

**MARION COUNTY COMMISSION
COUNTY COURT
JANUARY 16, 2013**

The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, January 9th, 2013. Present were Commissioner Tennant, Commissioner VanGilder and President Elliott.

The proceedings of Wednesday, January 9th, 2013, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on January 17th, 18th, 14th and 22nd, 2013 were approved as submitted and signed.

*Reverend Smith led the Court with a prayer. County Attorney Chuck Shields 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, January 9th, 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 January 16, 2013
Nos. #2013-28 through #2013-43***

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Tennant moved that the President to sign Nos. #2013-28 through #2013-43. Commissioner VanGilder seconded. President Elliott concurred.

*The Commission received an **Order of Probate of Wills from the County Clerk's Office for the month of December 2012**. Kris Cinalli stated that this Order is a list of Estates in which have been admitted to Probate in the County Clerk's Office, in vacation of the Commission, from December 1, 2012 through December 31, 2012 pursuant to West Virginia Code §41-5-10, as amended.*

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BEFORE THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA

IN RE: CONFIRMATION OF PROBATE OF
WILLS, BY CLERK IN VACATION

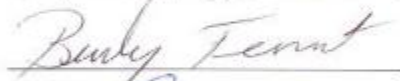
ORDER CONFIRMING PROBATE OF WILLS

On this day came Janice Cosco, Clerk of the Commission, and presented a list of Estates in which wills have been admitted to Probate by her office, in vacation, from December 1, 2012, to December 31, 2012, pursuant to W. Va. Code 41-5-10, as amended.

The Commission, having received no objections to the actions of the Clerk, and perceiving no objections thereto, does ratify and confirm the probate of wills in all the Estates attached hereto. The list attached hereto is made a part of this Order by this expressed reference thereto, as if all such Estates are fully set forth herein.

Dated this 16 day of January, 2012.








JANICE COSCO, CLERK by Thomas F. Antulov, deputy


DAVID A. GLANCE,
FIDUCIARY SUPERVISOR

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WILLS PROBATED FROM DECEMBER 1, 2012, TO DECEMBER 31, 2012

<u>Estate</u>	<u>Representative</u>
Albritton, Bonnie Jo	Leland Elbert Albritton, Administrator CTA
Audia, Rose	Frank Joseph Audia, Jr. and Joyce Renee Audia Wood, Co-Executors
Bass, John E.	Rosalee E. Bass, Executrix
Bogard, Lela Mae	Bonnie Sue Carrier, Executrix
Bucklew, Jeanne S.	Judith A. Stuart, Executrix
Bush, Doris L.	J. Scott Tharp, Executor
Coakley, Diana L.	Franklin D. Coakley, Executor
Decker, Margaret	Harry Hadley, Executor
Friend, Douglas Allen	Aaron Friend, Executor
Harsh, Doris L.	John R. Harsh, Sr., Executor
Hayhurst, Otie W.	William E. Hayhurst, Executor
Holt, Helen J.	Cheryl L. Holt Goodrich, Executrix
Huffman, Ara (Arah) Rayanna Anderson	Diana L. Shaffer, Executrix
Hugus, Arthur C.	Russell M. Hugus, Ancillary Executor DBN
Johnson, Helen I.	Donna Burdick, Administratrix CTA
Keene, Elizabeth C.	Debbie J. Cerrillo, Executrix
Lloyd, Joseph Fred	Marjorie Darrah, Executrix
Modi, Leo F.	Thomas A. Modi, Executor
Musgrave, Wayne	Rebecca Ann Musgrave, Executrix
Reed, Mary Elizabeth	J. Scott Tharp, Executor
Reesman, Willa Jean	Steven Randal Reesman, Executor
Satterfield, Golda I.	Kenneth Eugene Satterfield, Executor

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Confirmation of Wills Probated in December, 2012

<u>Estate of</u>	<u>Representative</u>
Saunders, Kathern	Melissa Long, Executrix
Sleeth, Delmas Ray	Kevin Blaine Sleeth, Executor
Smith, Richard C.	Penny Lou Smith, Executrix
Snider, Samuel Stephen	Linda S. Stalnaker, Executrix
Stevens, Teresa Darlene	Earl P. Stevens, II, Executor
Strawderman, Doris J.	Glenda Sue Brzuzy, Executrix
Tennant, Herbert Reason	Roy L. Tennant, Executor
Thorne, Rachel G.	Donna T. Hartwig and Cathy L. Trach, Co-Executor
VanVliet, Wanda Shaver	Christopher Morgan, Ancillary Admr. CTA
Watson, Marleen Kay	Larry W. Watson, Executor
Wilson, Donald W., Sr.	Catherine C. Wilson, Executrix
Wilson, Wanetta	Judith Radcliff, Executrix
Yoak, Cleo	Robert Yoak, Executor

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Commissioner Tennant moved that the Commission sign the Order Confirming the Probate of Wills, by Clerk in Vacation of the Commission for December, 2012. Commissioner VanGilder seconded. President Elliott concurred.

