

REGULAR ADJOURNED SESSION OF THE COUNTY COMMISSION OF BROOKE COUNTY,
WEST VIRGINIA, HELD TUESDAY, FEBRUARY 7, 2017

-0-

The County Commission of Brooke County, West Virginia met in regular adjourned session this 7th day of February, 2017 at 9:30 a.m. at the Courthouse.

-0-

Present: Tim Ennis, President
Stacey Wise, Commissioner
Sylvia J. Benzo, County Clerk

-0-

The Commission held their preliminaries before the meeting including a prayer and pledge of allegiance.

-0-

A motion was made by Stacey Wise, seconded by Tim Ennis and unanimously passed to approve the minutes of the meeting held on January 31, 2017.

-0-

This being the first regular meeting of the month of February, 2017 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.

The Clerk explained that Attorney Raymond Hinerman had submitted a Petition for the Commission to consider accepting a copy of a will for the estate of Ronald Lee Delich. Mr. Delich was a resident of Pennsylvania but died in Brooke County and Mr. Hinerman wanted to probate in Brooke County. The Clerk informed the Commission that her office received a call from a Pennsylvania attorney advising that the estate of Ronald Lee Delich was in fact probated in Washington County, PA. After a brief discussion a motion was made by Stacey Wise, seconded by Tim Ennis and passed to disallow the probate in Brooke County. The Commission will send a letter to Attorney Hinerman advising him of their decision.

Also, Andrew Thomas, Fiduciary Commissioner appointed in the Estate of Jerry D. Jones submitted a report pertaining to a claim filed and his dismissal of the claim as the claimant did not follow proper procedure. Stacey Wise made a motion, seconded by Tim Ennis and passed to follow the decision of the Fiduciary Commissioner and approve denial of said claim.

-0-

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

A notice was received from the WV Consolidated Public Retirement Board of a training session to participating Retirement Benefit Coordinators in preparation for the upcoming implementation of the agency web-based pension administration system.

A letter was received from the Rose Law Office submitting a letter as the application of Arcelor Mittal Weirton to appear and be heard before the board of Assessment appeals on October 3, 2017 to challenge the valuation of certain articles of tangible personal property for 2017 taxes.

A letter was received from the State Auditor's Office providing data on the Levy Estimate Budget for 2017-2018.

A copy of the minutes of the Washington Pike Public Service District meeting of December 27, 2016 was received by fax.

A letter was received from Lynn Davis, 444 Woodland Drive, Wellsburg asking to be considered for the Museum Board appointment vacated by the resignation of David Holden. The Commission will consult with Ruby Greathouse.

A letter was received from Glenn R. Reasner, Executor of the Estate of Gayle A. Reasner asking that her estate be re-opened as a current letter of appointment is needed for litigation purposes. Stacey Wise made a motion seconded by Tim Ennis and passed to approve the request.

A letter was received from Donna DeJaro, Animal Shelter Director requesting to hire Robert Buchanan as a part-time employee. Background check completed and cleared. Stacey Wise made motion seconded by Tim Ennis and passed to approve the hiring.

A letter was received from Sheriff Palmer advising that once the Commission and Civil Service Board approve it he will be hiring Devon Baker as a full-time Deputy Sheriff beginning March 1, 2017. The Clerk indicated that she has not received anything from the Civil Service Commission.

A letter was received from Sheriff Palmer advising that Douglas Mills will be promoted to Lieutenant with a salary increase as of February 1, 2017. (He was the only one in Sergeant position to move to Lieutenant rank with no testing required).

A letter was received from Congressman McKinley asking the commission to submit a list their top three priorities for the year to him for discussion. He would be willing to meet if the Commission would like to schedule a meeting.

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

-0-

Commissioner Ennis reported that the Governor had appointed Charlie Clements to a Senate position. Mr. Clements is the Director of the Route 2/I-68 Authority Board. Commissioner Ennis felt Mr. Clements knows the process in Charleston and would be a benefit and good tool for us.

-0-

A motion was made by Stacey Wise, seconded by Tim Ennis to adopt a Resolution accepting the conditions of the Brooke Hills Park grant. The Clerk informed the Commission that before the release of grant funds, there must be a special condition applied to the property and recorded with the county. Sylvia Benzo, Clerk had talked with Joell Devore at the Park and she is consulting with the Parks attorney.

-0-

The Commission met as a Board of Equalization and Review to hear the tax appeal of Ed Zatta for My Three Sons Holding, LP property at 218 Charles Street, Wellsburg. Mr. Zatta presented his evidence before the State Tax Department representatives, the Assessor and the County Commission. The State representatives told Mr. Zatta how they arrived at the tax rates for said property. After consideration a motion was made by Stacey Wise, seconded by Tim Ennis and passed to deny the appeal of Ed Zatta. The Commission felt that the appraisal rate calculated for his oil and gas property ownership is accurate pursuant to West Virginia Law and it was not within their power to change the method for calculating appraisal rates. A notice will be sent to Mr. Zatta providing him the above information.

A separate hearing was held for David Velegol by way of a telephone conference concerning his appeal on his tax assessments for 12.648 Acres, Cove Hill. The State representatives told Mr. Zatta how they arrived at the tax rates for said property. After consideration a motion was made by Stacey Wise, seconded by Tim Ennis and passed to deny the appeal of David Velegol. The Commission felt that the appraisal rate calculated for his oil and gas property ownership is accurate pursuant to West Virginia Law and it was not within their power to change the method for calculating appraisal rates. A notice will be sent to Mr. Velegol providing him the above information.

-0-

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

General County Fund - Check Nos. 18440 through 18468 for \$23,121.23
Dog Fund - Check Nos. 1229 through 1230 for \$639.45
E-911 - Check Nos. 1722 through 1724 for \$56,758.99
Ambulance Fund - Check Nos. 3202 through 3210 for \$3,383.78

Shelter Levy - Check Nos. 414 through 417 for \$18,962.49
Valuation Fund - Check Nos. 1109 through 1113 for \$11,751.33
Payroll Withholding - Check Nos. 18469 through 18470 for \$95,595.16
2 ACH for \$21,175.92

-0-

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

-0-

Timothy R. Ennis, President

Teste:

Sylvia J. Benzo, Clerk