

MARION COUNTY COMMISSION
MARCH 26, 2014

The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, March 19th, 2014. Present were Commissioner Elliott, Commissioner VanGilder and President Tennant.

The proceedings of Wednesday, March 19th, 2014, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on March 20th, 21st, 24th and 25th, 2014 were approved as submitted and signed.

*D. D. Meighen led the Court with a prayer. Rhonda Starn the Circuit Clerk led the Court with the Pledge of Allegiance. **President Tennant called** the meeting to order.*

*The Marion County Commission presented Achievement Awards to the Marion County High School State Wrestling Champions: **Vincent Delligatti, Brent Barker and Anthony Alvaro** from Fairmont Senior High School; **Ryan Elliott** from North Marion High School and **Payton Michael** from East Fairmont High School.*

***Commissioner Elliott moved** to dispense with the reading of the minutes of Wednesday, March 19th, 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 March 26, 2014
Nos. #2014-237 through #2014-249

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Elliott moved that the President sign Nos. #2014-237 through #2014-249. President Tennant seconded. Motion passed.

*The Commission received the **Order Confirming and Ratifying Fiduciary Supervisor's Report of Claims and settlement Reports; Order #348.***

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 26th, day of March, 2014.

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.

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<u>Estate of</u>	<u>Representative</u>
WRIGHT, MARY ELIZABETH (2 nd & Final)	Barbara Ann Efaw, Administratrix DBN
PEARSON, GILBERT S.	Ronald G. Pearson, Executor
WATKINS, RALPH HALL, JR.	Susan Watkins Hooton, Executrix
CARPENTER, HELEN GERALDINE	Linda Carpenter Stealey, Administratrix
KELLER, GAYLE YVONNE	Gary William Dayton, Executor
LAYMAN, ELIZABETH ANN	Joseph E. Layman, Administrator
BOSTIC, LILLIAN	Lola Schoonmaker and Lilly R. Setters, Co-Executrices
ESTEL, CATHERINE L.	Dale R. Este., Administrator CTA
SULLIVAN, JOSEPH T.	Patricia S. Sullivan, Executrix
CRAIG, CHARLOTTE ANN BATES	Garry Duane Craig, Executor
LOWE, ROWENA G.	Jack E. Lowe, Sr., Administrator
WATKINS, HELEN LOUISE HAYHURST	Lynda Jean Watkins Sago, Executrix
GRANDSTAFF, MARJORIE	Mary Gay Grandstaff Priolette, Executrix
CULP, BONNETTA JOYCE	Robin Joyce Halderman, Executrix
HEINE, NORMA Y.	Thomas H. Heine, Executor
NICHOLSON, ELMER H.	Beverly Nicholson Daniels, Executrix
RUTHERFORD, FRANK J., JR.	Debra Elaine Basnett, Executrix
HOLLEY, WILBERT	Lucille J. Holley, Executrix
SHUTTLESWORTH, ALLEN ELWOOD	Carlene Ann Shuttlesworth, Executrix
PARRISH, BILLY DON	Sonja L. Wilson, Executrix
WROE, ROSE LEE	Harriet Mcle, Administratrix

ENTER: 3-26-14


Randy Elliott, President


Burley "Butch" Tennant, Commissioner


Ernie VanGilder, Commissioner

ATTEST:


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


David A. Glance, Fiduciary Supervisor

Commissioner Elliott moved that the Commission sign the Order Confirming and Ratifying Fiduciary Supervisor's Report of Claims and settlement Reports; Order #348. Commissioner VanGilder seconded. President Tennant concurred.

The Commission presented the Resolution requesting United States Congress to Enact and Fully Fund Navigation needs on our Nation's Rivers. Commissioner VanGilder stated that he has been attending those meetings and adding input in order to keep those locks open which can only lead to the better development of the City and County development of the Monongahela River. He added that this is very essential for our development. Commissioner Elliott agreed with those comments and was appreciative of his effort.

