The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, September 24th, 2014. Present were Commissioner Elliott, Commissioner VanGilder and President Tennant.

The proceedings of Wednesday, September 24th, 2014, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on September 25th, 26th, 29th and 30th, 2014 were approved as submitted and signed.

D. D. Meihgen led the Court with a prayer. Janice Cosco the County Clerk led the Court with the Pledge of Allegiance. President Tennant called the meeting to order. Commissioner Elliott moved to dispense with the reading of the minutes of Wednesday, September 24th, 2014 and accept them as presented. Commissioner VanGilder seconded. President Tennant concurred.

For the record, note James Priester, Assessor presented to the County Commission the following Exonerations for approval.

Dated October 1, 2014
Nos. #2014-929 through #2014-948

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Elliott moved that the President sign Nos. #2014-929 through #2014-948. Commissioner VanGilder seconded. President Tennant concurred.

The Commission presented the Proclamation for “Domestic Violence Awareness Month”.
Commissioner Elliott moved that the Commission sign and present the Proclamation to Mary Poling of Hope, Inc. Commissioner VanGilder seconded. President Tennant concurred.
The Commission presented a Resolution Regarding the Environmental Protection’s Agency’s Proposed Clean Power Plants.

Marion County Commission

BURLEY “BUTCH” Tenny, JR.
President
RANDY J. ELLIOTT
Commissioner
ESKIE J. VANGILDER
Commissioner

RESOLUTION

WHEREAS, America’s coal miners have worked for decades to provide means to energize our nation, and
WHEREAS, doing so has cost the lives of more than 100,000 who have died from contracting occupational diseases, and
WHEREAS, tens of thousands of retired miners, their dependents and surviving spouses depend on the pension and health care earned through decades of hard, dangerous work, and
WHEREAS, thousands more miners are at work every day in our nation’s coal mines to provide a decent standard of living for their families and are the economic drivers of their local economies, and
WHEREAS, the U.S. Environmental Protection Agency (EPA) has proposed a “Clean Power Plan” (CPP) rule with the stated intention of reducing the amount of greenhouse gas emissions which contribute to climate change, and
WHEREAS, the CPP rule will lead to the closure of coal-burning power plants throughout the United States, resulting in the loss of more than 53,000 jobs in the coal, utility and related industries by 2030, and
WHEREAS, further direct job losses in those industries will reach 85,000 by 2030 as a result of this rule, and
WHEREAS, these job losses will have a ripple effect in the communities throughout the coalfields and beyond, where more than 208,000 jobs will be lost by 2030, and
WHEREAS, the retirement security for retirees, spouses and widows will be put at significant risk as a result of this proposed rule, and
WHEREAS, independent analysis indicates that there will be approximately a one percent reduction in global greenhouse gas emissions as a result of the CPP rule, meaning that it will have little real effect toward meeting its stated goal, and
WHEREAS, the EPA has not seen fit to hold public hearings on this rule in coalfield communities, but has instead held them in cities that aren’t near coal mines or coal workers, and
WHEREAS, the people who will be most adversely affected by this rule are being shut out of the process, with no votes, no voice and no consideration being paid to what will happen to them and their communities;

NOW THEREFORE BE IT RESOLVED that Marion County Commission hereby call on the U.S. EPA to schedule public hearings in the coalfields and...
Mark Dorsey, UMWA representative picked up Resolution for the UMWA and Federally Elected Officials to ask for assistance in this matter.

Commissioner Elliott moved that the Commission and the Clerk sign the Resolution. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received the Resolution to Accept Conditions of the Contract for West Virginia Community Participation Program Funds and to Authorize Signature on behalf of the Marion County Commission. County Administrator Kris Cinalli stated that this grant is in the amount of $15,000.00 for fencing around the Palatine Park playground.
Marion County Commission

RESOLUTION

TO ACCEPT CONDITIONS OF THE CONTRACT FOR WEST VIRGINIA COMMUNITY PARTICIPATION PROGRAM FUNDS AND TO AUTHORIZE SIGNATURE

WHEREAS, Fifteen thousand dollars ($15,000.00) in Community Participation Program Funding was requested by the Marion County Commission, on behalf of the Marion County Commission,

WHEREAS, an application for these funds was received and approved by the West Virginia Development Office; and,

WHEREAS, the Community Participation Program requires that a local government unit sponsor said application.

