

REGULAR ADJOURNED SESSION OF THE COUNTY COMMISSION OF BROOKE COUNTY

WEST VIRGINIA, HELD TUESDAY, AUGUST 23, 2011

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The County Commission of Brooke County, West Virginia, met in regular adjourned session this 23rd day of August, 2011 at 4:00 p.m. at the Courthouse.

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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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A motion was made by Marty Bartz, seconded by Norma Tarr, and unanimously passed to approve the checks written for the August 16, 2011 meeting.

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

An invitation to attend the annual picnic for information on pipeline safety on September 19, 2011 at Wheeling Park White Palace was received.

A letter from the Brooke County Planning Commission requesting that an engineer be hired to fulfill the requirements of the Dilapidated Building Ordinance. Commissioner Kazienko indicated that he met with the Prosecutor to review the Code section on dilapidated buildings and in the Code it mentions that an engineer was required, however; the Commission opted for a Building Inspector. A review of the previous minutes will be done to make sure that the Commission did opt to have an inspector. The Commission indicated there is more work to doing this project than anyone realizes. A search of deeds has to be done and heirs need to be located. Sheriff Ferguson has also been working diligently on getting home owners to clean up their property.

A notice from the West Virginia Division of Personnel that Tuesday, October 4, 2011 Election is an official holiday for all State employees.

An e-mail from the National Association of Counties letting us know that United States Senator Frank Lautenberg of New Jersey has received National support for a National Moment of Remembrance at 1:00 p.m. on September 11th and asks that Americans sound sirens, ring bells at that time for those we lost on September 11th.

A letter from the Pocahontas County Commission encouraging the Commission to contact the County Commissioners' Association for information on our role and rights concerning Marcellus Shale drilling.

A request from Sheriff Ferguson to hire Anthony Rotellini and Ronald Rodinsky, part-time to install signage for the Addressing Project. Sheriff Ferguson was present and indicated that he is in the process of putting up roadway signs and he needs installers. A motion was made by Marty Bartz, seconded by Norma Tarr, and unanimously passed to approve the request.

A letter from the Division of Homeland Security enclosing a check for \$49,973 as reimbursement for 2010 was received. The Commission commended Bob Fowler, EMA Director for working on the reimbursement.

A letter from the Division of Highways letting us know that we can view planned Federal Highway and Transit Administration expenditures over their website.

A drawdown request for \$6,799.80 under the Tollgate House Project which needs approved. A motion was made by Marty Bartz, seconded by Norma Tarr, and unanimously passed to approve the request.

A drawdown request for \$1,360.00 under the Scenic Byway Program which needs approved. A motion was made by Marty Bartz, seconded by Norma Tarr, and unanimously passed to approve the request.

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

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Norman Schwertfeger was present and let the Commission know that Ryan burns is the new Scenic Byway Coordinator and has been taking pictures of the By-way in preparation of incorporating our pictures into a State Brochure. We are also working on our brochure and information has been sent to Kim Weaver to help us put our ideas together. Commissioner Kazienko would like to have an ironman contest as part of the project.

He also presented an invitation to an Open House on September 9th at the Tollhouse and he asked the Commission to be a part of the program. Franklin students will be participating and presenting information on the history of the Tollhouse. The Commission commended him for all his efforts in this project.

Commissioner Bartz wanted to know the status on the hiring of an Extension Agent and he indicated that the job has been posted.

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Commissioner Kazienko indicated that he met with the Prosecutor concerning a presentation of changes to be made to the Museum By-laws and he approves the changes. One main item to be changed was the name of the Museum which will now be the Brooke County Historical Museum and Cultural Center and the Museum will have to apply to be a 501c. After discussion a motion was made by Marty Bartz, seconded by Norma Tarr, and unanimously passed to approve the Museum By-law changes.

Commissioner Kazienko also had the Prosecutor review a copy of a contract between the Commission and Midstream Appalachia to enter our property located at the Park and asked the Commission to adopt the agreement. Marty Bartz made a motion, seconded by Norma Tarr to approve the President to sign the agreement once the Prosecutor has officially approved the wording of the contract. Commissioner Kazienko indicated that he talked with Janice McFadden to make the Park aware of what the commission was going.

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Donna DeJaro, Shelter Director and Chuck Shreves, Dog Warden were present and the Commission asked that they meet with the Prosecutor with issues pertaining to the shelter and their responsibilities. The Commission had also discussed with them the hiring of an Assistant Dog Warden. Sheriff Ferguson was present and had met with the Hancock County Sheriff who has his deputies as the Animal Control Officer. If an Assistant is hired the Commission indicated that they want to see documentation on call outs, etc.

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Jeff Hensler of the Building Commission was present and asked for an update on the status of the Progressive Bank Building. Commissioner Kazienko indicated that the Commission has not received any further information from the bank.

The Commission will try and recruit someone to fill the opening on the board.

The Commission let him know that they have an Energy Grant and will be doing some work in the courtroom and may need the assistance of the Building Commission. We are also in the processing of working on our roof.

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Delegate Tim Ennis and Roy Givens presented to the Commission two approval letters for grant funding, one for \$32,455 to help develop the Pioneer Trail and one for \$15,000 to help with the elimination of abandoned

buildings. Several members of the Trail Board were present to receive the certificate.

The Commission thanked the Delegates for all their help and encouraged residents to call the Governor's Office in opposition to eliminating a Delegate in our district due to the new redistricting.

The Commission also asked our Delegates for help in securing a truck ramp on 10th Street off of Washington Pike for runaway trucks. The Delegates asked that the Commission write a letter expressing our concerns.

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Bob Fowler, EMA Director indicated that he has been in contact with John Riesbeck of the telephone company expressing concerns about the lines at 44 Hollow site. He is afraid if we have a disaster we would not have phone lines at the site. Commissioner Bartz indicated that he was told they were able to do wireless. The Commission discussed putting new splices in and other ways to rectify the problem.

He also reported that the road is almost done at the 44 Hollow site. He also has four bids for the clean-up of the pit at the site.

Mr. Fowler also reported that they are trying to be able to do Homeland Security through the schools and may need to have access to floor plans. He will be getting more information.

Mr. Fowler reported that he had an EMPG meeting last Thursday and there are a lot of new requirements for grants.

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Ruby Greathouse let the Commission know that she met with the Prosecutor concerning an Agreement on the closing of the trail when a new bridge is installed. There are a lot of unanswered questions they need to resolve before the Agreement will be signed. The Commission indicated that during the construction stages they will probably have meetings and make decisions. The Commission will submit a list of questions.

Judy Jones, Vice President of the Trail was present and let the Commission know that her husband has a brush hog that can be used to help trim the trail, however; they will probably need help. Ruby Greathouse thought they may be able to get the State Road to help us trim the trail.

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Commissioner Bartz indicated that the flashing lights are in for the Hooverson Heights School, however; there are power lines and trees in the way. Sheriff Ferguson indicated that at the next meeting they will look into it.

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At about 5:35 p.m. the Commission entered into executive session with Donna DeJaro and Chuck Shreve of the Animal Shelter.

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Sylvia Benzo, County Clerk let the Commission know that she received the hardware maintenance contract for Ivotronic voting machines - \$6,720.

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

General County Fund - Check Nos. 7156 for \$429.00 i9s void
General County Fund - Check Nos. 7282 through 7307 for \$17,602.11
Coal Severance Fund - Check No. 148 for \$511.00
Ambulance Fund - Check No. 1252 through 1254 for \$60,144.77
Ambulance Fund II - Check Nos. 492 through 494 for \$257.79
E-911 Fund - Check Nos. 729 through 731 for \$2,843.64

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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