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Marion County Commission

BURLEY "BUTCH" TENNANT, JR.
President
RANDY J. ELLIOTT
Commissioner
ERNIE J. VANGILDER
Commissioner



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

**RESOLUTION REQUESTING UNITED STATES CONGRESS TO ENACT AND FULLY FUND
NAVIGATION NEEDS ON OUR NATION'S RIVERS**

Whereas, the upper reaches (headwaters) of many of our nation's navigable rivers have suffered a decline in river commerce, resulting in severe cutbacks in deferral funding for maintenance and operation of locks and dams on these rivers by the US Army Corps of Engineers (COE), including the hours the locks are open for transit by river traffic; and

Whereas, this problem is especially severe within the Pittsburgh District of the COE, for the Monongahela River in West Virginia, and, for the upper reaches of the Allegheny River in Pennsylvania, thus causing great harm to commercial and recreational users of these two rivers and to the communities and businesses that rely on unhindered navigation of these rivers:

THEREFORE BE IT RESOLVED, that the Marion County Commission:

- (1) Requests that the Congress of the United States enact and fully fund legislation requiring that COE base river navigation budgets not solely on the tonnage of commerce, but also on the value of such commerce, and on the needs of recreational users of the rivers, and on the importance of all such river uses to the economic well-being and development of communities and regions bounding the river;
- (2) Requests that the Pennsylvania and West Virginia congressional delegations, especially those members of the US House of Representatives whose districts include the Pittsburgh District of COE;
- (3) Seek appropriations for the federal Fiscal Year 2014 and for successive fiscal years, that will enable the Pittsburgh District COE to fully meet the navigation needs of all river users and communities for the Upper Allegheny and Upper Monongahela rivers;
- (4) Support requests for funding for research and demonstrate the feasibility of automating lock operation, directly permitting the remote operation of lock chambers for Upper Mon locks and developing a national technological base for a future combination of cost reductions with service improvements;

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- (5) Seek congressional authorization and funding for studies of how the federal government might partner with states and local communities on innovative ways to fund and operate river navigation needs;
- (6) Supports the Pittsburgh-based River Navigation Coalition in their extensive and effective efforts to: (a) Keep the locks and dams operational on the Allegheny and Monongahela rivers; (b) Maximize the hours of operation of the locks for all users; (c) Promote river recreation boating; (d) Promote commercial navigation by maintaining the river channels and continued operation of the locks; and, (e) Promote economic growth pertaining to recreational and commercial navigation for the entire region;
- (7) Supports the UPPER MONONGAHELA RIVER ASSOCIATION INCORPORATED, A West Virginia not-for-profit 501 (c)(4) corporation (successor to the informal Upper Monongahela Committee for Better Boating formed in February 2000), and a founding member of the RIVER NAVIGATION COALITION, IN UMRA's efforts to all of the above goals.

ENTERED: _____

Burley "Butch" Tennant, President

Randy J. Elliott, Commissioner

Ernie VanGilder, Commissioner

Commissioner Elliott moved that the Commission sign the Resolution requesting United States Congress to Enact and Fully Fund Navigation needs on our Nation's Rivers. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received a request for advice and consent from Rhonda Starn, Circuit Clerk, to hire Camia L. Roberson, full time at \$25,000.00 with benefits.

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Circuit Court
of
Marion County
Sixteenth Judicial Circuit

Rhonda L. Starn
Circuit Clerk
(304) 367-5360



219 Adams Street
Room 211
Fairmont, WV 26554

To: Burley "Butch" Tennant, President
Randy J. Elliott, Commissioner
Ernie VanGilder, Commissioner

From: Marion County Circuit Clerk
Date: March 24, 2014
Subject: Camia L. Roberson

Dear Commissioners:

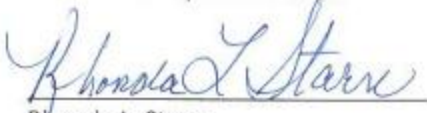
I seek your advice and consent with regards to granting the approval of the above named individual for employment in the Marion County Circuit Clerk's Office. I have the allotted salary of \$25,000.00 and full benefits in my budget.

Upon speaking with the Honorable David R. Janes, in which the opening is for Division II, Courtroom Clerk, he has approved. I apologize that I did not get this request to you before her start date but due to the fact that Judge Janes has been without a clerk it was imperative that she begin immediately.

Attached you will find her resume.

Thank you for your time and consideration in this matter.

Marion County Circuit Clerk


Rhonda L. Starn

Commissioner Elliott moved that the Commission grant our consent to Rhonda Starn, Circuit Clerk, to hire Camia L. Roberson, full time at \$25,000.00 with benefits. Commissioner VanGilder seconded. President Tennant concurred.

The Commission presented the consideration of appointment to the Monumental Public Service District. County Administrator Kris Cinalli stated that the Commission received one application and that was of Kristen Toothman.

Commissioner Elliott moved that the Commission appoint Kristen Toothman to the Monumental Public Service District. Commissioner VanGilder seconded. President Tennant concurred.

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The Commission received a request for funds from CASA for the Superhero 5K fundraiser.

