

**MARION COUNTY COMMISSION
COUNTY COURT
APRIL 10, 2013**

The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, April 3rd, 2013. Present were Commissioner Tennant, Commissioner VanGilder and President Elliott.

The proceedings of Wednesday, April 3rd, 2013, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on April 4th, 5th, 8th and 9th, 2013 were approved as submitted and signed.

*D. D. Meihgen asked for a moment of silence for the killing of the Sheriff in Mingo County. Then he led the Court with a prayer. Deputy County Clerk Thomas Antulov 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, April 3rd, 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 April 10, 2013
Nos. #2013-234 through #2013-268***

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Tennant moved that the President sign Nos. #2013-234 through #2013-268. Commissioner VanGilder seconded. President Elliott concurred.

*The Commission received an **Order Filing Petition and Setting Hearing Date on the Estate of Zena H. Bennett, Deceased**. County Administrator Kris Cinalli stated that the **Hearing Date will be on Wednesday, May 1st, 2013 at 10:30 a.m.***

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IN THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA
IN RE: ESTATE OF ZENA H. BENNETT, DECEASED

ORDER FILING PETITION AND
SETTING HEARING DATE

On the 8th day of March, 2013, came the Petitioner, April Bennett, and filed a Petition for the Removal of Sharon Lyn Hayes as Administratrix of the estate of Zena H. Bennett, deceased. The Commission orders such Petition filed herein, and accordingly, sets such Petition for hearing before the County Commission of Marion County, West Virginia, on the 4th Floor, 200 Jackson Street, Fairmont, West Virginia, on the 1st day of May, 2013, at 10:30 a.m., at which time and place the parties in interest shall appear before the Commission.

The Clerk shall summons all parties in interest, whose addresses are listed below.

1. Sharon Lyn Hayes, 507 Rothschild Drive, Chester, VA 23836
2. Shelly Vernon, 52 Bramble Lane, Fairmont, WV 26554
3. Nicole Bennett, 137 N. Bellview Ave., Fairmont, WV 26554
4. April Bennett, 5056 Riverwood Circle, Fairmont, WV 26554
5. Holly Oliverio, 207 Village Drive, Fairmont, WV 26554

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Wherefore, the Commission ORDERS this matter continued generally, pending such hearing.

ENTER: April 10, 2013


Randy Elliott, President


ERNIE VANGILDER, Commissioner


Burley Tennant, Commissioner


David A. Glance, Fiduciary Supervisor

ATTEST:

Janice Cosco, County Clerk

Commissioner Tennant moved that the Commission and the Clerk sign the Order. 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.

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 April 10, 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 April 4, 2013, issue of the Fairmont Times West Virginian, all in accordance with West Virginia Code 44-3A-19.

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<u>Estate of</u>	<u>Representative</u>
FLEMING, FLORENCE T. (trust)	Keith L. Holt and Robert R. Winter, Co-Trustees
HAROLD, JOSEPH, II (trust)	WesBanco Trust and Investment, Trustee
RUSH, MARVIN	John Rush, Executor
RADCLIFF, ALICE FLORA	G. Patrick Stanton, Jr., Executor
ORNDUFF, NELLIE	Charles Cropp, Administrator CTA
SCHROYER, ETHEL L. PERKINS	Teresa A. Wagner, Ancillary Extrx DBN
BROWN, HELEN	David A. Brown, Executor
HARRIS, MELNEE MARY	Josephine Merchant, Administratrix
CANDID, JOSEPH D.	Joseph B. Vincent, Executor
SATTERFIELD, ARCHIE KENNETH	William A. Satterfield, Executor
KLINGENSMITH, VIRGINIA E.	Danny E. Klingensmith, Executor
WILLIAMS, CLINTON DALE	Terry Lee Williams, Administrator
WADSWORTH, ROBERTA JEAN	Douglas Paul Wadsworth, Executor
ENDLICH, WILLIAM CURTIS	Harry B. Wagner, Jr., Executor
WADSWORTH, DALE LEWIS	Dale Cannon Wadsworth, Executor
MUSGROVE, LEROY R., SR.	Evelyn J. Musgrove, Executrix
QUICKLE, EDNA MARIE	Janice Stewart, Administratrix
EDWARDS, JESSE JAMES	Occeletta Briggs, Administratrix
TRIMBLE, CARL D., JR.	Barbara D. Ryan, Administratrix CTA
SUMMERS, KEVIN LEE	Rosemarie Summers, Administratrix
SOYER, HELEN ELIZABETH	Edward Walter Soyer, Jr., Executor
BRIGHT, HELEN MARY	Sarah Ann Yanero, Executrix
McFARLAND, BETTY J.	Larry Michael Saurborn, Executor
CALDWELL, MARVIN CORNELL	Virginia Caldwell, Administratrix
GREEN, EVA LENORE	Patricia Ann Riley, Executrix
TERWILLINGER, WILDA ROSE	Robert W. Terwillinger, Administrator
SHUMATE, THOMAS NEIL	Patricia C. Jones, Administratrix
CAMELE, TERESA MARIE	Anthony J. Camele, Administrator
JULIAN, WILLIAM F.	Sharon D. Julian, Executrix

