

REGULAR ADJOURNED SESSION OF THE COUNTY COMMISSION OF BROOKE COUNTY,  
WEST VIRGINIA, HELD TUESDAY June 7, 2011

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The County Commission of Brooke County, West Virginia, met in regular adjourned session this 7th day of June, 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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The Commission held their preliminaries before the meeting including a prayer and pledge of allegiance.

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This being the first meeting of the month of June, 2011 fiduciary matters were presented to the Clerk in the absence of the Commission. If no objections are filed the meeting will close at the end of the Commissioner's meeting today.

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

A letter from Mary Kay Wallace, Director of the Library thanking the Commission for the resolution to Jean Crago and for the presence of Commissioner Bartz at the dedication.

A letter from Ann Paull, Secretary of the Library Board asking the commission to appoint Carol Churchman of Wellsburg for the Library Board position to replace Dolores Antigo whose term will expire on June 30, 2011. The Commission will wait two weeks to allow others that may be interested a chance to submit their resume.

A letter from Mary Kay Wallace, Library Director inviting the Commission to attend a ceremony honoring our American and Allied heroes of World War II. Opening ceremony begins on Thursday June 23<sup>rd</sup> or Friday, June 24<sup>th</sup> at the Library at 9:30 a.m.

A letter from the Extension Service asking the Commission to submit a grant for them to the West Virginia Development Office for \$4,000. A Resolution needs to go with the grant. Norma Tarr made a motion, seconded by Marty Bartz, and unanimously passed to approve the request.

A copy of the BHJ Weekly Report for June 5, 2011 through June 11, 2011 was received.

A letter from the Division of Highways enclosing the Federal Transit Administration expenditures for federal fiscal years 2011-2016. All written comments must be sent to Charleston, WV by June 13, 2011.

A copy of a Resolution from the Town of Bethany signed expressing concerns about hydraulic fracking within the Marcellus Shale Deposits in the Northern Panhandle. Commissioner Bartz indicated that he did not agree with statement two in the resolution which indicates that the legislature failed to act, most recently in its 2011 regular session, to safely and reffectively guide the development of Marcellus Shale in West Virginia. The Commission discussed the resolution and indicated that the county has been working on issues concerning Marcellus Shale. The Commission discussed drafting their own resolution or perhaps not make any comment. The Commission felt there are some issues, however; realize that Chesapeake has done some things for protection, road repair, weight limit issues, etc. Sheriff Ferguson was present and indicated that he has been working with Chesapeake and has had good response from them.

BUDGET REVISIONS:

A request from the Circuit Clerk to move \$500 from Capital Outlay/Equipment to Materials and Supplies.

A request from the Probation Office to move \$52.00 from the Circuit Court Telephone to Utilities, move \$47.00 from Telphones to Insurance and Bonds, move \$115. From Telephones to Utilities, move \$533. From Telephones to Maintenance and Repair. A motion was made by Norma Tarr, seconded by Marty Bartz, and unanimously passed to approve the revisions.

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

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Bob Babinchak was present along with Jonette Lasasz to discuss with the Commission our Max 105 Contract for our insurance as well as have the Commission sign our Health Plan Contract. We no longer will have a \$5,000 cap on our prescriptions, it is now unlimited. Ms. Lazasz informed the Commission that if the county wants to add to our contract a policy for TMJ it would be an additional \$12,000 for the additional rider. There currently is not anyone that has used the TMJ portion of our policy. After discussing our insurance a motion was made by Norma Tarr, seconded by Marty Bartz, and unanimously passed to approve our health insurance without the TMJ, however; will do a final run to make sure no one has used the TMJ portion of our insurance. Sheriff Ferguson wanted to know if the TMJ could be based on a per employee basis, however it was stated that we could not as this is a group policy.

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Donna DeJaro, Interim Shelter Director was present to discuss any pick up fees that is due owners of animals, etc. After a lengthy discussion on this issue a motion was made by Norma Tarr, seconded by Marty Bartz, and unanimously passed to have a pick up fee for dogs of \$10.00 for the first day and \$5.00 for each additional day, plus any expenses the county incurs for the animal.

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The Brooke County EDA made a request for \$30,000 from Economic Development fund. Ruby Greathouse was present and indicated that the money previously given to the EDA was used for trail activity, Agriculture Day, film activity. After discussing this issue a motion was made by Marty Bartz, seconded by Norma Tarr, and unanimously passed to approve the request.

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Wayne Buxton indicated there may be a problem with Pet Smart concerning a dog that had supposedly died of parvo, and the dog was supposed to be adopted, however; it was discovered that the dog did not die. The county may have to send a letter that this is the same dog and the dog did not die.

Steve Tennant was present and brought up several issues that need addressed concerning the new shelter. He presented pictures to the Commission of high weeds around the shelter, piles of laundry on the floors and felt the shelter was a disgrace. Also of concern was a washer/dryer that were purchased and were not big enough for the shelter. The Commission discussed these issues at length and were not made aware of these issues. The washer/dryer that were purchased were purchased used, however; the Commission did not tell them to purchase used appliances and if there is a need for bigger appliances the Commission does not have a problem purchasing other appliances. Donna DeJaro was present and let the Commission know that they are in need of more employees as they do not have enough people to do everything that needs done. The Commission is in the process of doing interviews. The Commission will work on all these issues.

Ms. DeJaro indicated that the cats are still getting through the ceiling.

Commissioner Bartz asked Ms. DeJaro if some dogs could be brought to the Follansbee Middle School on Thursday. The school had a fund raiser and would like to make a presentation.

A motion was made by Marty Bartz, seconded by Norma Tarr to front the money for the cages that had previously been ordered as the funding for the grant may not come through until July. The Clerk had called the State regarding this issue and was told the request was received, however; checks will probably not be written until after the end of the fiscal year.

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The Commission entered into executive session concerning a personnel issue.

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The Commission reconvened their regular meeting.

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

General County Fund - Check Nos. 6859 through 6898 for \$23,759.78  
Ambulance Fund - Check Nos. 1198 through 1199 for \$61,392.98  
E-911 Fund - Check Nos. 681 through 683 for \$35,310.35  
Dog Fund - Check No. 575 for \$2,089.03  
State Government Grants - Check No. 576 for \$917.74

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

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Bernard L. Kazienko, President

Teste:

Sylvia J. Benzo, County Clerk