

REGULAR ADJOURNED SESSION OF THE COUNTY COMMISSION OF BROOKE COUNTY,  
WEST VIRGINIA, HELD TUESDAY, AUGUST 7, 2018

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The County Commission of Brooke County, West Virginia met in regular adjourned session this 7th day of August 2018 at 10:30 a.m. at the Courthouse.

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Present: Tim Ennis, President  
Jim Andreozzi and Stacey Wise, Commissioner  
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 July 31, 2018.

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Dan Greathouse of the Top of WV Convention & Visitors Bureau presented to each Commissioner a copy of receipts for the past fiscal year. He stated that the CVB has a website and the most requests are for outdoor adventures. They receive about 5,000 hits on the site in a month. They also are connected to facebook to provide information to area residents. One of the main duties of the CVB is to provide advertising for our local concerts to promote activities. Most entities that request funding are given up to \$2,000 in advertising fees. Ken Fletcher wanted to know if funding, in the amount of about \$500.00 could be given to Brooke Hills Park to buy a screen. Mr. Greathouse indicated that everything has to pass through the board but most fees are for advertising.

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Representatives from a program known as "Covering the Blue" were present to give Sergeant Nile Cline, Corporal Kristen Richmond and K9 Dakota a blanket and items as a token of their appreciation and support for bravery, heroism and protection of our communities. The blankets or covers were hand stitched by individuals in support and comfort of law enforcement personnel wounded in the line of duty. There was an incident recently at Bethany College where the three law enforcement officers were injured.

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This being the first regular meeting for the month of August, 2018, fiduciary matter 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. A motion was made by Jim Andreozzi, seconded by Stacey Wise and unanimously passed to approve the Order submitted by Attorney Andrew J. Thomas concerning dismissal of claims mentioned in the Order of the Estate of Judy Ann Truex.

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

A notice was received from Secretary of State, Mac Warner advising that the filing period for the unexpired term of Justice Menis Ketchum on the WV Supreme Court of Appeals will be from August 6, 2018 through August 21, 2018 and the position will be on the November, 2018 ballot.

A Press Release was received from Mac Warner, Secretary of State updating us on the Voter Registration Drives in just eighteen (18) months registering High School Seniors totals about 22,518 youth.

A copy of the Washington Pike Public Service District minutes of their June 26, 2018 meeting was received.

A letter was received from David Brabham, District Six Engineer inviting us to an informative meeting with District Six Personnel and Management to discuss our County on August 14, 2018 from 2:00 to 2:45 at their headquarters in Moundsville.

An informational letter was received from Comcast letting us know that they have lost the beIN Sports Network but will continue to provide updates if an agreement is reached.

A copy of the West Virginia Route 2/I-68 Authority minutes of their July 27, 2018 meeting was received.

A copy of the Brooke County Public Service District minutes of their June 28, 2018 meeting was received.

A copy of the minutes of the Hammond Public Service District meeting of their July 18, 2018 meeting was received.

A letter from BrickStreet letting us know that our insurance with them will expire on October 1, 2018 and they are in the process of reviewing the policy for renewal with our agent.

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

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Mr. Walnoha of Green's Run was present along with Jason Walnoha to express concerns about the school busses no longer picking children up for school who live on Green's Run. Commissioner Ennis suggested that they start at the Board of Education or the Bus Transportation Director for the schools as the county is not in charge of bus schedules. Mr. Walnoha stated that some children would have to walk more than a mile to the bus stop and some parents do not have vehicles to transport them. Jason Walnoha indicated that he went to the Bus Garage and no one was there. The Commission suggested calling and leaving a message.

Mr. Walnoha also expressed concerns about four wheelers being ridden on Green's Run, causing dangerous situations. Sheriff Palmer stated that vehicles would have to have valid driver's and be insured and suggested they video tape the incidents and report to him for further investigation.

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Sheriff Palmer was present and let the Commission know that the DOH is supposed to begin road improvements to Rockdale Road beginning on Friday, August 10, 2018.

