The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, April 24th, 2013. Present were Commissioner Tennant, Commissioner VanGilder and President Elliott.

The proceedings of Wednesday, April 24th, 2013, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on April 25th, 26th, 29th and 30th, 2013 were approved as submitted and signed.

D. D. Meighen led the Court with a prayer. Chuck Shields the County Attorney 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 24th, 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 May 1, 2013
Nos. #2013-321 through #2013-338

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Tennant moved that the President sign Nos. #2013-321 through #2013-338. Commissioner VanGilder seconded. President Elliott concurred.

For the record, note the Commission presented the Proclamation declaring May 1, 2013 in honor of Glen Satterfield.
The Commission received an Order filing Petition and Setting Hearing Date in the Estate of Harold Thomas Mays, II, deceased. County Administrator Kris Cinalli stated that an Estate Hearing date of Wednesday, May 29th, 2013 at 10:30 a.m. will be set for this Matter.
Commissioner Tennant moved that the Commission and Clerk sign the Order. Commissioner VanGilder seconded. President Elliott concurred.
The Commission received an internal budget revision requests from Chris McIntire to the General Fund. County Administrator Kris Cinalli stated that there are two internal budget revisions necessary to move funds around cover these expenses. Chris McIntire added for the record part of those funds goes to the forklift for the disaster center and the other portion Homeland Security Funding for a new radio purchase to continue with our upgrades. President Elliott added that it is a nice facility. He also informed Chris that in Mannington they are building a new Moose Building and they are willing to allow it to be used as an emergency disaster center. Chris stated that he would get in contact with them to make it happen.

<table>
<thead>
<tr>
<th>Dept #</th>
<th>Fund: 601-711</th>
</tr>
</thead>
</table>

1. Chris McIntire, am requesting the following internal budget revision be made to the General Fund budget for the current fiscal year:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Description</th>
<th>Amount</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-711-214</td>
<td>Travel</td>
<td>400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>001-711-345</td>
<td>Uniforms</td>
<td>400</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Reason for requested amendment:
Cover cost of uniforms.

4-26-2013
DATE OF REQUEST

SIGNATURE OF REQUESTING OFFICIAL/DEPT HEAD
Commissioner Tennant moved that the Commission sign the internal budget revisions. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request from Jim Priester, the Assessor, to speak regarding software. Jim stated that he since he has been Assessor has upgraded his office so that the county residents can be waited on at the counter with a computer system with applications that will make it more efficient to process their information. Jim Priester added we have a company in Marion County, Global Science and Technology, GST that has created a software application that would handle the Assessor’s supplemental system and also the Sheriff’s Tax office system. Jim continued that the company that is handling it at this time is SoftWare Systems out of Morgantown. Jim looked into the cost of each system and the service after sale of each system, which is critical. He decided to have a presentation with GST of their system and we asked the Chief Tax Deputy to come and review the system and he refused to do that. Jim concern was when you review the cost figures it indicates that there is a difference in those figures between the two companies. Jim also added that when you call SoftWare Systems they charge a service fee per call; whereas, GST does not. Jim added that when you look at the costs, it favors GST. Jim added that with this he is just trying to be accountable to the county’s Taxpayers for his costs. Mr. Priester added that Preston and Brooke Counties use GST and have used SoftWare in the past.
President Elliott added that the Commissioners would do what they could to be a conduit for this between you and the Chief Tax Deputy to see what can be done.

The Commission received a request from Historic Woodlawn Cemetery for assistance in establishing a fund for local match to be used for grant applications. County Administrator Kris Cinalli stated that they are asking for $1,000.00 to establish an endowment account for them.

April 5, 2013

Kris Cinalli, County Administrator
Marion County Commission
Courthouse
Harpers Ferry, WV 25425

Dear Mr. Cinalli:

At last Wednesday's meeting of the Commissioners, we were directed to prepare a letter to you regarding our request for the County Commission to assist us in establishing a fund for local match to be used for grant applications. As Dr. Raymond Alvarez explained, students from West Virginia University's Public Administration Program helped prepare several grant applications on behalf of Historic Woodlawn Cemetery for several projects including restoration of the Caretaker's residence.

