

**MARION COUNTY COMMISSION  
COUNTY COURT  
NOVEMBER 20, 2013**

*The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, November 13<sup>th</sup>, 2013. Present were Commissioner Tennant, Commissioner VanGilder and President Elliott.*

*The proceedings of Wednesday, November 13<sup>th</sup>, 2013, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on November 14<sup>th</sup>, 15<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup>, 2013 were approved as submitted and signed.*

***D. D. Meighen led the Court with a prayer:** “Gracious Lord, we come knowing this day 45 years ago was a sad day. We also recall other disasters to afflict our county: 1907 in Monongah and the disaster at Barrackville. Yet, we are reminded of the Words You gave us - We are with us. Just as opening of the monument isn’t closed, it opens into the world to show us that life can be seen beyond the memorial, beyond death; and just as Your people, O Lord, endured through exile and the holocaust, we know we shall as well. May Your living spirit here today guide us in this meeting and in our lives to cross the seas of tragedies, the rivers of doubts, and the valleys of despair to bring hope to others and that our public life and our private lives may be an inspiration because of Your grace and love for us.” **Chris McIntire led the Court with the Pledge of Allegiance. President Elliott called the meeting to order. Commissioner Tennant moved to dispense with the reading of the minutes of Wednesday, November 13<sup>th</sup>, 2013 and accept them as presented. Commissioner VanGilder seconded. President Elliott concurred.***

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

***Dated November 20, 2013  
Nos. #2013-1479 through #2013-1488***

*Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Tennant moved that the President sign Nos. #2013-1479 through #2013-1488. Commissioner VanGilder seconded. President Elliott concurred.*

*The Commission presented the **reappointment of Lenny Stafford on the board of Marion County Parks and Recreation Commission.***

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November 6, 2013

Marion County Commission  
200 Jackson Street  
Fairmont, WV 26554

Dear Commission:

It is time once again for the County to recommend reappointment or replacement of commissioners to the Marion County Parks And Recreation Commission.

Three commissioners have terms that will expire December 31—

Frank Hines is a City appointee. He wishes to be reappointed. The City of Fairmont has been notified of this.

Michael Cimaglia is a Board of Education appointee. He wishes to be reappointed. The Board of Education has been notified of this.

Leonard Stafford is a County appointee. He wishes to be reappointed.

Please call if you have any questions. Thank you.

Sincerely,



Tony Michalski  
Director

clh

**Marion County Parks And Recreation Commission**  
P.O. Box 1258 • 1000 Cole Street • Suite B • Pleasant Valley, WV 26554 • Phone (304) 363-7037 • FAX (304) 367-0878  
Fairmont, WV 26555 • Web Address: [www.mcparc.com](http://www.mcparc.com) • Email Address: [mcparclun@aol.com](mailto:mcparclun@aol.com)

***Commissioner Tennant moved that the Commission re-appoint Lenny Stafford to the Marion County Parks and Recreation Commission. Commissioner VanGilder seconded. President Elliott concurred.***

***For the record, note the Commission received from the State of West Virginia Department of Revenue, the State Tax Department that the Assessor James Priester has substantially complied with the “assessors additional duties” as delineated in West Virginia Code §7-7-6a.***

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Earl Ray Tomblin  
Governor

STATE OF WEST VIRGINIA  
Department of Revenue  
State Tax Department

Mark W. Matkovich  
Acting State Tax Commissioner

November 6, 2013



President, Marion County Commission  
Marion County Courthouse  
200 Jackson Street, Room 403  
Fairmont, West Virginia 26554

Dear Commission President:

This letter and attachment certify that James P. Priester, Assessor of Marion County, has substantially complied with the "assessor's additional duties" as delineated in West Virginia Code § 7-7-6a. Substantial completion of the additional duties entitles Mr. Priester to the additional compensation of \$15,000 as provided in West Virginia Code § 7-7-6b.

