

**MARION COUNTY COMMISSION
COUNTY COURT
JANUARY 30, 2013**

The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, January 23rd, 2013. Present were Commissioner Tennant, Commissioner VanGilder and President Elliott.

The proceedings of Wednesday, January 23rd, 2013, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on January 24th, 25th, 28th and 29th, 2013 were approved as submitted and signed.

*Reverend, Jessica Collins of Miles Chapel CME Church led the Court with a prayer. Charlie Reese 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 23rd, 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 30, 2013
Nos. #2013-52 through #2013-83**

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Tennant moved that the President to sign Nos. #2013-52 through #2013-83. Commissioner VanGilder seconded. President Elliott concurred.

*The Commission received the **Order Confirming and Ratifying Fiduciary Supervisor's Report of Claims and Settlement Reports, Order #334.***

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 the 30th, day of January, 2013.

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 Clerk of the County Commission, pending confirmation. There being no 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.

MARION COUNTY COMMISSION
JANUARY 30, 2013
PAGE 2

Estate of

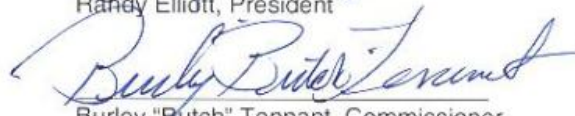
Representative

MYERS, HAROLD HOMER
RUSH, KIMBERLY (trust)
HUFFMAN, MARY D. (2nd & Final)
McKINNEY, MATTHEW JARRETT (Interim)
BEATTY, EDNA
BOWER, SHANNON DAWN
NANCY ANN TANNER
LILLEY, DAVID DALE
HEARN, CARL
CORBIN, DENNIS L.
EDGELL, DOAK E.
TUCKER, FLORENCE EMOGENE
KNIGHT, ARLENE R.
BOYLES, JEAN L.
SATTEFIELD, CHARLES WILLIAM
GARDNER, PATRICIA ANN
LOGUE, BRENDA JO
ANDERESON, HAZEL M.
ZIRKLE, CARLENA T.
TESTA, MABEL
FREELAND, LOUIS M.
CLARK, IDA MAY
NEASE, WILLIAM W.
HINERMAN, JAMES LEON
CAMPBELL, MARK ALLEN
MARTINO, JOHN N.
COLLINS, GEORGE FRANKLIN, SR.
PELLILLO, JOYCE ANN
BOORD, MARK LEROY

Randolph Harold Myers, Executor
Carol Rush, Trustee
Wanda Sue Bower, Executrix DBN
Pamela B. Woodson, Curator
Joe Carpenter, Sheriff, Administrator CTA
Wanda Sue Bower, Administratrix
Larry E. Tanner, Administrator
Anita J. Hayes, Administratrix
Charles A. Hearn, Executor
Randall G Corbin, Executor
Sharon Ford, Executrix
Darwin Summers, Executor
Richard E. Knight, Executor
George C. Boyles, Executor
Charles Warren Satterfield, Executor
Wayne Bernard Gardner, Executor
James Ray Logue, Executor
Doretta Bonnell, Executrix
Carol N. Spatafore, Executrix
John Retton, Executor
J. Scott Tharp, Ancillary Administrator CTA
George Pride, Executor
William Scott Nease, Executor
Karen C. Hinerman, Administratrix
Lisa Jacqueline Campbell, Executrix
Linda L. Layman, Administratrix CTA
Janet M. Collins, Administratrix
Albert Junior Pellillo, Executor
Delores J. Boord, Administratrix

ENTER: 1-30-13



Randy Elliott, President


Burley "Butch" Tennant, Commissioner


Ernie VanGilder, Commissioner

ATTEST:

Janice Cosco, County Clerk


David A. Glance, Fiduciary Supervisor

**Commissioner Tennant moved that the Commission sign Order #334.
Commissioner VanGilder seconded. President Elliott concurred.**

MARION COUNTY COMMISSION
JANUARY 30, 2013
PAGE 3

The Commission received a request for budget revision and advice and consent to hire Gary V. West, as a part time Community Service Coordinator for the Community Corrections Program, at the rate of \$12.00 per hour, without benefits. County Administrator Kris Cinalli stated that this position will be a weekend position to reduce the overtime of employees who have to be at the Day Report Center during the weekend.