This day came David A Glance, Fiduciary Supervisor for Marion County, West Virginia, and presented to the Commission His Report of Claims and First and Final Settlement Reports for the following estates which reports he has filed in the Office of the County Clerk of the County Commission, pending confirmation. There being no further objections received to these reports and no errors appearing, the Report of Claims and First and Final Settlement Reports are hereby ratified, confirmed and approved.

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At a Regular Session of the County Commission of Marion County, West Virginia, continued and held for this County at their offices in the J. Harper Meredith Building on January 16, 2013.

This day came David A. Glance, Fiduciary Supervisor for Marion County, and presented to the County Commission the Waivers and Applications for Short Form Settlements, Proposed Settlements and Annual Settlement Reports filed by the personal representatives of the following estates, which he has reviewed and approved and which are the same estates which were advertised for proposed settlement in the January 7, 2013, issue of the Fairmont Times West Virginian, all in accordance with West Virginia Code 44-3A-19.

ESTATE OF

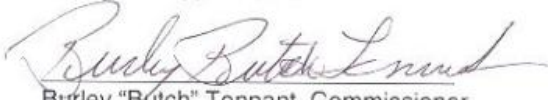
REPRESENTATIVE

MYERS, HAROLD HOMER	Randolph Harold Myers, Executor
RUSH, KIMBERLY (trust)	Carol Rush, Trustee
HUFFMAN, MARY D. (2 nd & Final)	Wanda Sue Bower, Executrix DBN
McKINNEY, MATTHEW JARRETT (Interim)	Pamela B. Woodson, Curator
BEATTY, EDNA	Joe Carpenter, Sheriff, Administrator CTA
BOWER, SHANNON DAWN	Wanda Sue Bower, Administratrix
NANCY ANN TANNER	Larry E. Tanner, Administrator
LILLEY, DAVID DALE	Anita J. Hayes, Administratrix
HEARN, CARL	Charles A. Hearn, Executor
CORBIN, DENNIS L.	Randall G Corbin, Executor
EDGELL, DOAK E.	Sharon Ford, Executrix
TUCKER, FLORENCE EMOGENE	Darwin Summers, Executor
KNIGHT, ARLENE R.	Richard E. Knight, Executor
BOYLES, JEAN L.	George C. Boyles, Executor
SATTERFIELD, CHARLES WILLIAM	Charles Warren Satterfield, Executor
GARDNER, PATRICIA ANN	Wayne Bernard Gardner, Executor
LOGUE, BRENDA JO	James Ray Logue, Executor
ANDERESON, HAZEL M.	Doretta Bonnell, Executrix
ZIRKLE, CARLENA T.	Carol N. Spatafore, Executrix
TESTA, MABEL	John Retton, Executor
FREELAND, LOUIS M.	J. Scott Tharp, Ancillary Administrator CTA
CLARK, IDA MAY	George Pride, Executor
NEASE, WILLIAM W.	William Scott Nease, Executor
HINERMAN, JAMES LEON	Karen C. Hinerman, Administratrix
CAMPBELL, MARK ALLEN	Lisa Jacqueline Campbell, Executrix
MARTINO, JOHN N.	Linda L. Layman, Administratrix CTA
COLLINS, GEORGE FRANKLIN, SR.	Janet M. Collins, Administratrix
PELLILLO, JOYCE ANN	Albert Junior Pellillo, Executor
BOORD, MARK LEROY	Delores J. Boord, Administratrix

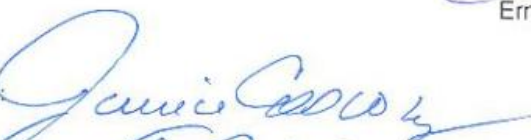
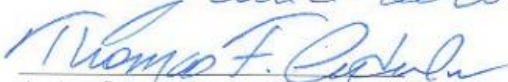
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ENTER: 1-16-13


Randy Elliott, President


Burley "Butch" Tennant, Commissioner


Ernie VanGilder, Commissioner

ATTEST: 

Janice Cosco, County Clerk by Thomas F. Antulov, deputy


David A. Glance, Fiduciary Supervisor

Commissioner Tennant moved that the Commission sign the Waivers and Applications for Short Form Settlements, Proposed Settlements and Annual Settlement Reports. Commissioner VanGilder seconded. President Elliott concurred.

The Commission presented the Adoption of Resolutions and other documents for the Greater Marion PSD Sewer Line Replacement Project. County Administrator Kris Cinalli asked this item be tabled for further information.

Commissioner Tennant moved that this item be tabled pending a request for further information. Commissioner VanGilder seconded. President Elliott concurred.

For the record, note the Commission received a request for reimbursement in the amount of \$15,000.00 for Commission on Drunk Driving Prevention Grant Application, for the period ending January 20, 2013 as well as covering the new grant period from February 23, 2013 to May 26, 2013.

