

MARION COUNTY COMMISSION
MAY 29, 2014

The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, May 21st, 2014. Present were Commissioner Elliott, Commissioner VanGilder and President Tennant.

The proceedings of Wednesday, May 21st, 2014, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on May 22nd, 23rd and 27th, 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. **Commissioner Elliott moved** to dispense with the reading of the minutes of Wednesday, May 21st, 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 May 28, 2014
Nos. #2014-398 through #2014-409

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Elliott moved that the President sign Nos. #2014-398 through #2014-409. Commissioner VanGilder seconded. President Tennant concurred.

*The Commission received the **Order Confirming and Ratifying Fiduciary Supervisor's Report of Claims and Settlement Reports; Order # 350.***

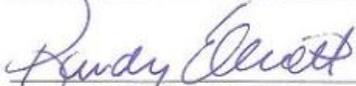
At a Regular Session of the County Commission of Marion County, West Virginia, continued and held for this County at their offices in the J. Harper Meredith Building on the 28th, day of May, 2014.

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.

MARION COUNTY COMMISSION
MAY 29, 2014

<u>Estate of</u>	<u>Representative</u>
POLINO, VICTOR CARMEN (ward)	Kathleen Polino, Committee
GROGG, BERNARD L. (2 ND & Final)	Linda A. Grogg, Executrix DBN
MODI, ALLEN C.	James D. Poundstone, Executor
WILSON, MARK ALLEN	Alvin Ray Leary, Administrator
BENNETT, ZENA H.	April Bennett, Administratrix DBN
GOODWIN, WILMA R. (2 nd & Final)	Ronald W. Goodwin, Executor
JOHNSON, HELEN I.	Donna Burdick, Administratrix CTA
REED, MARY ELIZABETH ICE	J. Scott Tharp, Executor
HARKI, DOROTHY EMMA	David Andrew Harki, Executor
MARTIN, EVELYN S.	William V. Martin, Executor
SHATZER, BETTY J.	Candace Chidester Turner, Executrix
ROGERS, TERESA M.	Pete A. Fuscaldo, Executor
LEE, WOODROW	Woodrow Lee, Jr., Executor
YANERO, KEVIN LYNN	Larry R. Yanero, Administrator
GARRETT, RICHARD	Rosalie E. Garrett, Executrix
SUMMERS, CONNIE MICHELLE	David L. Summers, Administrator
WATTS, MARY L.	Brenda K. Bennett, Executrix
PRICE, JOHN ROSS	Patricia Yvonne Price, Executrix
KURCZAK, FRANCES M.	Patricia A. Karl, Executrix
FLOYD, ELMER N., SR.	John R. Funkhouser, Administrator
FLOYD, HAZEL J.	John R. Funkhouser, Administrator
MURRAY, WILLIAM PATRICK JR.	William P. Murray, III, Executor
KUHN, CONNIE D.	Michael Joseph Kuhn, Executor
PETHTEL, CHARLES JOSEPH	Beverly J. Pethtel, Administratrix
GOLDEN, HARRY T.	Jeffrey R. Golden, Executor
TENNANT, VIRGINIA B.	Paul I. Tennant, Executor
HAUSE, WILLIAM JAMES II	Donna J. Hause, Administratrix

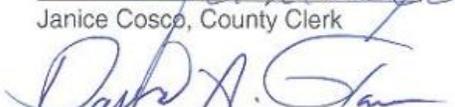
ENTER: May 28, 2014


Randy Elliott, President


Burley "Butch" Tennant, Commissioner


Ernie VanGilder, Commissioner

ATTEST:

Janice Cosco, County 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 # 350. Commissioner VanGilder seconded. President Tennant concurred.

**MARION COUNTY COMMISSION
MAY 29, 2014**

The Commission received the Resolution to Accept Conditions of the Contract for West Virginia Community Participation Program Funds and to Authorize Signature on Behalf of the YWCA. Kris Cinalli the County Administrator stated that this contract is in the amount of \$10,000.00 for roof repairs for their YWCA Building.