NOW, THEREFORE, BE IT RESOLVED BY THE MARION COUNTY COMMISSION OF WEST VIRGINIA that the Commission President be authorized to accept fifteen thousand dollars ($15,000.00) in Community Participation Program funds for the Marion County Commission on behalf of the Marion County Commission and that he be empowered to sign the contract necessary to obtain these funds.

DATE: October 1, 2014

Burley “Butch” Tennant, President
Randy J. Elliott, Commissioner
Ernie Vangilder, Commissioner

Janice Cosco, County Clerk
Commissioner Elliott moved that the Commission sign the documents. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received the Assessor’s Certificate of Compliance for the Farm Census of 2014.
Commissioner Elliott moved that the Commission accept the Certification. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received a request for reimbursement from West Virginia Division of Justice and Community Services from August 1, 2014 to August 31, 2014. County Administrator Kris Cinalli stated that this request is in the amount of $2,396.00 for our VOCA Grant, 14-VA-016.
Commissioner Elliott moved that the Commission President sign the reimbursement. Commissioner VanGilder seconded. President Tennant concurred.

For the record, note the Commission received the Notice of Requirement to File and Pay Electronically from the State of West Virginia State Tax Department, Revenue Division, EFT.
Charlie Reese presented his update on the Korean War Memorial and said that the Hotel/Motel Tax Funds can be utilized for this project; he was given the okay by Chuck Shields. He welcomed Brian Kalt of Fairmont Brine back to the meetings and said that there would be a ribbon cutting ceremony in the future at their facility. Charlie added that he attended a Brownfield Development Meeting and a gentleman from Mingo County stated a potential use for real estate that is not located near an Interstate; his idea was to establish an agriculture park to grow crops of all types for local use. Charlie added that this seemed like an interesting idea to research and he will be getting in contact with Walt Helmick the State Agriculture Commissioner for further input on the matter.

Commissioner Elliott announced that Brian Kalt of Fairmont Brine was here. Mr. Kalt presented his Plant manager Jim Reed. He also stated that Dot Underwood from the Governor’s Office was in attendance today.
Commissioner Elliott complemented D. D. Meighen on his broadcasts of the Commission meetings. D. D. Added that he wanted to thank the Commission for all of the things that go unpublished that they contribute towards; an example he stated is this Friday’s Women’s Health/Breast Cancer Awareness Day at Fairmont General Hospital in which the Commission underwrite the cost for that event. Mr. Meighen said that there were plenty of other activities that the Commission supports that go unnoticed as well and they need thanked for those contributions.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until 10:30 a.m. for an Estate Hearing on the Petition of the Removal of Martin Linn Morgan as Co-Executor of the Estate of Jay L. Morgan.


President Tennant called the hearing to order; and turn it over to Fiduciary Supervisor, Attorney David Glance. Mr. Glance made a short statement presenting the issues that are coming before the Commission this day. He continued that Martin Morgan is not represented by council today and is requesting a continuance. Mr. Richard Gallagher an attorney representing Cindy Morgan Woodward objected to that continuance. After a short discussion the Commission stated that they would continue with today’s hearing as planned.

Mr. Gallagher presented their case and submitted exhibits to support their claims. Mr. Martin Morgan was given time to rebut those assertions and presented some notes/exhibits that support his claims. Mrs. Cindy Morgan Woodward also testified in this matter. The Commissioners did follow up with questions to all who presented evidence in this matter.

The Commissioners stated that they would take this matter under advisement and present their ruling by next Wednesday, October 8th, 2014.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, October 8th, 2014 at 10:00 a.m. for the next scheduled County Commission Meeting.

Burley “Butch” Tennant, President