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OFFICE OF THE SHERIFF



State of West Virginia
SHERIFF OF MARION COUNTY
PO Box 1348
Fairmont, West Virginia 26555-1348
(304) 367-5300 Law Enforcement Division
(304) 367-5310 Tax Office
(304) 367-5307 Record Division

Joseph N. Carpenter
Sheriff

Ralph L. Wright
Chief Deputy

To: Marion County Commission
From: Sheriff Joseph N. Carpenter
Date: January 09, 2013
Ref: WV CDDP Grant

Dear Honorable Commissioners:

I am respectfully requesting to be placed on the Commission's agenda for the Wednesday, January 16th, 2013 meeting. The grant period for our WV CDDP (Commission on Drunk Driving Prevention) Grant will end on January 20th, 2013, and we will be reimbursed for the amount of \$15,000.00 for our law enforcement overtime line. We are reapplying for another grant period, also for \$15,000.00 for overtime, and it required the Commission President's signature. This new grant period will run from February 23rd, 2013 to May 26th, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read "J. N. Carpenter", written over a horizontal line.

Sheriff Joseph N. Carpenter

Cc: File

The Commission received a request for a budget revision to provide an additional employee in the Circuit Clerk's office. County Administrator Kris Cinalli stated that this revision is in the amount of \$33,786.00.

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Marion County Commission

BURLEY "BUTCH" TENNANT, JR.
President
RANDY J. ELLIOTT
Commissioner
GUY WARD
Commissioner



Address Correspondence to:
200 JACKSON STREET • ROOM 403
FAIRMONT, WEST VIRGINIA 26354
(304) 367-5400
FAX (304) 367-5431

Commissioners,

The following budget revision is necessary to provide an additional employee in the Circuit Clerk's office:

001-403-103-00 Circuit Clerk Salaries	Increase \$23,000.00
001-403-104-00 Circuit Clerk FICA	Increase \$1,756.00
001-403-105-00 Circuit Clerk Ins.	Increase \$5,695.00
001-403-106-00 Circuit Clerk Ret.	Increase \$3,335.00
001-986-459-00 Co Comm Cap Proj	Decrease \$33,786.00

Commissioner Tennant moved that the Commission sign the budget revision to provide an additional employee in the Circuit Clerk's office. Commissioner VanGilder seconded. President Elliott concurred.

The Commission presented the appointment of Ernie VanGilder, Commissioner, to the board of the Marion County Development Authority and the Marion County Planning Commission. County Administrator Kris Cinalli added that the appointments are for three year terms ending January 1, 2016.

Commissioner Tennant moved that the Commission appoint Commissioner Ernie VanGilder to the Marion County Development Authority and the Marion County Planning Commission. President Elliott seconded. Motion passed. Commissioner VanGilder recused himself from this decision.

The Commission presented the appointment of Karen Gribben to the Marion County Development Authority; as a City of Fairmont Appointee.

Commissioner Tennant moved that the Commission appoint Karen Gribben to the Marion County Development Authority for a three year position as a City of Fairmont Appointee. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for advice and consent from Carolyn Ledsome to reinstate Jeremy Foley as a part time dispatcher, effective as of January 14, 2013, without benefits.

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Marion County Central Communications
50 Centerview Drive
Fairmont, WV 26554

Carolyn Ledsome Director

TO: MARION COUNTY COMMISSION
FROM: CAROLYN LEDSOME, DIRECTOR
DATE: JANUARY 10, 2013
SUBJECT: RE-HIRE JEREMEY FOLEY

On May 8, 2012 Jeremy resigned from the Center to take a position as a Police Officer in Mannington. He had been a dispatcher for Four years. Jeremy has asked to return to the center as a part time dispatcher.

If the Commission approves the hiring of Mr. Foley I would request his starting date be January 14, 2012. I would also request his rate of pay remain the same as when he left \$11.33 per hour without benefits.

As Jeremy is a fully trained 911 dispatcher he will be a benefit to the Center.
Thank you for your consideration.

Commissioner Tennant moved that the Commission reinstate Jeremy Foley as a part time dispatcher, effective as of January 14, 2013, without benefits. Commissioner VanGilder seconded. President Elliott concurred.

For the record, note the Commission received from the West Virginia Department of Environmental Protection, the Voluntary Remediation Program (VRP), case #08294, Modification #3 for the Fairmont Sunoco that was located on East Park Avenue in Fairmont, West Virginia for public review.

For the record, note the Commission received from the West Virginia Department of Transportation an Informal Workshop Public Meetings on the West Virginia Rail Plan in Randolph and Marion Counties. The Marion County workshop will be on January 16, 2013 at 6:00 p.m. will take place at Fairmont State University at the Falcon Center Conference Room #1.

Dora Grubb stated that this is Founders Month and the historical Society has a cake for all present to share in with all in attendance.

President Elliott also added for the record that there will be a ribbon cutting as we reopen the Marion County Jail following its renovations.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, January 23rd, 2013 at 10:00 a.m. for the next scheduled County Commission Meeting.

Randy Elliott, President