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

**TO ACCEPT CONDITIONS OF THE CONTRACT FOR WEST VIRGINIA
COMMUNITY PARTICIPATION PROGRAM FUNDS AND TO AUTHORIZE
SIGNATURE**

WHEREAS, Ten thousand dollars (\$10,000.00) in Community Participation Program Funding was requested by the Marion County Commission, on behalf of the YWCA,

WHEREAS, an application for these funds was received and approved by the West Virginia Development Office; and,

WHEREAS, the Community Participation Program requires that a local government unit sponsor said application,

NOW, THEREFORE, BE IT RESOLVED BY THE MARION COUNTY COMMISSION OF WEST VIRGINIA that the Commission President be authorized to accept ten thousand dollars (\$10,000.00) in Community Participation Program funds for the Marion County Commission on behalf of the YWCA and that he be empowered to sign the contract necessary to obtain these funds.

DATE: May 28th, 2014

Burley "Butch" Tennant, President

Randy J. Elliott, Commissioner

Ernie VanGilder, Commissioner

ATTEST:

Janice Cosco, County Clerk

Commissioner Elliott moved that the Commission sign the Resolution and the President sign the contract. Commissioner VanGilder seconded. President Tennant concurred.

MARION COUNTY COMMISSION
MAY 29, 2014

The Commission received the Resolution to Accept Conditions of the Contract for West Virginia Community Participation Program Funds and to Authorize Signature on Behalf of the Fairmont Community Development Partnership. Kris Cinalli the County Administrator stated that this contract is in the amount of \$25,000.00 for a building incubator program; these funds were appropriated through our County Delegates and the site will be located on Fairmont Avenue.

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

TO APPLY FOR WEST VIRGINIA
COMMUNITY PARTICIPATION PROGRAM FUNDS

WHEREAS, Twenty-five thousand dollars, (\$25,000.00) in Community Participation Program Funding is requested by the Marion County Commission on behalf of the Fairmont Community Development Partnership,

WHEREAS, an application for these funds must be made to the West Virginia Development Office; and,

WHEREAS, the Community Participation Program requires that a local government unit sponsor said application.

NOW, THEREFORE, BE IT RESOLVED BY THE MARION COUNTY COMMISSION OF WEST VIRGINIA that the Commission President be authorized to make application for twenty-five thousand dollars, (\$25,000.00) in Community Participation Program funds for the Marion County Commission on behalf of the Fairmont Community Development Partnership and that he be empowered to sign the application and any agreement necessary to obtain these funds.

DATE: May 28th, 2014


Butch "Butch" Tennant, President

Randy J. Elliott, Commissioner

Ernie VanGilder, Commissioner

ATTEST:

Janice Cosco, County Clerk

Commissioner Elliott moved that the Commission sign the application and the Commission President sign the grant. **Commissioner VanGilder seconded.** **President Tennant concurred.**

Commissioner VanGilder asked Kris Cinalli to define business incubator. **Kris replied** that it is too basically to supply local startup business in the area to have a location and equipment that can be utilized by the various businesses in that building and it will be low rent as well.

MARION COUNTY COMMISSION
MAY 29, 2014

The Commission received the Community Development Block Grant-Small Cities Block Grant Program Request for Payment for Greater Marion PSD Gravity Sewer Project ARC. County administrator Kris Cinalli stated that this is basically a pass through for the Commission. The Commission is not responsible for funds other than a pass through. He continued that Contract #1 is 98% complete; Contract #2 is at 89% complete and Contract #3 is at 98% complete.

Community Development Block Grant -Small Cities Block Grant Program
REQUEST FOR PAYMENT

TO: West Virginia Development Office
Building 6, Room 553
1900 Kanawha Boulevard, East
Charleston, WV 25305-0311
304-558-2234 304-558-3248