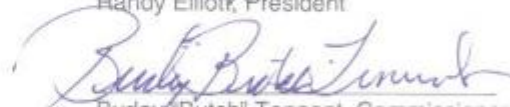
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Estate of
BAKER, FRANCES H.
NELSON, LINDA DIANE
HEATHERLY, BESSIE B.
HUDNALL, MICHAEL HAMILTON
RAGER, DONALD E.
POWELL, NORMA J.
STEVENS, LINDA ELAINE
MILLS, OLLIE JAMES
VANDEGRIFT, DELBERT FAY
NUZUM, DAVID LEE

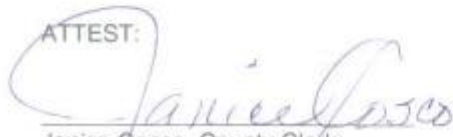
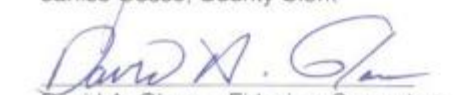
Representative
Barbara Earl, Executrix
Christine Phillips, Administratrix
John Belton, Executor
Brenda Jean Hudnall, Executrix
Carol Jo Rager, Executrix
Robert L. Powell, Executor
Loretta Fury, Administratrix CTA
Sarah Ellen Mills, Executrix
Rose Lee Vandegrift, Executrix
Diane Marie Schneider, Executrix

ENTER: 4-10-13


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 the Waivers and Applications. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for budget revision in the Central Garage Budget. County Administrator Kris Cinalli stated that this revision is in the amount of \$8,000.00 for Dennis's supply line.

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Marion County Commission

RANDY J. ELLIOTT
President
BURLEY "BUTCH" TENNANT, JR.
Commissioner
ERNIE J. VANGILDER
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 our Central Garage budget:

001-717-343-00	Increase
Cent Garage Auto Supplies	\$8,000.00
001-699-567-00	Decrease
Gen Co. Contingencies	\$8,000.00

Commissioner Tennant moved that the Commission grant the budget revision in the amount of \$8,000.00. Commissioner VanGilder seconded. President Elliott concurred.

For the record, note the Commission received a request for reimbursement from West Virginia Division of Justice and Community Services to cover expenditures from April 1, 2013 to April 30, 2013. County Administrator Kris Cinalli stated that this request for reimbursement is in the amount of \$2,396.00 for expenditures for our Victim's Advocate Grant.