At this time, Woodlawn Cemetery, a 501(c)(3) organization, is in the process of becoming a member of "Your Communities Foundation (YCF)," a charitable, non-profit foundation that administers more than 100 endowment funds across the north-central counties of the state. YCF is in the process of establishing a permanent endowed fund for the preservation of Woodlawn's historic district. This foundation will be the conduit for our grants for and allocations toward projects. At this time, our primary project is renovation of the caretaker's residence into a community-focused facility. We are calling "The Heritage Center at Woodlawn." This building is a contributing structure to the historic district but is in disrepair. Grants are being submitted to local foundations for approximately $120,000 to be used for structural repair of the roof, window replacement, and installation of a new heating and cooling system. Once this is in place, renovations will begin on the interior where we envision the creation of community classrooms/meeting rooms, an office to be used for research, restrooms, visitor's center, etc. Eventually, the second and third floors would be renovated as well.

We are asking the County Commission to provide us with $1000 seed money to help establish the endowed account through YCF and use this as our conduit for donations for this project. The foundation will administer funds in accordance with specific directives. In other words, the funds can only be used for the purposes intended such as restoration, repair, and maintenance. For the purposes of this project, we are limiting use of funds to what we consider the historic district: sections 1 and 2 of the graveyard area and the Caretaker's Building. Thus, for charitable giving purposes, donations would be used for this effort only. Using the YCF will also assure that donations for this purpose will be separate and distinct from Woodlawn's general operating fund. This provides us with a compliant way to approach funding sources as well as individual donors to assure that their money is used as intended.
The historical significance of Woodlawn includes the hundreds of important persons who are buried there. They include over 110 Civil War veterans, as well as state governors, state officials, industrialists, businessmen and educators who all played a significant role in the early 20th century as West Virginia was evolving into an independent state.

Currently, we have launched several initiatives to help in our endeavor to build an endowment fund and the support of the County Commission will be a significant first step. The vision for Woodlawn is to develop this as a historical site of interest. Having a visitor’s center/heritage center will facilitate genealogists and historians visiting Fairmont and Marion County.

For this request, we are asking that the Commission consider making a donation. We would request the check to be made payable to Your Community Foundation.

If you need additional information, please do not hesitate to call me.

Sincerely,

Gina Wagaman, Genealogist/Curator

**Commissioner Tennant moved** that the Commission grant $1,000.00 to start an endowment account and challenge the City of Fairmont do match the same and that those funds be appropriated from the Coal Severance Fund. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a **request for financial support for trip to National Skills USA competition in Kansas City, from Marion County Technical Center.**
Commissioner Tennant moved that the Commission grant $500.00 to support a trip to National Skills USA competition in Kansas City, from Marion County Technical Center and that those funds be appropriated from the Coal Severance Fund. Commissioner VanGilder added for the record that Mr. Timothy Gump is the electrical instructor at the North Marion Technical Center; he has assisted his students in achieving gold, silver and bronze medals in residential wiring and industrial motor controls. His students place in the top ten numerous times and these students represent not only West Virginia but Marion County; therefore, Commissioner VanGilder seconded. President Elliott concurred.

For the record, note the Commission received from Consolidation Coal Company, Incidental Boundary Revision #73 for Permit #U-0078-83 for Public Review.

For the record, note the Commission received from Valley Falls Public Service District Reconciliation Summary for period ending 03-31-2013.
President Elliott recessed the regular meeting for five minutes to clear the courtroom for an Estate Hearing in the Matter of Zena H. Bennett, a deceased person.

Estate Hearing in the Matter of Zena H. Bennett

President Elliott called the Estate Hearing to order and turn it over to the Fiduciary Supervisor David Glance.

David Glance began by stating that this Hearing is to remove the Administrator of the Zena H. Bennett Estate, Sharon Hayes. David Glance continued that on Tuesday, April 30, 2013 his office received a fax from Sharon Hayes asking for a continuance to this Hearing. He added that at that point it is too late; and we told her that we could continue the Hearing. David added that within her fax she asks that she be removed as Administratrix of the Estate. David then added that April Bennett a cousin is willing to be appointed Administratrix of the Estate. David Glance stated that he believed that with the information presented that Sharon Hayes should be removed as Administratrix of the Estate and April Bennett be appointed as such.

Commissioner Tennant moved that based upon the recommendation of Fiduciary Supervisor David Glance that the Commission removed Sharon Hayes as the Administratrix of Zena H. Bennett Estate and that April Bennett be appointed as Administratrix of the Estate. Commissioner VanGilder seconded. President Elliott concurred.

Mr. David Glance stated for the record that he will prepare an order of what occurred today and notify Sharon Hayes of the outcome of today’s Hearing.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, May 8th, 2013 at 10:00 a.m. for the next scheduled County Commission Meeting.