Sincerely,

Mark W. Matkovich  
Acting State Tax Commissioner

MWM/jaj

Attachment

cc: Assessor of Marion County  
Clerk of Marion County

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**ASSESSOR ADDITIONAL DUTIES - 2013**

**SUBSTANTIAL COMPLETION  
(PLACE AN "X" IN THE APPROPRIATE SPACE.)**

		YES	NO
1.	I have placed a map and parcel number on each entry in the current land book and ensured that all land book identifiers correspond to IAS/CAMA System identifiers.	X	
2.	I have completed a new appraisal card and map card for all land splits, adjusted the parent card, and made the appropriate entry to include all appropriate appraisal data on the computer network.	X	
3.	I have completed a list indicating that an appraisal change, mapping change or both have occurred to a parcel of property requiring this action during this calendar year. I have made the appropriate appraisal data change to the IAS/CAMA System record on the computer network for each appraisal change card. I have placed these cards in appropriate files for inspection. (Indicate the number of change cards completed this year. _____)	X	
4.	I have prepared a listing of all new businesses added to the assessment rolls and all businesses that have ceased operations during the past year.	X	
5.	I have assisted the Tax Commissioner in determining if property owned by public utility companies is operating or non-operating, by completing the public utility property report.	X	
6.	I have entered sales information to the IAS/CAMA System for all real property sales that were registered in my county from October 1, 2012 through September 30, 2013.	X	
7.	I have occupied the office of Assessor during this entire calendar year. If no, provide explanation. _____ _____	X	

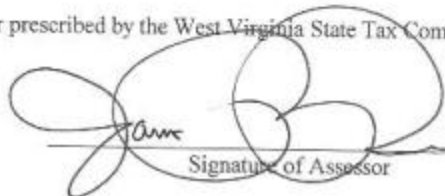
**STATEMENT OF COMPLETION**

State of West Virginia

County of MARION COUNTY

I, the undersigned, JAMES PRIESTER, Assessor of MARION County, hereby certify that I have substantially completed each additional duty described in West Virginia Code § 7-7-6a, in the manner prescribed by the West Virginia State Tax Commissioner.

10/4/2013  
Date

  
Signature of Assessor

*For the record, note the Marion County Commission received from Potesta Engineers and Environmental Consultants, a Pre-Blast Survey on Permit #S-2008-10 for LP Mineral, LLC.*

*For the record, note the Commission received notice from Time Warner Cable of agreements with programmers and broadcasters that are about to expire.*

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November 6, 2013

Pamela McDonald  
Vice President  
Government Relations



**Via Certified Mail**  
**Return Receipt Requested**

Mr. Burley Tennant  
President  
Marion County Commission  
200 Jackson Street, Room 403  
Fairmont, WV 26554

Dear Mr. Tennant:

Time Warner Cable's agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, but in order to comply with applicable regulations, we must inform you when an agreement is about to expire. The following agreements are due to expire soon, and we may be required to cease carriage of one or more of these services or stations in the near future.

Azteca America, Azteca America HD, MLB Extra Innings, NHL Network, NHL Network HD, NHL Center Ice, Once Mexico, HRTV, HRTV HD, You Too TV, You Too TV HD, Zap2It, Howard Stern On Demand, Animal Planet, Animal Planet HD, BET, BET HD, BET Jazz, Centric, Centric HD, CMT Pure Country, CMT Pure Country HD, Common Sense Media, Comedy Central, Comedy Central HD, Destination America, Destination America HD, Discovery Channel, Discovery Channel HD, Discovery en Espanol, Discovery en Espanol HD, Discovery Familia, Discovery Familia HD, Discovery Fit and Health, Discovery Fit & Health HD, Investigation Discovery, Investigation Discovery HD, Logo, Logo HD, Military Channel, Military Channel HD, MTV, MTV HD, MTV Hits, MTV Hits HD, MTV Jams, MTV Jams HD, MTV2, MTV2 HD, MTV-Tr3s, MTV Tr3s HD, MTVU, MTVU HD, Nickelodeon, Nickelodeon HD, Nick Jr., Nick Jr. HD, Nick Toons, Nick Toons HD, OWN, OWN HD, Palladia HD, SOAPnet, SOAPnet HD, Science, Science HD, Spike, Spike HD, The Hub, The Hub HD, Teen Nick, Teen Nick HD, MLB Network, MLB Network HD, TLC, TLC HD, TVE Internacional, TVE Internacional HD, Utilisima, Utilisima HD, TV Land, TV Land HD, Velocity, Velocity HD, VH1, VH1 HD, VH1 Classic, VH1 Soul, YES Network, YES Network HD, China Entertainment Television, WPSD-DT2 Antenna TV, WTVQ, WTVQ HD.