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WEST VIRGINIA DIVISION OF JUSTICE AND COMMUNITY SERVICES	Request for Reimbursement
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RECEIVED (For DJCS Use Only)	Subgrantee: Marion County Commission
	Address: 200 Jackson Street
	Fairmont, WV 26554
	Project #: 12-VA-011
	FEIN#: 55-600-346
Funds are hereby requested to cover expenditures	
FROM: April 1, 2013 TO: April 30, 2013	

PROJECT CASH EXPENDITURES

CATEGORY	AMOUNT
Personnel/Contractual	2396.00
Travel/Training	
Space	
Other	
TOTAL	\$ 2396.00

CERTIFICATION:

I certify that this report presents actual receipts and expenditures of funds for the period covered and for the total grant budget to date, made in accordance with the approved budget for this grant.

All documentation is available at our office.

BY: Randy Elliott, President
 TYPED NAME & TITLE


 SIGNATURE

DATE

For the record, note the Commission received an Order of Annexation by Minor Boundary Adjustment in the Town of Whitehall. County Administrator Kris Cinalli stated that J.T. Hodges the Attorney for the Town of White Hall prepared the Order and the County Attorney Chuck Shields reviewed and approved it as well.

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IN THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA

**IN RE: APPLICATION OF THE TOWN OF WHITE HALL FOR THE
ANNEXATION BY MINOR BOUNDARY ADJUSTMENT OF CERTAIN REAL
ESTATE SITUATE IN GRANT DISTRICT, MARION COUNTY, WEST
VIRGINIA**

ORDER OF ANNEXATION

At a regular session of the County Commission of Marion County, West Virginia, held for said County on the 20th day of February, 2013, the above-referenced Application of the Town of White Hall, a municipal corporation, located in Marion County, West Virginia, was considered by the Commission. Said application, originally filed with the Commission on the 5th day of February, 2013, requested an annexation by minor boundary adjustment of certain tracts totaling 19.44 acres of unincorporated territory adjoining said Town of White Hall and situate in Grant District, Marion County, West Virginia.

The first reading of the Application was held by the Commission on the 20th day of February, 2013. Thereupon, the Commission found that the Application met the threshold requirements for consideration for annexation and Ordered that the matter be set for a public hearing to be held on the 13th day of March, 2013 at 10:00 a.m. or as soon thereafter as the matter may be heard. It appearing that the Order of Publication and Notice of Proposed Annexation to the Town of White Hall was published on two (2) separate days (February 27 and March 6, 2013) as a Class II-) legal advertisement in the Fairmont *Times-West Virginian*, and that said Notice was properly posted in the Town of White Hall and the area of annexation, at least 14 days prior to the public hearing.

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Thereupon on the 13th day of March, 2013, the Commission held a public hearing of the Application for Annexation. County Administrator Kris Cinalli advised that he received two (2) phone messages and eleven (11) emails in from local residents in support of the annexation and no calls or emails against the annexation.

Linda Stanley and Keith Beckner, local residents, appeared to speak for the annexation; Richard O'Connor and Thomas Lake appeared to speak against. Richard O'Connor presented eight (8) petitions against annexation and his proposed annexation map.

Thereupon the Commission advised it would turn over all the exhibits and information to its attorney for review and make a decision on March 20, 2013 at its next meeting.

Thereupon, on the 20th day of March, 2013, upon a mature consideration of all matters of record, and considering the appearance of certain freeholders in favor of and opposed to annexation of the proposed area, a portion of U.S. Route 250 and Point of View Addition, the majority of the Commission is of the opinion and does hereby conclude that there is a majority of freeholders in favor of the proposed annexation; that the area to be annexed is contiguous with the present corporate limits of the said Town; that notice had been provided to allow all persons living in and holding property therein the opportunity to appear and be heard, and that the annexation of this area as proposed constitutes a minor boundary adjustment as defined in West Virginia Code.

It is therefore **ORDERED** and **DECREED** that the requested annexation of the area more particularly bounded described on those documents titled Boundary Description, Town of White Hall's Annexation of U.S. Route 250 & Point of View

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Addition and as shown on a plat prepared by George E. Pigott and Associates, Inc.,
White Hall, WV titled Town of White Hall Point of View Addition, and dated January 9,
2013, attached hereto and incorporated herein as if fully set out verbatim, be and hereby
are annexed into and made part of the corporate limits of the Town of White Hall, Marion
County, West Virginia.