CASA of Marion County
112 Adams St. Room 203, Fairmont, WV 26554
Phone: 304-366-4198 Fax: 304-366-4695
mccasa@wvds.net

"We believe in the power of volunteers making a difference in the Lives of abused and neglected children"

March 20, 2014

Marion County Commission
200 Jackson St.
Fairmont, WV 26554

Dear Commissioners,

CASA of Marion County would like to be on the agenda for the March 27th County Commission Meeting to request \$1,500 from hotel/motel tax funding that could be utilized to cover a portion of the expenditures for the CASA Superhero 5k fundraiser. These expenditures include participant T-Shirts, medals, Miles of Smiles race timing, drinks, and signs for the event.

The CASA Superhero 5K is an annual fundraiser that benefits CASA (Court Appointed Special Advocate) programs in Marion, Harrison, Monongalia, and Preston counties, with 100% of the proceeds directly benefitting abused and neglected children. The theme is "*Every child needs a hero, but abused children need SUPERHEROES*". This event, which includes a 5k timed race/walk, Kids Fun Run, and Kids Carnival, will be held in East Marion Park and the downtown Fairmont area.

As a Race Committee, we are anticipating over 300 participants in Marion County for the 2014 Superhero 5k. During the inaugural race in 2013, 20% of the 250 participants were from out of the area. Thus far out of our 94 registrants, 10% are from outside of West Virginia, 17% are anticipated to be staying overnight, and 61% are from outside of Marion County.

This collaborative event has obtained \$5,850 in sponsorships from area business in the four counties. The Mom's Club of Fairmont is sponsoring the Kids Carnival and currently has over 14 vendors with games for children. Sponsorship from West Virginia Radio and WBOY has also been secured for advertisement.

Fundraising efforts are vital in the success of CASA advocating for the most vulnerable in our community, our children. Support from the Marion County Commission is appreciated in making our event a success.

Sincerely,



Kimberly Berry Baker
CASA of Marion County
CASA Superhero Race Committee



Commissioner Elliott moved that the Commission sign the grant \$500.00 to the Superhero 5K fundraiser and that those funds be appropriated from the Coal Severance Fund. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received a request for funds from American Cancer Society for the Relay for Life. County Administrator Kris Cinalli stated that he had spoken with Ryann Moore them about this item and they understood that this request will be addressed with the Outside Allocations that took place last week.

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Commissioner Elliott moved that the Commission this item from today's agenda. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received a request for funds from Project Graduation for the Class of 2014. Three seniors, one from each High School made the presentation to the Commission they were as follows: Kylee Westfall, Rachel Masters and Shakira Lee told the Commission that this supervised event which has been taking place for 25 years allows these seniors to have a safe place for a gathering for fun.



MARION COUNTY PROJECT GRADUATION
PO Box 537 Fairmont, WV 26555-0537

mcprojectgrad@gmail.com mcprojectgrad@facebook.com

Dear Friend:

Thank You for sharing our belief in the importance of this once in a lifetime event for our high school graduates. Since 1988 thousands have been able to attend a fun, all-night, supervised, safe and alcohol-free Celebration. Your support has helped make this Marion County tradition possible for more than 25 years.

"Let's do it again for the class of 2014!"

This year's event is going to be held at Valley Worlds of Fun following graduation ceremonies on Friday, May 23, 2014. Plans are underway to offer our graduates a unique and memorable night of food, fun, and fellowship with friends to safely celebrate the completion of their high school education and entry into adulthood.

Marion County is blessed to have one of the few remaining such programs in the state, through which businesses, churches, groups and individuals can join together to acknowledge their pride in the accomplishments of our young people.

Marion County Project Graduation is not a school sponsored event. It is a community-supported event that is accomplished through the efforts of volunteers. It is made possible, and offered free of charge to all participants, through the kindness of caring and concerned community members such as yourself. We are truly grateful for your past contributions and your continued support.

Our greatest needs are for financial donations that can be used to cover the costs and prizes, as well as our need for volunteers to help with planning or chaperoning. Your help in either area is greatly appreciated! Please let us know how you can help us with this year's event. If we do not hear from you, we will be calling or stopping by to make sure that you received this letter.

Checks can be mailed to the address listed above. To make arrangements for the pick-up of other donations, you can leave a message for me at the Marion County Parks and Recreation office 304-363-7037 or email me directly at mcprojectgrad@gmail.com.

Thank you again in advance! Connie VanGilder, Committee Chairperson

-----Please Print and Return-----

Business Name: _____

Address: _____

Contact Name and Phone: _____

Monetary Donation Amount: _____ Donation of Food or Gift _____

Secure Opportunity for MCPG presentation at Church, Club or Business _____

Indicate Other Areas of Support: Planning and Prep Volunteer Chaperone at Event Other

Commissioner Elliott moved that the Commission grant \$1,500.00 to this event of Project Graduation and that those funds be appropriated from the Coal Severance Fund. Commissioner VanGilder seconded. President Tennant concurred.