On or after December 9<sup>th</sup>, Smithsonian HD will become available on Digital Choice Red, in addition to HD Pack. On or after December 10, Music Choice channels will be rearranged and four new Music Choice channels will be available: Teen MC, Pop Rhythmic, Pop Country and Y2K. In addition the following changes will be made to the Music Choice channels: MC:70's will move from channel 923 to channel 929, MC:80's will move from channel 922 to channel 928, MC:90's will move from channel 921 to channel 927, MC:Adult Alternative will move from channel 918 to channel 916, MC:Alternative will move from channel 916 to channel 915, MC:Blues will move from channel 937 to channel 946, MC:Classic Country will move from channel 931 to channel 934, MC:Classic Rock will move from channel 912 to channel 918, MC:Classical Masterpieces will move from channel 940 to channel 948, MC:Contemporary Christian will move from channel 932 to channel 935, MC:Dance/Electronica will move from channel 904 to channel 903, MC:Easy Listening will move from channel 939 to channel 949, MC:Gospel will move from channel 910 to channel 911, MC:Hip-Hop and R&B will move from channel 902 to channel 905, MC:Hip-Hop Classics will move from channel 906 to channel 907, MC:Hit List will move from channel 901 to channel 901, MC:Jazz will move from channel 936 to channel 945, MC:Kidz Only! will move from channel 927 to channel 924, MC:Light Classical will move from channel 941 to channel 950, MC:MCU will move from channel 903 to channel 904, MC:Metal will move from channel 915 to channel 914, MC:Mexicana will move from channel 945 to channel 938, MC:Musica Urbana will move from channel 942 to channel 937, MC:Party Favorites will move from channel 925 to channel 922, MC:Pop Hits will move from channel 920 to channel 921, MC:Pop Latino will move from channel 943 to channel 936, MC:R&B Classics will move from channel 908 to channel 909, MC:R&B Soul will move from channel 909 to channel 910, MC:Rap will move from channel 905 to channel 906, MC:Reggae will move from channel 911 to channel 912, MC:Retro Rock will move from channel 913 to channel 917, MC:Rock will



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move from channel 914 to channel 913, MC:Romances will move from channel 946 to channel 940, MC:Singers & Swing will move from channel 938 to channel 947, MC:Smooth Jazz will move from channel 935 to channel 944, MC:Soft Rock will move from channel 919 to channel 919, MC:Solid Gold Oldies will move from channel 924 to channel 930, MC:Sounds of the Season will move from channel 933 to channel 941, MC:Soundscapes will move from channel 934 to channel 943, MC:Stage & Screen will move from channel 926 to channel 942, MC:Throwback Jamz will move from channel 907 to channel 908, MC:Today's Country will move from channel 929 to channel 932, MC:Toddler Tunes will move from channel 928 to channel 925, MC:Tropicales will move from channel 944 to channel 939, MC:True Country will move from channel 930 to channel 933

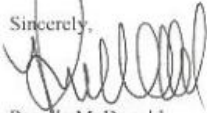
On or after December 31st, SOAPnet will no longer be available. Destination America and Investigation Discovery may be repositioned to Standard Cable. The channel will continue to be available in digital format only.

Programming is subject to change. Not all services available in all areas. Restrictions may apply.

For up-to-date listings of our packages and channels, visit our website at [www.timewarnercable.com](http://www.timewarnercable.com).

If you have any questions or concerns, please do not hesitate to call me directly at (513) 386-5908.

Sincerely,



Pamela McDonald  
Vice President of Government Relations  
Time Warner Cable

***For the record, note the Commission received notification from Sudden Link of change in rates.***

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November 8, 2013

Butch Tennant, Commission President  
County of Marion  
200 Jackson St, Rm 403  
Fairmont WV, 26554



Dear Commission President :

As you may know, Suddenlink continues to make significant investments in its local network, increasing the number of high-definition TV services and increasing Internet download speeds, among other improvements. While we pledge to hold prices as low as possible, we continue to face the rising costs of TV programming, equipment, insurance, and other expenses. For instance, the cost of basic cable networks and broadcast TV stations combined are increasing more than 14% year-over-year. Suddenlink is absorbing a portion of these cost increases and passing along a portion to customers.