Randy, Elliott, Commissioner



Burley "Butch" Tennant, Commissioner



Ernest J. "Ernie" VanGilder, Commissioner

Attest:


Janice Cosco, Clerk

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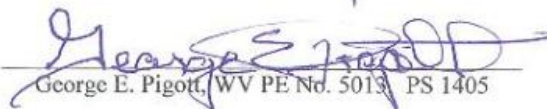
North 20°20'15" West 166.13 feet to a Point and
North 17°56'38" West 171.66 feet,

following four lines offset twenty feet to the southwest from the centerline of U.S. Route 250, to
a Point in the Town of White Hall Corporate Boundary between Corner 81 and Corner 82. Thence:

North 66°49'43" West 40.17 feet,

following the Town of White Hall Corporate Boundary across U.S. Route 250 to the place of
beginning.

The above described area contains 19.44 acres and is as shown on a plat prepared by George E. Pigott
and Associates, Inc., White Hall, WV titled "TOWN OF WHITE HALL POINT OF VIEW
ANNEXATION" dated January 9, 2013 attached hereto and made part of this description.


George E. Pigott, WV PE No. 5013 PS 1405



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BOUNDARY DESCRIPTION
TOWN OF WHITE HALL'S ANNEXATION OF
U.S. ROUTE 250 & POINT OF VIEW ADDITION

Beginning at a Point in the Town of White Hall Corporate Boundary between Corner 81 and Corner 82, said Point being North 66°49'43" East 20.08 feet from the centerline of U.S. Route 250 situated in Grant District, Marion County, West Virginia. Thence:

South 17°56'38" East 174.48 feet to a Point,
South 20°20'15" East 162.99 feet to a Point,
South 26°56'19" East 576.88 feet to a Point,
South 30°16'11" East 188.92 feet to a Point,
South 45°37'29" East 204.65 feet to a Point and
South 58°32'48" East 307.28 feet,

Following six lines offset twenty feet to the northeast from the centerline of U.S. Route 250 to a Point. Thence:

South 26°06'00" West,

crossing U.S. Route 250 at 40.10 feet to the northeastern most corner of Parcel 31 of Tax Map 02-26B and then following the boundary of said Parcel 31 for 147.87 feet, a total distance of 187.97 feet to a Point. Thence:

South 07°14'00" West 103.02 feet to a Point and
South 40°06'00" West 90.31 feet,

following two boundary lines for said Parcel 31, to a Point. Thence:

South 55°32'21" West 277.65 feet,

crossing through Parcel 31, to a Point, said Point being a common corner to Parcel 31 and Parcel 30 of Tax Map 02-26B. Thence:

South 87°16'11" West 243.90 feet,

crossing through Parcels 30 and 29 of Tax Map 02-26B, to a Point, said Point being a common corner to Parcel 29 and Parcel 27 of Tax Map 02-26B. Thence:

North 80°33'06" West 166.78 feet,

crossing through Parcels 27 and 26 of Tax Map 02-26B, to a Point in the common line between said Parcel 26 and the northern Right-of-Way for Nichols Drive. Thence:

South 13°55'00" West 200.22 feet,

crossing Nichols Drive and following the eastern boundary for Parcel 33.2 of Tax Map 02-26B, to a Point in the southern boundary of Point of View Addition. Thence:

North 79°43'56" West 531.73 feet,

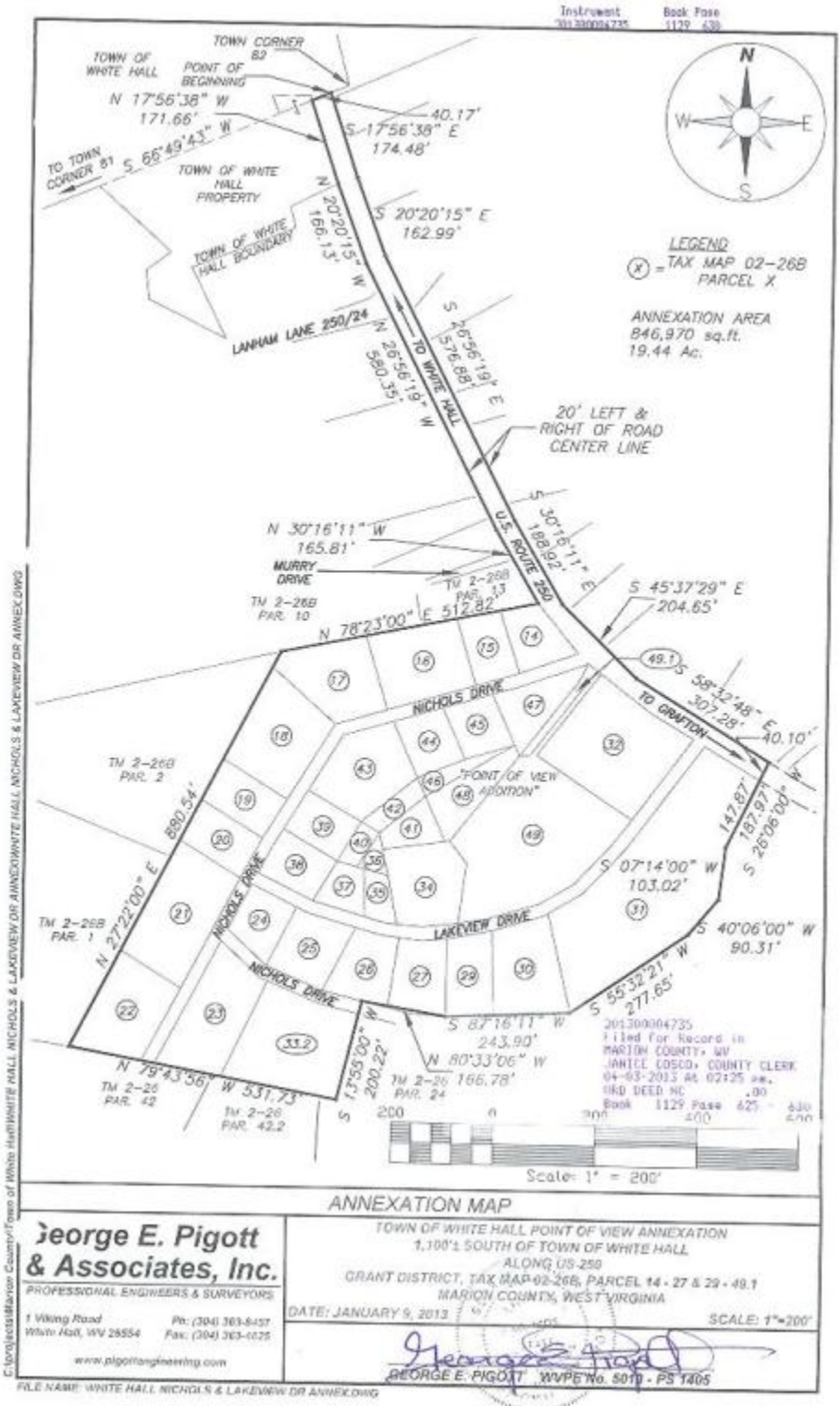
crossing through Parcels 33.2, 23 and 22 of Tax Map 02-26B, to a Point, said Point being the southwestern most corner of Point of View Addition. Thence:

North 27°22'00" East 880.54 feet to a Point and
North 78°23'00" East 512.82 feet,

following two boundaries of Point of View Addition to a Point in the southwestern Right-of-Way for U.S. Route 250. Thence

North 30°16'11" West 165.81 feet to a Point,
North 26°56'19" West 580.35 feet to a Point,

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For the record, note the Commission received an Order of Abandonment.

THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
CHARLESTON, WEST VIRGINIA

ABSTRACT FROM THE RECORDS OF THE
COMMISSIONER'S ORDERS
DATED

March 19, 2013

DISTRIBUTION

AW
DD
OM
DR
CP
DT
DISTRICT
FOUR
WV STATE
POLICE
COUNTY
COMMISSION

Pursuant to authority vested in the Commissioner by Chapter 17, Article 2A, Section 8, of the Official Code of West Virginia, 1931, as amended, the Commissioner, upon recommendation of the District Four Engineer/Manager, and concurrence of the Director of the Program Planning and Administration Division, Director of the Maintenance Division, and the State Highway Engineer, hereby ORDERS the **ABANDONMENT** of the following described section(s) of highway from the Local Service System in:

MARION COUNTY, DISTRICT FOUR

Item 1 - Marion CR 15/7 - Partial Abandonment

Beginning at a point on CR 15/7, said point being 1.66 miles north of the junction of CR 15/7 and WV 218; thence northerly 0.37 mile to an ending point, said point being the junction of CR 15/6 and CR 15/7.

Total length to be abandoned is 0.37 mile

New length of CR 15/7 is 1.66 miles

Right-of-way width is 30 feet


Item 2 - Marion CR 15/6 - Abandon In Its Entirety

Beginning at a point on CR 15/6, said point being the junction of CR 15/6 and CR 54/2; thence westerly 0.31 mile to the junction of CR 15/6 and CR 15/7; thence westerly 0.21 mile to a dead end.

Total length to be abandoned is 0.52 mile

Right-of-way width is 30 feet

Entered this 19th day of March 2013


Paul A. Mattox, Jr., P. E.
Secretary of Transportation/
Commissioner of Highways



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THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
CHARLESTON, WEST VIRGINIA

ABSTRACT FROM THE RECORDS OF THE
COMMISSIONER'S ORDERS
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STATE OF WEST VIRGINIA
WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

Given under my hand and seal of the Division of Highways, I hereby certify that the foregoing is a true abstract from the Orders of the West Virginia Commissioner of Highways, entered of record on March 19, 2013.


Division of Highways

The Commission received a request for advice and consent of the Commission from Carolyn Ledsome to hire Brandon Cleveland and Anna Sawyers, as dispatchers with starting salary of \$21,720.00 per year, with full benefits, effective April 15, 2013.



Marion County Central Communications
50 Centerview Drive
Fairmont, WV 26554

Carolyn Ledsome Director

TO: MARION COUNTY COMMISSION
FROM: CAROLYN LEDSOME, DIRECTOR
SUBJECT: EMPLOYMENT
DATE: APRIL 4, 2013

I respectfully request advice and consent to hire the following applicants as dispatchers at Marion County Central Communications.

Brandon Cleveland and Anna Sawyers.

Both applicants have passed the pre-employment testing; Criminal background checks were conducted with favorable results.

If approved I would request their starting date be April 15, 2013. Starting salary is \$21,720 per year with full benefits.

Thank you for your consideration.

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Commissioner Tennant moved that the Commission grant its advice and consent to Carolyn Ledsome to hire Brandon Cleveland and Anna Sawyers, as dispatchers with starting salary of \$21,720.00 per year, with full benefits, effective April 15, 2013. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for advice and consent to hire Belinda Biafore as a part-time grant writer and administrator with a salary of \$18.00 per hour with benefits.