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For the record, note the Commission received notification of proposed rate adjustment in accordance with the West Virginia rule 150-2609.2.



March 19, 2014



Pamela McDonald
Vice President
Government Relations

**Via Certified Mail
Return Receipt Requested**

Ms. Kris Cinalli
County Administrator
Marion County Commission
200 Jackson Street, Room 403
Fairmont, WV 26554

Dear Ms. Cinalli:

The Public Service Commission of West Virginia has acknowledged receipt of our proposed rate adjustment that we delivered in accordance with West Virginia rule 150-2609.2. Time Warner Cable's rate adjustment in the Clarksburg systems is scheduled for May 2014. I am providing this 30-day notice of the proposed rate adjustment in accordance with our franchise agreement, which states that we will advise you of our communications with the Public Service Commission of West Virginia.

We are in the process of providing the 30-day notice to customers (as required under section 9.1 of West Virginia Rule 150-26) via a billing statement message.

Effective May 2014, customers will begin to see a change in some of the levels of video service and resulting packages. However, you will notice from the attached schedule that some rates will not change.

Starter TV (formerly called Basic Service) will not change; Standard Service will change from \$51.49 to \$53.49; and Standard TV (which includes Starter and Standard) will change from \$75.99 to \$77.99. Preferred TV (which includes Starter, Standard and Variety Pass) will change from \$84.99 to \$87.99. The cost for the set-top box will change from \$10.00 to \$11.25.

We have prepared the enclosed table of rates, which represent the format required under the WV Rules, 150-2609.2.

Please contact me directly at (513) 386-5908 or Director of Government Relations Mike Gray at (513) 386-5759 if you have any questions.

Sincerely,

Pamela McDonald
Vice President of Government Relations
Time Warner Cable

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Enterprise, WV Headend	CLARKSBURG, WV		
	2014 Proposed	2013 Current	Change
Starter TV	\$ 24.50	\$ 24.50	\$ -
Standard TV Tier	\$ 53.49	\$ 51.49	\$ 2.00
Standard TV (includes Starter TV) Package	\$ 77.99	\$ 75.99	\$ 2.00
Preferred TV (includes Starter TV, Standard TV and Variety Pass)	\$ 87.99	\$ 84.99	\$ 3.00
Variety Pass	\$ 10.00	\$ 9.00	\$ 1.00
Variety Pass Plus	\$ 9.00	\$ 9.00	\$ -
TWC Movie Pass	\$ 8.00	\$ 8.00	\$ -
TWC Sports Pass	\$ 8.99	\$ 8.99	\$ -
TWC HD Pass	\$ 8.00	\$ 8.00	\$ -
HBO	\$ 14.99	\$ 14.99	\$ -
All Other First Premium Service	\$ 14.00	\$ 14.00	\$ -
2 Premium Services	\$ 26.00	\$ 26.00	\$ -
3 Premium Services	\$ 36.00	\$ 36.00	\$ -
4 Premium Services	\$ 45.00	\$ 45.00	\$ -
5 Premium Services	\$ 55.00	\$ 55.00	\$ -
Set-Top Box	\$ 11.25	\$ 10.00	\$ 1.25
HD Set-Top Box, HD-DVR Set-Top Box, DVR et-Top Box	\$ 11.25	\$ 10.00	\$ 1.25
DVR Service	\$ 12.99	\$ 12.99	\$ -
	\$ 5.99	\$ 5.99	\$ -
Preferred TV Combo w/Standard Internet	\$ 145.98	\$ 139.98	\$ 6.00
Preferred TV Combo w/Basic Internet	\$ 135.98	\$ 129.98	\$ 6.00
Preferred TV Combo w/Lite Internet	\$ 125.98	\$ 119.98	\$ 6.00
Preferred TV Combo w/Home Phone Nationwide	\$ 137.94	\$ 134.94	\$ 3.00
Preferred TV Combo w/Home Phone State	\$ 127.94	\$ 124.94	\$ 3.00
Preferred TV Combo w/Home Phone Local	\$ 117.94	\$ 114.94	\$ 3.00
Preferred TV Trio w/Standard Internet & Home Phone Nationwide	\$ 195.93	\$ 189.93	\$ 6.00
Preferred TV Trio w/Standard Internet & Home Phone State	\$ 185.93	\$ 179.93	\$ 6.00
Preferred TV Trio w/Standard Internet & Home Phone Local	\$ 175.93	\$ 169.93	\$ 6.00
Preferred TV Trio w/Basic Internet & Home Phone Nationwide	\$ 185.93	\$ 179.93	\$ 6.00
Preferred TV Trio w/Basic Internet & Home Phone State	\$ 175.93	\$ 169.93	\$ 6.00
Preferred TV Trio w/Basic Internet & Home Phone Local	\$ 165.93	\$ 159.93	\$ 6.00
Preferred TV Trio w/Lite Internet & Home Phone Nationwide	\$ 175.93	\$ 169.93	\$ 6.00
Preferred TV Trio w/Lite Internet & Home Phone Instate	\$ 165.93	\$ 159.93	\$ 6.00
Preferred TV Trio w/Lite Internet & Home Phone Local	\$ 155.93	\$ 149.93	\$ 6.00
Standard TV w/Standard Internet	\$ 135.98	\$ 130.98	\$ 5.00
Standard TV w/Home Phone Nationwide	\$ 127.94	\$ 125.94	\$ 2.00
Standard TV w/Basic Internet	\$ 125.98	\$ 120.98	\$ 5.00
Standard TV w/ Home Phone State	\$ 117.94	\$ 115.94	\$ 2.00
Standard TV w/ Lite Internet	\$ 115.98	\$ 110.98	\$ 5.00
Standard TV w/ Phone Local	\$ 107.94	\$ 105.94	\$ 2.00
Standard TV w/ Standard Internet & Home Phone Nationwide	\$ 185.93	\$ 180.93	\$ 5.00
Standard TV w/ Standard Internet & Home Phone State	\$ 175.93	\$ 170.93	\$ 5.00
Standard TV w/ Standard Internet & Phone Local	\$ 165.93	\$ 160.93	\$ 5.00
Standard TV w/ Basic Internet & Phone Unlimited	\$ 175.93	\$ 170.93	\$ 5.00

