

REGULAR ADJOURNED SESSION OF THE COUNTY COMMISSION OF BROOKE COUNTY,
WEST VIRGINIA, HELD TUESDAY, MARCH 28, 2017

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The County Commission of Brooke County, West Virginia met in regular adjourned session this 28th day of March, 2017 at 9:30 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 Stacey Wise seconded by Jim Andreozzi and unanimously passed to approve the minutes of the meeting held on March 21, 2017.

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Commissioner Andreozzi introduced Amber Evans and John Black representatives of ESC Brooke County Power I, LLC and Brian Helmick, Attorney with Spillman, Thomas & Battle who were present to discuss the potential of a gas fired Power Plant which will be a economic magnet for Brooke County. Mr. Helmick stated that the process is moving forward, however; there were a few road blocks. The former site for the plant was in Follansbee and now has been moved to the eastern side of the Cross Creek Wildlife Management site. The State worked with them to obtain the site. Mr. Helmick explained that they met with the School Board yesterday and had them sign the appropriate documents which have the same financial terms as the old documents. The first document that needs signed is the Joint Resolution of the County Commission and the Board of Education with a motion being made by Jim Andreozzi, seconded by Stacey Wise and unanimously passed to sign the Resolution, the second was the Master Sub-Lease between ESC Brooke County Power I, LLC and the Commission with a motion being made by Jim Andreozzi, seconded by Stacey Wise and unanimously passed to sign. A motion was made Jim Andreozzi seconded by Stacey Wise and unanimously passed to sign the Lease Agreement between the Commission as Lessor and ESC Brooke County Power, I, LLC as Lessee. The final document that needs approved is the Payment In Lieu of Taxes Agreement between ESC Brooke County Power I, LLC, the County Commission and the Board of Education with a motion being made by Stacey Wise, seconded by Jim Andreozzi and unanimously passed to approve the Agreement. Commissioner Andreozzi indicated that this was a very sensitive issue and some had expressed concerns about the plant but the commission appreciates their concern for our citizens and look forward to working with them and moving forward on this project. The Power Plant address will be 170 Quinn Lane, Colliers, WV 26035.

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Marie Lauck indicated that several individuals went to Charleston to meet with state representatives to discuss Shiloh Apartments and the new legislation that is being imposed upon them. She learned that the residents of Shiloh can stay in their apartments with no fifty percent mix of residents. Shiloh residents had recently learned there were going to be new rules which restrict residency and some other requirements. They are continuing to work through issues concerning medications and other issues. Commissioner Ennis stated that one new regulation was the residents had to administer their own medications which could be a challenge for some residents. He thanked Senator Weld for his participation and for setting up the meeting.

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Joy Reese of Change, Inc. passed out brochures on the Northern Panhandle HOME Consortium and how to apply for funds for the program. She also informed the Commission that she distributed these brochures throughout the

county to inform the public on the program. The HOME Program provides up to \$10,000 in funds with \$7,500 being allotted for a home down payment and \$2,500 for the closing costs for the home. There are stipulations and criteria which must be met for eligibility for the program. The loan is an interest free loan and is forgiven if the home owner stays in the home for five years and does not sub-let the home or if it is not in foreclosure. Ms. Reese stated that there have been about 111 home loans for Brooke County since 1996 with over a million dollars in loans. She would like to see the number of loans increased. The current criteria for the loan is you have to be a first time home buyer and live in the home for five years and she discussed perhaps changing the criteria to not being a home owner in the past three years which may bring in more home buyers. Norman Schwertfeger, Extension Agent was present and indicated that he was a Commissioner when the program was first started and he thought the Commission had the option of first time home buyers or have weatherization or home repairs. He felt it would be nice if we could choose either home loan or repairs. Ms. Reese indicated that we currently have weatherization program through Change, Inc. Commissioner Andreozzi stated that earlier they talked about low interest loans. After discussion the Commission thanked Ms. Reese for all her help and indicated their willing to explore different avenues for the program.

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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 minutes of the Brooke County Public Service District meetings of January 11, 2017 and February 8, 2017 was received.

A list of updates on legislative issues this past week and letting us know that bills must be out of committee by March 26th as the last day to introduce bills was March 20th.