*Commissioner Tennant moved that the Commission hire Belinda Biafore as a part-time grant writer and administrator with a salary of \$18.00 per hour with benefits. Commissioner VanGilder stated that ordinarily he seconds the motion but today I would like to practice a little bit of open government. Commissioner VanGilder proceeded by stating that “the greatest lesson for democracy is to learn is for the majority to give the minority a full and free opportunity to present their side of the case and then for the minority having failed to win a majority to these views gracefully to submit and to recognize as that of the entire organization and cheerfully to assist in caring it out.” He continued that “I have done this and have done it in the past in fact I have done it so well that our President thought I had changed my vote on a previous decision, in fact it was for White Hall.” Commissioner VanGilder continued that the “Commission before you set into motion to search for an experienced grant writer.” **President Elliott stated** that before you get into that; he wanted to “state a point of order for a second.” He continued that he did not think that Commissioner VanGilder would have a two to three page explanation about your vote; I think personnel matters, and President Elliott read that matters arising from the appointment/employment etc. of any employee or prospective employee requests an open meeting. President Elliott continued that we are discussing a personnel matter and it is part of what we need to go into executive session for at this time. President Elliott added that he understands and respects your opinion and if you are going to read what I think is two to three pages of why you are going to vote the way you are going to vote. President Elliott continued that if this is not improper Chuck; and I will go to council for this; I want to call for an executive session. President Elliott asked if he was proper in asking for that. **Chuck Shields replied** that yes indeed you are proper in asking for and as President of the County Commission, you are the only person who can call into executive session. He added for the record that and one of the things that you can call an executive session for is to discuss personnel issues as well as a variety of other topics you can call an executive session for personnel issues is one of those unless the potential employee asks for an open session, then you can do that. **President Elliott stated** that that is what I want to avoid any further lengthy comments about a negative vote on it; he continued that “I would prefer at this time to retire into executive session, and I am making it into a motion. Commissioner Tennant seconded the motion. Motion passed.*

***President Elliott called** the meeting back into order. **President Elliott stated** that we are in the process of taking a vote on the agenda item of a request for advice and consent to hire Belinda Biafore as a part-time grant writer and administrator with a salary of \$18.00 per hour with benefits.*

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*President Elliott stated that “Butch made the motion and Ernie was obviously talking about why he was against it.” He continued that “personnel matters should be handled in executive session and I think that we agreed with Chuck that we not going to read any more and Commissioner VanGilder has a right to cast his vote here in just a minute.” President Elliott added that he has never sat through an interview in the eight years he has been here. He added that it is the responsibility of the elected official or a department head to make that decision. He continued that the department head is Charlie Reese and I will ask Charlie one question: who do you recommend for this position. Charlie Reese replied Belinda Beafore. President Elliott stated that we will now continue the vote: **Butch moved to hire Belinda Beafore. President Elliott seconded. Commissioner VanGilder voted no without discussion. Motion carries 2 to 1.***

The Commission received a request for funds from the American Cancer Society. Jill Necessary was present and stated that the Commission had donated \$6,000.00 last year for their events; \$3,000.00 for the Fairmont Event and \$3,000.00 for the Mannington Event. She stated that they are requesting the same amount for this year’s events.

Jill Necessary
Community Manager



Dear County Commissioners,

1 in 4 members of this community will be diagnosed with cancer during their lifetime. We need your help to educate your community on potentially life saving strategies, ways to reduce mortality and health care costs, and improve workplace productivity. To support this mission we would like to offer you the opportunity to get involved with the American Cancer Society through Relay for Life.

Hundreds of people are expected to attend this year’s event to raise money and awareness in our community’s fight against cancer, which begins with a symbolic celebration of life as cancer survivors lead the Opening Lap. Teams of people from businesses, neighborhoods, churches, hospitals, and schools raise funds, set up camp, and celebrate throughout the night, while remembering those touched by cancer, and fighting back against this vicious disease. Because of the overwhelming success of Relay For Life, which includes the participation of millions of volunteers and millions of dollars being raised:

- 350 more lives are saved each day since Relay For Life was established as the American Cancer Society’s signature activity in 1993.
- There are better, faster, more humane treatments available than ever before.
- More cancer diagnoses are being avoided through our prevention and early detection efforts.

We are requesting monetary aid to further advance the Relay For Life efforts in Marion County. Sponsoring Relay For Life forms an association between your company and the American Cancer Society, the world’s largest and oldest voluntary health organization dedicated to eliminating cancer. It offers your company the opportunity to make the statement to your community and employees that you care about their quality of life.

Thank you,

Jill Necessary

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Jill Necessary stated that Susan Kniceley is the Marion County Chairwoman for the Relay for Life Events.

Commissioner Tennant moved that the Commission grant \$6,000.00 to the American Cancer Society for their Relay for Life Events and that those funds be appropriated from the Coal Severance Fund. Commissioner VanGilder seconded. President Elliott concurred.