Effective with the December 10, 2013 billing cycle, local rate adjustments will be limited to the following items, and communicated to our customers, as required:

- Basic Service will increase \$1.00 per month
- Expanded Basic Service will increase \$2.50 per month;
- All Digital Tiers and Premium Services will increase \$1.00 per month
- Suddenlink 15 and 30 megabit Internet Service will increase \$3.00 per month
- Taxes, fees, and surcharges will be adjusted accordingly.

Additionally, customers who subscribe to a bundled package of services with a promotional rate will keep that rate until its anniversary date. We have bundled packages of two or more services that can help many customers offset these adjustments and potentially save money. More than six out of 10 Suddenlink customers have already taken advantage of such offers, bundling two or more services with us – and we will continue to communicate those options to our customers.

Sincerely,

Michael Kelemen  
Director of Government Relations  
304-760-2071

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*For the record, note the Commission received notice from COMCAST of channel additions.*



November 7, 2013

Mr. Alan Parks  
President  
Marion County Commission  
200 Jackson Street, Room 403  
Fairmont, WV 26554

**IMPORTANT INFORMATION – CHANNEL ADDITION**

Effective **December 10, 2013**, Comcast will add Reelz on channel 240 on the Digital Preferred level of service. Reelz features news and information on movies currently in theatres as well as information on movies released on DVD and airing on cable television each week.

We will notify customers of this change in a variety of ways, including bill messaging.

Should you have any questions about this change or any other cable matter, please contact me at 412-595-8379.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Depretis".

Mark Depretis  
Regional Director, Government & Regulatory Affairs  
Comcast



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*Charlie Reese presented his update to the Commission on his meeting at the Chamber of Commerce and Tracy Miller from the airport was there and he stated that the inaugural takeoff from Bridgeport to Sanford, Florida. Commissioner Tennant also added for the record that the airport has sold over 4,600 tickets to and from Florida through April 2014. Charlie Reese added that hopefully the process of demolishing them will begin next week homes on New Street should begin. Charlie stated that there would be a meeting on Friday, November 22, 2013 to complete the transaction of the transfer of properties between the City and the County. Charlie also added that there may be a possibility of putting in an ice skating rink that can be utilized throughout the year; it is synthetic ice.*

*Norman Kronjaeger stated that he will be meeting with the City of Fairmont over the abandonment of the paper street in and around the Palatine Park that were never constructed. Norman does not anticipate any problems with these abandonments.*

*Chris McIntire stated that all was good at the Central Communication Center. He added that the File of Life is actually being used that over a 1,000 have been distributed and we have ordered more to distribute. He also added that last night there was a full scale police exercise held out at the Middletown Mall Branch of the Fairmont Federal Credit Union went extremely well in which the City of Fairmont, the Whitehall Police and the State Police participated in 3 different scenarios.*

*Charlie Reese also stated that there will be another Mayor's on the Move Meeting on Tuesday, December the 3<sup>rd</sup>, 2013 were the State Delegates and Senators will be in attendance to offer potential support.*

*Jeff Biafore added for the record that the work will begin once again at the Park after the first on the month due to deer hunting season. He also added that his people are assisting in the remodeling of the Mannington City Library. Jeff also added that we have not done real well with the coat drive this year. **President Elliott stated** that he would have the ladies in the Office to prepare and distribute a memo to each Office about the coat drive and toy drive that is taking place this season.*

*Commissioner Tennant stated that there was a misstatement in the newspaper that the County Commission paid \$90,000.00 for the Special Election and Commissioner Tennant wanted the record corrected that the Commission did not spend those funds; it was the Board of Education. This brought about a discussion over how to change this issue between those in attendance and the Commission.*

*There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, December 4<sup>th</sup>, 2013 at 10:00 a.m. for the next scheduled County Commission Meeting.*

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*Randy Elliott, President*

