

REGULAR ADJOURNED SESSION OF THE COUNTY COMMISSION OF BROOKE COUNTY,  
WEST VIRGINIA, HELD TUESDAY, JANUARY 31, 2017

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The County Commission of Brooke County, West Virginia met in regular adjourned session this 31st day of January, 2017 at 10:30 a.m. at the Courthouse.

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Present: Tim Ennis, President  
Jim Andreozzi and Stacey Wise, 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 Jim Andreozzi, seconded by Stacey Wise and unanimously passed to approve the minutes of the meeting held on January 24, 2017.

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A copy of the following correspondence was given to each of the Commissioner's for their review:

A copy of the Hammond Public Service District minutes of their December 21, 2016 meeting was received.

A notice was received from Republic Services filed with the Public Service Commission an application containing increased rates for furnishing solid waste service to customers.

A copy of the Monitoring Fees for the month of December, 2016 was received from the Northern Panhandle Community Criminal Justice Board.

A letter from Sheriff Palmer advising that Lieutenant Darin Pizer has replaced Captain Kevin Heck as his 911 Administrator and will continue to be paid out of the 911 Communications budget as previous employees have been paid.

A copy of a letter was received from Sheriff Palmer which was sent to the Civil Service Commission Board requesting that Sergeant Mills be promoted, effective February 1, 2017 to Lieutenant without a written competitive test as he is the only eligible candidate for this rank.

A letter was received from Garry Stephen, 581 Scenery Hill Road, North, Wellsburg asking to serve on the Brooke County Museum Board due to the resignation of David Holden. The Commission will allow one more week for those that may be interested in submitting a letter of interest.

A Memorandum was received from Change, Inc. for the Northern Panhandle HOME Consortium letting us know that a public hearing must be held to entertain citizen comment relative to how HOME dollars should be allocated for Fiscal Year 2017. The Clerk will review the procedure with Change, Inc.

A letter was received from John B. McCusky, State Auditor Office setting forth criteria, management responsibilities and procedures they will be doing to conduct our Audit for year ending June 30, 2016.

A letter was received from the State Auditor's Office letting us know that they will be conducting our Audit for fiscal year ending June 30, 2016 and will begin on February 6, 2017.

A letter was received from the State Tax Department letting us know that when preparing our 2017-2018 budget for the Statewide Computer Network, Account #408 the estimated cost will be \$27,417.

A Petition from Attorney Raymond Hinerman asking that the Commission accept a signed copy of the Last Will and Testament of Ronald Lee Delich, deceased as the original cannot be located.

A letter was received from Joseph Barki, Prosecuting Attorney advising that he has increased the salary of Assistant John Kyle for the next two months. He will be paid an additional \$3,750, to be distributed in equal amounts starting on the February 15, 2017 pay period and ending with payment on the April 15, 2017 pay period. Commissioner Andreozzi stated that one of the Assistant Prosecutor's is a State Senator and previously when the budget was done the salary was backed out of the Prosecutor's budget, however; others have to pick up the workload when the Senator is away. This information will be given to bookkeeping.

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

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Sheriff Palmer was present to discuss the current 9-1-1 fees being assessed. Currently the fee for a land line is \$2.05 per household and since 2001 no increase has been made, however; there has been increases in the services since 2001 with additional costs for salaries, benefits and the 9-1-1 operation. He wanted to bring this information to the Commissions attention to discuss options of what can be done to alleviate the problem. Sheriff Palmer indicated that the wireless fees are different with three percent of the wireless goes to the Enhanced 911 to purchase equipment and do upgrades but the land line fees are for the daily operation. The use of land lines has dropped over the past years due to individuals using their cell phones and cancelling land lines and this also does not help. He suggested an increase of \$4.00 which would bring the fees to \$6.05 per land line household. Commissioner Ennis wanted to know if the increase was \$2.00 or \$4.00. Sheriff Palmer felt we needed to look at the numbers and that if the fee was just increased to \$2.00 we may not be able to operate at a deficit but \$4.00 would be more in line. Commissioner Ennis felt he had some good points with hospitalization increasing, home phone lines being reduced, loss of population and a loss of about \$15,000 per month in revenues all contributed to the 9-1-1 fund being in a deficit. The Commission indicated that we did not have the funds to subsidize the 9-1-1 like other surrounding counties. Commissioner Andreozzi indicated that this deficit was not a surprise that the Commission was aware of the fund with high rising costs but the Commission was reluctant to raise the fees. He also indicated that with the high rise of health care costs and the salary increases to our dispatchers contributed to the deficit, however; the dispatchers' raises were well deserved as we were losing good dispatchers to surrounding areas because the pay was higher. He felt it is now time to address the deficit. If health care costs increase again the \$2.00 might be just a cushion and we cannot use tax dollars to fund the account. Bud Billiard was present and felt that the 9-1-1 dispatchers were doing a good job and felt that if an increase was needed our community would reap the benefits. Commissioner Andreozzi also felt that the Commission did not want to raise it minimally and find out we have to raise it again to meet costs. Richard Ferguson was present and stated that the 9-1-1 has always operated under a bare bones budget. We also have to pay Hancock County over \$17,000 because of the lines in the City of Weirton. Sheriff Palmer also indicated that some counties charge businesses an additional fee. Commissioner Andreozzi indicated there has been some discussion about a new 9-1-1 program and he would like to know the costs to put it in. Sheriff Palmer indicated his willingness to cut costs where he can but felt the \$4.00 increase was the way to go. After a lengthy discussion a motion was made by Jim Andreozzi, seconded Stacey Wise and unanimously passed to approve an increase of \$4.00 for land lines. The new 9-1-1 land line fee will now be \$6.05 per land household line.