*The Commission received a request for funds from YWCA. Cecily Enos and Frances Estep came before the commission to request funds for the continuing their repair of their buildings roof. She added that this is taking more funds than they had expected. They have received a \$9,000.00 grant from the State of West Virginia that she does not believe will cover the cost of the supplies that will be needed. They asked for any assistance that they could receive from the Commission. **President Elliott asked** them to put in writing to the County Administrator Kris Cinalli; that the Commission will review this request and be able to assist financially in the immediate future.*

**eliminating racism
empowering women
ywca**

Marion County Commission
200 Jackson Street, Room 403
Fairmont, WV 26554

YWCA Marion County
2019 Pleasant Valley Road
Fairmont, WV 26554

March 2013

Dear County Commissioners,

The YWCA of Marion County has been in existence for over 80 years, dedicated to advancing the physical, social and intellectual interest of women, young girls and their families. The YWCA is a non-profit agency administering programs, services and activities within the Marion County area. I feel sure that some member of your family has been involved with the YWCA as a Y-Teen, a member or a participant in our programs.

Our facility has several classrooms and they are in constant use for seminars, teen meetings, after school enrichment programs and much, much more.

The Commission has been so kind as to grant the YWCA some money in the past to use for our facility in Pleasant Valley. As you know we have received an award from the Governor's Community Participation Grant Program for \$9,000 which although helpful, it unfortunately, will not cover all the costs needed to replace the roof. We are finding that to replace the roof is going to cost a great deal more than we had anticipated. Currently we have a tarp on the roof to keep it from leaking. We are asking for your help in the amount of \$15,000 additional monies. This amount will assure us that we can replace the roof and underlayment, repair the dry wall in the classroom, replace the light fixtures and insulation that was destroyed, and have additional electrical work done to complete the repairs.

We are finding that more and more repairs are needed on air conditioners, kitchen appliances and just over-all repairs to upgrade the facility and bring us into the 21st century. I believe at least a couple of the commissioners have been in our facility and seen firsthand that repairs are needed to move us forward to continue offering quality programs to Marion County. The community consistently uses our facility for many, many functions such as United Way and the Chamber of Commerce.

Please, we ask for your help in addressing this very dangerous situation. I am available to speak with you about this matter and would certainly appreciate a visit to the YWCA.

Respectfully,

Cecily M. Enos, Executive Director

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*Andrew Noshagya came before the Commission to thank them for reopening of the front door to the Courthouse. **President Elliott thanked** him and informed him as to why the Commission was able to re-open the front doors.*

***President Elliott recessed** the regular session of the County Commission at this time and in five minutes will call back into order an Estate Hearing in the Matter of Fannie L. Robinson.*

Estate Hearing in the Matter of Fannie L. Robinson

***President Elliott called** the Estate Haring to order. He then turned over the meeting to the Fiduciary Supervisor David Glance, who began by stating that the deceased original will has not been located; therefore it will be the Commission's role in this matter is to determine if we can proceed with the recording of a copy of the said will which was prepared by the Law Office of Rose, Padden and Petty. Mr. Glance stated that the will does satisfy all of the procedural issues. Mr. Glance also added for the record that it has been published in the Times West Virginian and there today is no one present to speak against this motion and we have not received any written or phone calls against this matter. Mr. Jeffrey Taylor an attorney from the Law Office of Rose, Padden and Petty was with his client Mr. Don Downs the nephew of the deceased. President Elliott swore in Don Downs. Mr. Taylor questioned Mr. Downs and everyone was satisfied with the responses.*

***President Elliott moved** to accept the copy of the will of Fannie L. Robinson that was presented today to the Commission. Commissioner Tennant seconded. Commissioner VanGilder concurred.*

***David Glance stated** that he would prepare an Order for the Commission based on the findings today.*

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, April 17th, 2013 at 10:00 a.m. for the next scheduled County Commission Meeting.

Randy Elliott, President