FROM: Marion County Commission
200 Jackson Street
Fairmont, WV 26554

PROJECT #: **ARC** PROJECT NAME: **Greater Marion PSD Gravity Sewer Project**

DOCUMENT #: **8**

PERIOD COVERED BY THIS DOCUMENT: **3/1/2014** TO **3/28/2014**

AMOUNT OF SMALL CITIES FUNDS ON HAND AT THE TIME OF THIS REQUEST: \$ -

COST CATEGORIES	APPROVED BUDGET AMOUNT	AMOUNT REQUESTED TO DATE	AMOUNT REQUESTED THIS DRAW	TOTAL AMOUNT REQUESTED	AMOUNT DISBURSED TO DATE	BALANCE
Construction						
Contract #2 (Bear)	\$ 1,250,000.00	\$ 796,637.53	\$ 47,489.00	\$ 844,126.53	\$ 796,637.53	\$ 405,873.47
				\$ -		\$ -
SUB-TOTAL:	\$ 1,250,000.00	\$ 796,637.53	\$ 47,489.00	\$ 844,126.53	\$ 521,432.11	\$ 405,873.47
Less Income						
TOTAL:	\$ 1,250,000.00	\$ 796,637.53	\$ 47,489.00	\$ 844,126.53	\$ 521,432.11	\$ 405,873.47

PROGRESS REPORT: REQUEST FOR PAYMENT WILL NOT BE PROCESSED WITHOUT PROGRESS REPORT.

Contract #1 is 98% complete; Contract #2 is 89% complete; Contract #3 is 98% complete. Contract #1 has 6 buffer tank conversions and one lateral left to complete. Contract #2 has 8 lateral connections and asphalt paving to complete. Contract #3 has fencing, final site grading and stone to complete.

I certify costs claimed by this report are correct and just and based upon actual requirements; that work and services are in accordance with the approved project agreement; and that work and services are satisfactory and consistent with the amount claimed. Supporting documents are attached to verify costs claimed and are available locally for audit and inspection. City, county, or other direct recipients of funds are not involved in any court litigation or lawsuit involving any applicable laws contained in the grant contract

Sign below:

 _____ Date **5-28-14**

Marion County Commission President

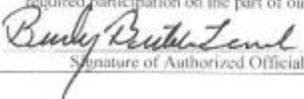
Commissioner Elliott moved that the Commission sign the request for payment. Commissioner VanGilder seconded. President Tennant concurred.

MARION COUNTY COMMISSION
MAY 29, 2014

The Commission received the Drunk Driving Prevention Grant Application. County Administrator Kris Cinalli stated that this grant is for \$15,000.00 for the time period of July, 2014 through September, 2014.

02CDDP #1
REVISED 5/00

INSTRUCTIONS ON BACK

Commission on Drunk Driving Prevention Grant Application		FEIN: 55-6000-346
1. Applicant Agency (Name, Address & Phone #): Marion County Commission 200 Jackson Street, Room 403 Fairmont, WV 26554 (304) 367-5400		2. Authorized Official (Name, Address & Phone #): Burye "Butch" Tennant, President 200 Jackson Street, Room 403 Fairmont, WV 26554 (304) 367-5400
3. Project Director (Name, Address & Phone #): Chief Deputy Ralph Wright 316 Monroe Street Fairmont, WV 26554 (304) 367-5300		4. Financial Officer (Name, Address & Phone #): Admin. Asst. Debbie Connelly 316 Monroe Street Fairmont, WV 26554 (304) 367-5468
5. Funding Requested: \$ <u>15,000.00</u> (Note: Must match "Grant Total")		6. Grant Period Requested (mo day yr): From: <u>07/01/2014</u> To: <u>09/28/2014</u>
7. Grant Purpose and Need: To implement a DUI program as a selective traffic enforcement concept to deal with the ever growing problem of impaired driving. Deputies will work the patrols to actively detect and apprehend impaired drivers.		
8. Use of Grant Funds:		
A. Personal Services (Salaries)		
Position/Title	Rate Per Pay Period X	# of Pay Periods X
1.		%
2. Marion County Sheriff's 3. Department	\$25.00	600 hours
4.		100%
Total this Sub-section		\$15,000.00
B. Employee Benefits (Does not apply to overtime grants)		
Type	Calculation	Amount
1. Retirement		
2. Social Security		
3. Workers Compensation		
4. Health & Life Insurance		
5. Unemployment Compensation		
Total this Sub-section		\$
C. Equipment		
Item	Description	Quantity
1.		Unit Price
2.		Amount
3.		
4.		
Total this Sub-Section		\$
D. Other		
1.	Description	Calculation
2.		Amount
3.		
4.		
Total this Sub-Section		\$
E. Grand Total (Sums of Lines A5, B6, C5 & D5 are to be entered here in block):		
		\$ 15,000.00
9. Certification and Signature of Authorized Official:		
I hereby certify that the information presented in this grant application is true and correct to the best of my knowledge and belief. I further certify that the appropriate governing body has approved this application and has authorized me to execute and submit the application on its behalf. ALL required participation on the part of our law enforcement officers, adjudication through administrative hearings will be adhered to.		
	Commission President	Date
Signature of Authorized Official	Title	Date
CDDP USE ONLY		
Action Taken: _____		
Grant No. Assigned: _____		