Marion County Commission

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



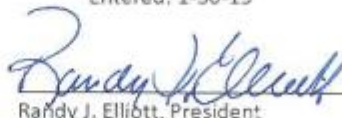
Address Correspondence to:
200 JACKSON STREET • ROOM 403
FAIRMONT, WEST VIRGINIA 26554
(304) 367-5400
FAX (304) 367-5431

Commissioners,

The following budget revision is necessary in the Day Report/ Community Corrections budget:

001-731-109-00	Increase
Commbased Corr P/T salaries	\$3,000.00
001-731-104-00	Increase
Commbased Corr FICA	\$230.00
001-698-566-00	Decrease
Trans/Reimburse	\$3,230.00

Entered: 1-30-13


Randy J. Elliott, President


Burley "Butch" Tennant, Commissioner


Ernie VanGilder, Commissioner

Commissioner Tennant moved that the Commission approve the budget revision in the amount of \$3,230.00 and give our advice and consent to hire Gary V. West as a part time Community Service Coordinator for the Community Corrections Program, at the rate of \$12.00 per hour, without benefits. Commissioner VanGilder seconded. President Elliott concurred.

The Commission presented the appointment to the Board of the Kingmill Valley Public Service District. Kris Cinalli stated that the Commission has received two applications from James Terrence White and Rosemary Fantasia.

Commissioner Tennant moved that the Commission appoint Rosemary Fantasia to the Kingmill Valley Public Service District. Commissioner VanGilder seconded. President Elliott concurred.

MARION COUNTY COMMISSION
JANUARY 30, 2013
PAGE 4

The Commission received a request for advice and consent to accept the resignation of Gene Powell from the Marion County Development Authority.

Commissioner Tennant moved that the Commission accept the resignation of Gene Powell from the Marion County Development Authority. Commissioner VanGilder seconded. President Elliott concurred.

Commissioner Tennant wanted to thank Mr. Powell for all of his service to the County. Commissioner VanGilder also wanted to thank him for all of his service. President Elliott wanted to thank Gene as well for all of his service to the Development Authority and he also added that Gene Powell served three terms as Mayor of the City of Mannington.

For the record, note the Commission received the Valley Falls Public Service District Reconciliation Summary for period ending 12/31/12.

For the record, note the Commission received the Letter of Certification from Time Warner Cable conveyed to subscribers (via mail) the procedures for communication their views and complaints to the operator and to the Public Service Commission.



JAN 18 2013

Pamela McDonald
Vice President of Government Relations
(513) 386-5908

Via Certified Mail
Return Receipt Requested

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

Dear Mr. Tennant:

Enclosed you will find Form No. 5 pursuant to West Virginia Code 24D-1-18. This letter is to certify that Time Warner Cable has conveyed to our subscribers (via mail) the procedures for communicating their views and complaints to the operator and to the Public Service Commission.

As always, if you have any questions or concerns regarding any cable related matter, please feel free to contact me directly at (513) 386-5908 or via email at pam.mcdonald@twcable.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pamela McDonald".

Pamela McDonald
Vice President of Government Relations
Time Warner Cable

Enclosure

MARION COUNTY COMMISSION
JANUARY 30, 2013
PAGE 5



NOTICE

As a subscriber of Time Warner Cable, you have several important rights. This 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 800.677.9767. In every case, we will attempt to answer 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 web page:

Public Service Commission of West Virginia
PO Box 812
Charleston, WV 25323
Toll Free Telephone: 1.800.344.5113
www.psc.state.wv.us

Please note, the Public Service Commission has jurisdiction to resolve 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 cannot, informally, 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 a rate increase case is 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 web page:

Federal Communications Commission
Cable Services Bureau
445 12th Street, S.W., Room 3-C-830
Washington, D.C. 20554
Phone: 202.418.7200
www.fcc.gov

CREDIT FOR SERVICE INTERRUPTIONS

You are entitled to a pro rata credit if cable service is interrupted for more than twenty-four continuous hours. The credit will be calculated based upon the proportionate share of the service not received in the applicable billing period, provided the interruption is due to a failure of the facilities of the cable television operator. When service interruption in excess of 24 hours occurs, contact our office promptly with pertinent facts regarding the outage.

FORM 10-10-08
REV. 01-10-10
PAGE 3

Charlie Reese stated that he wanted to thank Gene Powell for all of his service. Charlie also added for the record that the City of Fairmont, the County, Main Street Fairmont, Dave Leiving from the State of West Virginia, Tina Shaw from the Chamber of Commerce, a member from the West Virginia High Tech and Bob Gribben. The meeting went well and it was trying to make better communication between all involved parties. This is to help those wanting to start business in our area. Commissioner Elliott wanted to thank Charlie for all of his work that he has done and is doing at this time.

Jeff Biafore, the Maintenance Supervisor wanted to thank the City of Fairmont's Fire Department for the use of their latter truck to change out the ropes on our flag poles.

Boy Scout Cameron Anderson was at today's meeting to see how government works and to assist him in obtaining a Community Service Merit Badge.

Commissioner Tennant and President Elliott wanted to thank Nicole Lemal from the Times West Virginian for her coverage of the Commission Meetings and wished her good luck in the future.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, February 6th, 2013 at 10:00 a.m. for the next scheduled County Commission Meeting.

Randy Elliott, President

