

REGULAR ADJOURNED SESSION OF THE COUNTY COMMISSION OF BROOKE  
COUNTY,

WEST VIRGINIA, HELD TUESDAY, MAY 3, 2016

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The County Commission of Brooke County, West Virginia met in regular adjourned session this 3rd day of May, 2016 at 10:30 a.m. at the Courthouse.

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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This being the first regular meeting of the month of May, 2016 fiduciary matters were presented to the commission for approval after having been cared for in the absence of the commission by the County Clerk. The meeting will remain open until the end of the regular meeting and if no objections are filed will close at the end of the regular meeting.

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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 April 26, 2016.

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

An e-mail was received from the West Virginia Association of Counties providing information on the Summer Steps County Challenge starting on June 1, 2016 and runs through August 31, 2016, challenging counties to increase walking and exercise and participate in the challenge by reporting their steps.

A copy of the Northern Panhandle Community Criminal Justice Board Monitoring Report for the month of March, 2016 was received.

A letter from David M. Klick, Vice President of First National Bank who is interested in serving as a member of the Brooke County Parks & Recreation Board.

A letter from the Brooke County Health Department letting us know that the residence at 39 Allen Avenue, Wellsburg was granted a lifetime easement to allow the property owner to install and maintain an individual on-site septic system. They now need to increase their absorption field area on the property and are letting the Commission know because we have changed from the easement date. Attached are copies of the easement, letter from the Prosecutor and a copy of the permit. Jim Andreozzi stated that the commission had the attorney review the 1995 easement and since it is a permanent easement felt no action was necessary. Mike Bolen, Health Department Director was present and just wanted the commission to be aware of this since the property owner needs to increase their absorption field area on the property owned by the commission.

A Memorandum was received from the West Virginia Development Office letting us know that their office serves as state liaison for the National Park Service and because we receive Land & Water Conservation Funds (Brooke Hills Park) we need to fill out a copy of the Project Self-Inspection Report. A copy will be mailed to Brooke Hills for their comments.

A letter was received from Stephen Connolly, Deputy Attorney General enclosing a Statement of Intention to rescind and Revoke Powers and Duties of the Weirton Area Port Authority and a Notice of Hearing.

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

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A motion was made by Jim Andreozzi, seconded by Stacey Wise and passed to approve the re-appointment of John Cook as a member of the Washington Pike PSD. Commissioner Tim Ennis abstained from voting since Mr. Cook is his brother-in-law.

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The City of Wellsburg filed a Supplement to their Petition for Annexation by Minor Boundary Adjustment relative to the 368 acres, located in Buffalo and Cross Creek Districts.

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There will not be a commission meeting on Tuesday of next week since it is the Primary Election, but is scheduled for Friday, May 13, 2016.

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Commissioner Ennis explained that the former County Commission and Deputy Sheriffs signed a resolution that would allow deputy sheriffs by statute to accrue unused sick leave and the county would buy the sick days going into retirement. The unused sick days would be used upon retirement by the deputy. The Commission has concerns about this policy and felt the county did not have the money to pay these costs associated with the agreement and felt if this is rescinded it is in the State Code that the state would take this on. A motion was made by Stacey Wise, seconded by Jim Andreozzi and unanimously passed to rescind the former Resolution between the County Commission and Deputy Sheriffs'. (The policy was for compensation of Deputy Sheriffs for accrued and unused sick time). Commissioner Wise indicated that the Commission did some research and felt the deputies would actually benefit by going with the State Plan. The Commission had previously talked with Sheriff Jackson on this issue. Deputy Richard Arthurs was present and felt this would affect some deputies depending on the stipulations. He worked on this resolution and indicated that a deputy that is fifty (50) years of age with twenty years of service could have reduced health insurance under this plan as under the old law a deputy had to be at least fifty-five (55) years of age. If a deputy retired at age fifty (50) they would have to pay full premium for their insurance rates. The resolution now only affects about four deputies, John Eckersberg, Darin Pizer, Kevin Heck and himself. One of the deputies is getting ready to retire. He felt this had nothing to do with the Sheriff but only with the deputies. Deputy Arthurs wanted to know why the Commission was doing this as he and several others worked for more than three years on this issue. He felt that some type of stipulation could be made rather than just terminate the resolution. Commissioner Andreozzi had talked with Kyler Ferguson of the Deputy Sheriffs' Association several months ago and he did not get any comments and thought there was no problem. Deputy Arthurs indicated that he had a problem with the decision.

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Charles and Tara Moore were present asking for updates on the Dilapidated Housing Ordinance. It was Mr. Moore's understanding that a letter was sent to home owners next to his property concerning the condition of their property. He stated that the roof is caving in and the siding has been taken off of the home and is in bad condition. The property is in bad condition and is at 30 Dixie Lane, Lot 42 in McKinleyville. Commissioner Ennis indicated he will talk with Richard Ferguson on this matter.

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Les McGowan was present and indicated that when he arrived that all three Commissioners were meeting behind closed doors and there is a Sunshine Law. He has a problem with the

commission meeting behind closed doors.

The Commission did not comment, however; Warren Scott felt an answer was justified to Mr. McGowan.

Commissioner Andreozzi reported that no motion or decision of any kind was made and that they met with Wellsburg and the BDC on a potential investor and he signed a confidentiality statement.

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Norman Schwertfeger was present and thanked the Commission and Commissioner Wise for their participation in the EDA meeting with a guest speaker from the oil and gas industry. He also stated that he and Kyle Wales will be attending an Oil & Gas Training meeting in Bridgeport on May 18, 2016.

Mr. Schwertfeger reported that they have been working with Beech Bottom School on gardening. The students have plants which will be planted and the students will be taught how to garden.

He reminded the Commission that Agriculture Day is May 25<sup>th</sup> and May 26<sup>th</sup> and he invited the commission to participate.

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Margaret Ferrari was present and reported that back on April 19<sup>th</sup> she was present and asked the commission to consider putting in the county budget money for cameras in the police cars and ambulances and she asked this again.

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

General County Fund – Check Nos. 16880 through 16909 for \$33,395.70  
Ambulance Fund – Check Nos. 2861 through 2869 for \$4,254.81  
E-911 Communications – Check Nos. 1614 through 1618 for \$6,590.20  
Shelter Levy – Check Nos. 257 through 264 for \$7,232.13  
Dog Fund – Check No. 1116 for \$389.97  
Valuation Fund – Check Nos. 1002 through 1004 for \$354.97

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

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Timothy R. Ennis, President

Teste:

Sylvia J. Benzo, County Clerk