouse Facilities Improvement Authority letting us know that they will be holding various informational sessions about the 9th Cycle Grant Funding. They will be held at various locations around the state. Brooke County will be hosting a meeting in June.

A copy of the Route 2/Interstate 68 Authority minutes of their April 5, 2011 meeting.

An e-mail from Norman Schwertfeger that the next Local Government Roundtable will be on May 18th at 6:00 p.m. at the Weirton Holiday Inn.

An e-mail from Barb Zimmox of BHJ letting us know that the State contracted with them to have a regional hazardous mitigation plan completed. They will hold an informational meeting on May 12, 2011 about 2:00 p.m.

A copy of the BHJ Weekly Report for April 10th through April 16, 2011.

A letter from the Department of Environmental Protection letting us know that we have met all the requirements set forth by the REAP Standard Operating Procedure for 2011 by implementing fifteen of the sixteen programs to date.

A letter from the Brooke Pioneer Trail Association asking to generate a personal letter to show support for the Trail to solicit financial partners to help expand the new trail connector in Beech Bottom and carry forward the next trail segment to Brooke High School.

A notice from the Division of Natural Resources that effective in 2012 resident hunters and angler who have reached 65 years of age on or after January 1, 2012, will need to purchase the new Senior Sportsman's package at a one time cost of \$25.00.

A request from John Schwertfeger, Ambulance Director to hire John R. Williams, III as a previous hire, Scott Law declined a position with the ambulance service. Marty Bartz made a motion, seconded by Norma Tarr, and unanimously passed to approve the hiring request.

The above correspondence was ordered filed in the County Clerk's Office.

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A motion was made by Marty Bartz, seconded by Norma Tarr and unanimously passed to approve the 2011-2012 Levy Rates for Brooke County. A copy will be sent to the Assessor's Office.

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Commissioner Kazienko confirmed that there are in-take papers for the animals at the shelter and are made on every dog that comes into the shelter. Wayne Buxton indicated that he will do a follow-up because he thought a checklist was done when the animal is walked but that was all.

Commissioner Kazienko had asked Karli Snyder, Animal Shelter Director to do a synopsis of allegations that were stated at the meeting last week concerning issues and happenings at the shelter with a deceased puppy that had parvo, and questions asked about the surgery room. He supplied Commissioner Tarr and Bartz a copy of her report. Commissioner Bartz had a list of rules and regulations he obtained from the State with regards to rules on a surgery room located at the shelter. New rules will be out in July. Commissioner Bartz indicated that we need to find a veterinarian and it was suggested that Dr. Sanford may be willing to help with the vet room. Commissioner Kazienko indicated that he called the lady that adopted the dog with parvo, however; she did not return his call. Mr. Buxton also indicated that he called three shelters that have the same return air system we have at the shelter and they have not had any problems, however; they do run dehumidifiers and have an isolation room. Commissioner Bartz suggested changing the air filters more often and wanted to know what shape the filters were in when they were changed.

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Commissioner Bartz indicated that he has collected about \$100.00 to help purchase flags for Memorial Day and wanted to know if the Commission could set up an account. There was discussion on this issue and the Commission does not have the authority, however; they could do this privately and use their own social security number.

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Commissioner Kazienko reported on several issues including the fact that the county is eligible to receive money for bullet proof vests, however; a new stipulation is that it is mandatory to wear the vests.

He reported that there is a Health Pandemic scheduled for April 29th.

He will be meeting tomorrow to talk with John Brown of BHJ and the new Congressman from Ohio on various issues.

There will be a Commissioners' Spring Board meeting on May 16 and May 16th and he encouraged the Commission to attend.

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A motion was made by Marty Bartz, seconded by Norma Tarr, and unanimously passed to set the Regular Current Expense Levy Rates as follows: Class I - 14.30, Class II - 28.60 and Class III & IV - 57.20

The excess levy rates:

Class I - 2.97, Class II - 5.94 and Class III & IV - 11.88

The fire levy rates:

Class I - 1.38, Class II - 2.76 and Class III & IV - 5.52

A copy of this order will be forwarded to the State Auditor's Office.

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Invoices and vouchers were approved, and the following checks were ordered written:

General County Fund - Check Nos. 6424 through 6462 for \$57,874.69
Excess Levies - Check No. 6463 through 6471 for \$50,709.32
Extension Service & Courthouse Levies - Transfer only \$8,753.41
E-911 Communications - Check Nos. 655 through 656 for \$1,442.43
Ambulance Fund - Check Nos. 1157 through 1163 for \$4,506.73
Ambulance Fund II - Check Nos. 438 through 441 for \$7,151.33
Fire Levy - Check Nos. 468 through 478 for \$30,213.31
Dog Fund - Check Nos. 552 through 553 for \$485.02
Magistrate Court - Check No. 554 for \$210.00
Home Confinement - Check No. 555 for \$3,819.92
State Government Grants - Check Nos. 556 through 560 for \$26,184.00
Void No. 537 for \$25,000

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No further business to come before the Commission a motion was made by Marty Bartz, seconded by Norma Tarr, and unanimously passed to adjourn.

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Bernard L. Kazienko, President

Teste:

Sylvia J. Benzo, County Clerk