The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, October 30th, 2013. Present were Commissioner Tennant, Commissioner VanGilder and President Elliott.

The proceedings of Wednesday, October 30th, 2013, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on October 31st, November 1st, 4th and 5th, 2013 were approved as submitted and signed.

D. D. Meighen led the Court with a prayer. Belinda Biafore 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, October 30th, 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 6, 2013
Nos. #2013-1395 through #2013-1417

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Tennant moved that the President sign Nos. #2013-1395 through #2013-1417. Commissioner VanGilder seconded. President Elliott concurred.

The Commission presented the Resolution to Accept Conditions of the Contract for West Virginia Community Participation Program Funds to Authorize Signature on Behalf of the Marion County Health Department. County administrator Kris Cinalli stated that this grant application is in the amount of $50,000.00 for renovations to their office.
Commissioner Tennant moved that the Commission sign the Resolution and that the President sign the grant application. Commissioner VanGilder seconded. President Elliott concurred.
The Commission received a request for funding for Miners Swap Meet event to take place December 6, 2013, at the Knights of Columbus. Blair Montgomery and Mark Dorsey came before the Commission to present this request and answer any questions in regards to this Event. They both explained what would take place at this event. They are hoping to be a larger museum if they can find the means to do so.

First Annual Coal Mining Appreciation Day Swap Meet

Friday, December 6, 2013
National Miners’ Day
Location: Knights of Columbus Hall
1529 Mary Lou Retton Drive
Fairmont, WV 26554
Exit 132 Off I-79

North Central West Virginia will be having its first Swap Meet where collectors of mining equipment and memorabilia can gather to trade, sell, or purchase items of interest. Collectors from around the country will be in attendance.

The doors to the meet will open at 10:00 a.m. and remain open until 9:00 p.m. There is no admission charge. Food will be available for sale and there will be a cash bar from 4:00 p.m. until closing.

This would be a great time for survivors of miners to bring artifacts to the meet where they can be identified and told the value of the item(s). There will be no pressure to sell the items.

For those interested, oral histories of miners will be taken in conjunction with the Folk Life Center at Fairmont State University.

If interested in being a vendor 6’ tables will be available for $25.00 each, but they must be reserved by November 27, 2013. Table space is limited. Reserve your table early.
Contact Blair Montgomery at 304-366-4765, email address bm26554@gmail.com.

If you plan to stay over, discounted room reservations have been obtained at local hotels. If interested, please contact Blair Montgomery at bm26554@gmail.com.
Commissioner Tennant moved that the Commission grant $1,000.00 for this Event and that those funds be appropriated from the Coal Severance Fund. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for advice and consent the from Marion County Department of Homeland Security and Emergency Management (911) to hire Michael Cuevas, Jaime Fulton, Tracy Robinson, and Matthew Talerico as full time dispatchers, starting salary of $22,371.60 with benefits, starting date, November 18th, 2013.
Commissioner Tennant moved that the Commission grant its advice and consent for the new hires. Commissioner VanGilder seconded. President Elliott concurred.

For the record, note the Commission received the 2010 Supplemental Soil Sampling Remedial Action Plan and the Supplemental Soil Sampling Report and Evaluation for Phillips electronics North American Corporation, Terrace Site, Marion County, West Virginia; VRP #07857, for review in the County Clerk’s Office.

For the record, note the Commission received the Paw Paw–Rt. 19, PSDs Independent Auditor’s Report and Related Financial Statements for the Year Ended June 30, 2012.

For the record, note the Commission received the Annual Subscribers Notice Form No. 5 pursuant to West Virginia Code 24D-1-18(a) from Time Warner Cable.
October 25, 2013

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

Dear Mr. Tennant:

Enclosed you will find the Annual Subscriber Notice Form No.5 pursuant to West Virginia Code 24D-1-18(a). This form was mailed to all cable customers beginning October 19, 2013. The notification process will be completed November 18, 2013.

If you have any questions or require additional information, please feel free to contact me directly at (313) 395-5908 or via e-mail at pam.mcdonald@twcable.com.

Sincerely,

Pamela McDonald
Vice President of Government Relations
Time Warner Cable

Endorsement

NOTICE

As a subscriber of Time Warner Cable, you have several important rights. The notice describes how to resolve cable television problems, how to apply for credit and how to contact the Public Service Commission of West Virginia.

COMPLAINTS

If you have a cable television problem, contact our office by calling (304) 529-7997. In every case, we will attempt to resolve your question promptly or we will schedule a service call. If, however, we are unable to resolve your complaint to your satisfaction, you may contact the Public Service Commission at the following address, telephone number or website.

Public Service Commission of West Virginia
P.O. Box 89
Charleston, WV 25323
Tel/Fax Telephone: 304-568-3143
www.wvwccwv.com

Please note, the Public Service Commission has jurisdiction to receive complaints regarding the operation of a cable system.

Your written complaint to the Commission must include the name and address of the cable operator, a clear and concise statement of the facts involved, and the remedy sought. The Commission has developed a Complaint Form for your use which will be provided upon request.

In the event the Commission is unable to resolve your complaint to the satisfaction of all parties, you are entitled to file a request for a formal hearing before the Commission.

The Commission will act upon all unresolved cable television problems other than those dealing with programming and channel selection. The Commission will also consider rate level complaints when rate increases are being processed by the Commission.

The Federal Communications Commission (FCC) has limited jurisdiction over cable television programming. You may contact the FCC at the following address, telephone number or website.

Federal Communications Commission
Cable Services Bureau
445 12th Street, NW, Room SC-100
Washington, DC 20554
Phone: 202-419-7200
www.fcc.gov

CREDIT FOR SERVICE INTERRUPTIONS

If your service is interrupted for more than two continuous hours, you are entitled to a credit for service interrupted. This credit will be calculated based upon the proportionate share of the service not received in the applicable billing period, provided the interruptions are due to a failure of the facilities of the cable television operator. When service interruptions in excess of 24 hours occur, contact your office promptly with written facts regarding the outage.

www.wvwccwv.com
November 2013
For the record, note the Commission received the notice from Time Warner Cable of agreements and services with programmers and broadcasters about to expire.

Charlie Reese stated that there would be an announcement in the Al Babcock Conference Room at 11:00 a.m. about the Palatine Park Project. Charlie presented the Mayor of Mannington James Taylor who came in for the announcement. Charlie added that all of the Mayors of the County were invited.

President Elliott introduced to those in attendance Rhonda Starn who was appointed in August to fill the vacant Marion County Circuit Clerk position, when Barbara Core retired. Rhonda Starn thanked President Elliott for the introduction and stated that she was very pleased with how well things were proceeding with her transition into her new position.
County Administrator Kris Cinalli added for the record that a Courthouse icon Eugene Tartt passed away sometime Monday morning in his apartment. Kris added that Eugene was a Courthouse regular and will be greatly missed.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, November 13th, 2013 at 10:00 a.m. for the next scheduled County Commission Meeting.

Randy Elliott, President