Standard TV w/ Basic Internet & Phone Instate	\$ 165.93	\$ 160.93	\$ 5.00
Standard TV w/ Basic Internet & Phone Local	\$ 155.93	\$ 150.93	\$ 5.00
Standard TV w/ Lite Internet & Phone Unlimited	\$ 165.93	\$ 160.93	\$ 5.00
Standard TV w/ Lite Internet & Phone Instate	\$ 155.93	\$ 150.93	\$ 5.00
Standard TV w/ Lite Internet & Phone Local	\$ 145.93	\$ 140.93	\$ 5.00

**MARION COUNTY COMMISSION
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For the record, note the Commission received notification of channel changes to be effective April 15, 2014.



March 12, 2014

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



IMPORTANT INFORMATION – CHANNEL CHANGES

Effective **April 15, 2014**, the following channels will no longer be available on the MultiLatino level of service:

<u>Channel Number</u>	<u>Channel Name</u>
606	CBTV Michoacan
639	HTV Musica
598	La Familia

We will notify customers of these changes 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

2994 Industrial Boulevard Bethel Park, PA 15102 www.comcastcorporation.com

For the record, note the Commission received the 2014 Marion County Extension Annual Report.

For the record, note the Commission received the Little Creek Public Service District's Independent Auditor's Report and Related Financial Statements for the Years Ended June 30, 2013 and 2012.

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County Administrator Kris Cinalli added that there is an emergency item of the approval for the 2014 Primary Election Poll Workers from each political party.

Commissioner Elliott moved that the Commission add this item to the agenda. Commissioner VanGilder seconded. President Tennant concurred.

Commissioner Elliott moved that the Commission accept these poll workers as presented. Commissioner VanGilder seconded. President Tennant concurred.

Bobbie Benson of the Solid Waste Authority was present to thank the Commission for its support and she asked for an informal meeting between her and Commission over the Litter Control Office of the County for the next fiscal year 2014-2015. She informed the Commission that they are purchasing two balers to bale cardboard and a skid steer loader. She added that they will be opening the recycling center in Idamay. She also provided recycling bins locations throughout the County. Bobbie also mentioned the Launch Project Alert, which is the assistance in lowering environmental toxins. They will be working with Taylor County with this project which is grant funded.

Charlie Reese added that at the Mayors on the Move meeting; the mayors had discussions over their concerns of operating their towns with Senator Bob Beach and Delegate Linda Longstretch. Charlie Reese added that the Palatine Park Project construction is underway and is working well.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, April 2nd, 2014 at 10:00 a.m. for the next scheduled County Commission Meeting.

Burley "Butch" Tennant, President