A letter was received from Norman Schwertfeger, Extension Agent attaching their annual Memorandum of Agreement for funds for the Extension Service and asked that the Commission sign it where it can be sent to WVU. This Memorandum is set up for the amount of funding through the levy that the Extension Service receives annually. The original was given to him to submit to WVU.

A copy of a letter was received from the Sheriff Palmer to the Civil Service Commission advising that Richard Arthurs will be promoted to the rank of Captain, effective April 1, 2017 and advising that if he would cease to be the Chief Deputy, he would return to his Civil Service Rank of Captain.

A letter was received from Sheriff Palmer indicating that he received the final tabulated Sergeant and Corporal promotion test results and he will be making the following promotions, Corporal Beatty to Sergeant, Corporal Ferguson to Sergeant, Deputy Richmond to Corporal and Deputy Graham to Corporal, effective April 1, 2017.

A separate letter was received from Sheriff Palmer advising that effective April 1, 2017 Matt Beatty will be promoted to Sergeant, Kyler Ferguson to Sergeant, Kristin Richmond to Corporal and Patrick Gram to Corporal with the increase in their salary between the ranks.

A copy of the Audit Findings for the Audit July 1, 2015 through June 30, 2016 was received from the Auditor with responses for Corrective Action.

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

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Norman Schwertfeger, Extension Agent let the commission know that the next EDA meeting will be on Wednesday at 5:30 p.m. at the Library and a future meeting will be at the Hervey's Sugar Shack to view the Maple Syrup production.

Mr. Schwertfeger also wanted to know if the Commission still wanted to recognize volunteers in our community. The Commission is willing to recognize volunteers in the community and set April 23 - 29, 2017 as Volunteer Week. If anyone would like to nominate someone as a hard working volunteer they need to submit names to the commission by April 18, 2017.

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The Commission had previously talked about putting funds into a Financial Stabilization Fund (fka the Rainy Day Fund), however; in talking with the Auditor was told that the Commission would have to create the Financial Stabilization Fund in order to put money into it. A Resolution had been drafted by the Clerk to create and establish a County Financial Stabilization Fund pursuant to the authority of WV Code Article 21, Chapter 7 in which the legislature declares that county government can create a fund for stabilization. No more than thirty percent of the county budget may be appropriated to the Stabilization Fund. After discussion a motion was made by Jim Andreozzi, seconded by Stacey Wise and unanimously passed to adopt a Resolution creating a Financial Stabilization Fund for Brooke County.

A Request for Revision to the Approved Budget was submitted to transfer \$1,038,138 from the General County Fund to the Financial Stabilization Fund. A motion was made by Stacey Wise, seconded by Jim Andreozzi and unanimously passed to approve the Revision which will be sent to the State Auditor for approval. The \$1,038,138 was set up in the General County Fund under Account 960 which is the Capital Projects for General Government. (This money was what was in our Certificate of Deposit money).

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Commissioner Ennis announced that the recycling bins are strictly to be used for recycling and not for dumping garbage or trash. Commissioner Wise stated that it is illegal to dump trash and if caught you could be fined.

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Sheriff Palmer submitted a letter to the Commission advising that he researched WV Code 24-6-5 that deals with Enhanced emergency telephone system requirements and asked that the Commission appoint an Emergency Telephone System Advisory Board. This Board had been created a number of years ago, however; has not been active. The Commission will review this request.

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A motion was made by Jim Andreozzi, seconded by Stacey Wise and passed to enter into Executive Session with Sheriff Palmer at about 11:30 a.m.

At about 11:40 a.m. the Commission reconvened their regular meeting with no action being taken on the executive session.

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

General County Fund - Check Nos. 18730 through 18748 for \$14,311.16
Payroll withholding - Check Nos. 18715 through 18729 for \$105,697.79
E-911 - Check Nos. 1743 for \$17,310.00
Ambulance Fund - Check Nos. 3281 through 3288 for \$83,304.59
Shelter Levy - Check No. 446 for \$400.00
Valuation Fund - Check Nos. 1129 for \$106.16
Federal Grants - Check Nos. 1239 through 1240 for \$9,008.00

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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