Sheriff Palmer let the Commission know that his deputies and K-9 are re-cooperating from an incident that happened last week at Bethany College. He expressed concerns about the radio communication equipment between his office and deputies. He indicated that he is in the process of consulting with a firm concerning what direction needs to be taken for resolution concerning the radios and until it is resolved, his deputies have been directed to carry a land aid radio piece. The consulting firm will be meeting next week.

He also indicated that he also gets complaints on the road conditions and with school starting in a few weeks will try and have his deputies out during school hours to slow driver's down.

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Sara Hawthorne Bohn, Attorney and Mario Boni, her client, were present concerning Mr. Boni's request to close a portion of Fourth Avenue, approximately 50 feet in width, between Lot 49 & Lot 50, Archer Heights Subdivision and to see if the Commission had made any decision. Mona Davis who owns condos in this area was also present to express concerns about access behind the condos, if the road is closed. Mr. Boni indicated that he talked with her husband Michael Davis and told him he was going to clear the property, if the Commission closed it and that they could enter still from Third Street. Attorney Bohn stated that they are only asking the area between the front and back of Fourth Street to be closed and that no one has requested to have Third or Timberland closed and that there is another means

of access. Mrs. Davis explained there are new neighbors, the Ludewig's and they installed a bench on the right-of-way thinking this would deter people from coming behind the property, however; strangers were utilizing the bench and bringing alcohol and other items on the property. Mr. Boni stated that they just want to keep strangers out. Commissioner Andreozzi stated that no one owns the right-of-way and that the State will not take it over. It was his understanding that a Deed would be drawn for Mr. Boni, if the Commission decided to close the right-of-way. Sara Bohn indicated that it is on the tax books as a road. Commissioner Wise discussed that if they were looking at emergency exit you cannot get in the back, you would come to the front of the house. Commissioner Andreozzi thought there would be eight that would be affected by the closing. Commissioner Andreozzi stated that that the closing would affect the rights of people but it does not about the others properties. Attorney Bohn stated that no notices were sent out because she felt that none of the properties abut with Mr. Boni. She also stated that they are not limiting access or cutting off access. Mr. Boni stated that his intention is to clear the property which would make it driveable. The road closing was discussed at length and the Commission felt both parties had valid issues but they would have to get a legal opinion from our attorney. The legal argument is if Mrs. Davis and others, in the road closing area, have a say in the closing since the road being petitioned, for closure, does not about their properties or since the decision, if the road is closed, could affect the other home owners. After a lengthy discussion, Jim Andreozzi made a motion to table the request, seconded by Stacey Wise, until the Commission can consult with the Prosecutor.

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A legal advertisement had been put in the newspaper that the Commission would be accepting bids for a new Type 2 Ambulance. Only one bid was received which was from J&J Emergency Vehicles for \$80,900 with an additional \$1,000 discounted for each additional ambulance ordered after the first one. Any Nickerson of the Ambulance Service was present and will review the bid and specifications submitted to make sure they meet their criteria.

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Steve Rawlings, Director of Operations for the West Virginia Counties Risk Pool was present to update the Commission on the Risk Pool participants and requesting to bid on the county's insurance for liability and workers compensation for 2018-2019 fiscal year. They currently have forty-seven counties that are members of the Risk Pool with about two million dollars in membership equity. Commissioner Ennis questioned if just workers compensation could be obtained and the answer was no it could not. The Commission also questioned if there is an open case in workers compensation how this would continue. Mr. Rawlings replied that anything before the end of the year would be under the old insurance and anything when the policy is renewed would be under the new policy. The Commission did not have a problem with him collecting information to submit a bid for either both workers compensation and liability or just liability.

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The Commission would still request that each department do an Inventory List for their department.

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

General County Fund - Check Nos. 21246 through 21264 for \$12,685.44  
Payroll withholding - Check Nos. 21241 through 21245 for \$114,887.49  
ACH - \$39,082.63  
E-911 - Check Nos. 1991 through 1995 for \$3,107.34  
Ambulance Fund - Check Nos. 3892 through 3898 for \$1,871.35  
Dog Fund - Check No. 13508 for \$55.00  
Shelter Levy - Check Nos. 716 through 719 for \$1,264.92  
Valuation Fund - Check Nos. 1306 through 1307 for \$286.97

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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, Clerk