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Ruby Greathouse was present and stated she had a call from Mountaineer Gas Company who need access to the Museum Building to remove an old gas meter. Commissioner Andreozzi will make arrangements for them to get in.

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Commissioner Ennis stated that the meeting next week, February 7, 2017 will be held at 9:30 a.m. because of a conflict with Board of Equalization hearings that are scheduled. The meeting of February 14, 2017 will be held on February 17, 2017 as the Commissioner's will be in Charleston at 10:30 a.m.

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The Commission received a copy of the Land and Water Conservation Fund Contract documents for Brooke Hills Park which needs signed by the Commission. A motion was made by Jim Andreozzi, seconded by Stacey Wise and unanimously passed to authorize Commissioner Ennis to sign the Contract.

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Commissioner Andreozzi stated that a resolution will have to be drafted for an Industrial Road grant being submitted for property on Three Springs Drive, Weirton, WV which would be similar to the one the commission did in support of the Power Plants.

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Commissioner Andreozzi stated that he make all the necessary checks on residence, etc. for the re-appointment of Joe Ierise to the Brooke County Board of Health and made a motion for such re-appointment, seconded by Stacey Wise and unanimously passed.

A motion was made by Stacey Wise to reappoint Rosita Briggs to the Brooke County Board of Health but motion died for a lack of a second. The Commission will continue to take applications for her position on the board.

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The Commission recently received information that the State of West Virginia settled its case against drug manufacturers resulting in about 47 million dollars in damages paid to the State for costs it has incurred over several years as it relates to abuse of prescription pain drugs. The Commission has been contacted by David Cross, Assistant Prosecutor recommending that the Commission be a part of the suite to try and recoup monies from the on-going epidemic of drugs. There will not be any costs to the county unless there would be an award of money. Commissioner Andreozzi indicated that some people feel that prescription drugs and opioids were prescribed and West Virginia was flooded with these types of drugs and could have been part of the problem with the drug epidemic. After discussion a motion was made by Stacey Wise, seconded by Jim Andreozzi and unanimously passed to enter into a Contingent Fee Contract with the Fitzsimmons Law Firm PLLC and Gold, Khourey & Turak, LC as Attorneys to institute and prosecute a suit or claim against such person, firms, associations, political bodies, governmental units or corporations with regard for damages caused by the opioid epidemic against certain pharmaceutical manufacturers, distributors, suppliers and all others who may be potentially liable.

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

General County Fund - Check Nos. 18423 through 18439 for \$21,948.16  
Payroll withholding - Check Nos. 18412 through 18422 for \$30,148.10  
+ACH  
Dog Fund - Check Nos. 1227 for \$421.57  
E-911 - Check Nos. 1719 through 1721 for \$512.01  
Federal Grants - Check No. 1228 for \$73,995.00  
Ambulance Fund - Check Nos. 3195 through 3201 for \$105,809.49  
Shelter Levy - Check Nos. 412 through 413 for \$5,281.20  
Valuation Fund - Check Nos. 1108 for \$103.95

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No further business to come before the Commission a motion was made by Jim Andreozzi, seconded by Tim Ennis and unanimously passed to adjourn.

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Timothy R. Ennis, President

Teste:

Sylvia J. Benzo, Clerk