Commissioner Elliott moved that the Commission President sign the document. Commissioner VanGilder seconded. President Tennant concurred.

**MARION COUNTY COMMISSION
MAY 29, 2014**

For the record, note the Commission received the West Virginia Commission on Drunk Driving Prevention Expenditure Report and Reimbursement Request from 2-22-14 to 5-25-14.

WEST VIRGINIA COMMISSION ON DRUNK DRIVING PREVENTION
EXPENDITURE REPORT
AND
REIMBURSEMENT REQUEST

1. GRANTEE NAME AND ADDRESS MARION COUNTY COMMISSION 200 JACKSON STREET ROOM 403 FAIRMONT, WV 26554	2. GRANT NUMBER 14-37	3. DATE PREPARED 05/20/2014	4. REPORT NUMBER 15
5. PREPARED BY DEBBIE CONNELLY MCSD ADMIN. ASST.	6. PERIOD COVERED From: 02/22/14 To: 05/25/14	7. TYPE OF REPORT () Quarterly <input checked="" type="checkbox"/> Final	

I. EXPENDITURE REPORT

8. BUDGET CATEGORY	9. BUDGET	10. PERIOD CASH EXPENDITURES	11. BALANCE	12. UNPAID OBLIGATIONS
Personal Services	\$15,000.00	\$15,011.68		0
Employee Benefits				
Equipment				
Other				
Total	\$15,000.00	\$15,011.68		0

II. REIMBURSEMENT REQUEST

I hereby request reimbursement for the period cash expenditures shown under column 10, line BE above. With respect to expenditures shown under "EQUIPMENT" and "OTHER" categories, copies of paid invoices are attached for documentation purposes. With respect to expenditures shown under the "PERSONAL SERVICES" and "EMPLOYEE BENEFITS" categories, I certify that documentation is on file to report these expenditures. I further certify (1) that all expenditures were obligated within the grant period and they have not been included in a prior reimbursement request, (2) that all equipment and/or materials have been received and conform to approved specifications, and (3) the purchasing procedures prescribed by CDDP have been followed (documentation on file).

MARION COUNTY COMMISSION
BURLEY "BUTCH" TENNANT, PRESIDENT Budh Butcher Tennant
Type Name & Title Signature Date

CDDP USE ONLY

TOTAL BUDGET	\$ _____	THIS REQUEST IS APPROVED IN THE AMOUNT OF:
PRIOR REIMBURSEMENT	\$ _____	\$ _____
THIS REIMBURSEMENT	\$ _____	
TOTAL REIMBURSEMENT	\$ _____	
BALANCE	\$ _____	
DATE PROCESSED	_____	I CERTIFY THIS REIMBURSEMENT REQUEST IS CORRECT AND PROPER FOR PAYMENT:
COVERSHEET NUMBER	_____	
FEIN	_____	
OFFICE CODE	_____	
ACCOUNT NUMBER	_____	
VOUCHER NUMBER	_____	
	SIGNATURE	DATE
	() PARTIAL	() COMPLETE

For the record, note the Commission received from Murray Energy Corporation their MR-20, the Central Ownership and Control File for public review in the County Clerk's office.

**MARION COUNTY COMMISSION
MAY 29, 2014**

For the record, note the Commission received the notification from Suddenlink of channel changes to be effective June 17, 2014.



May 20, 2014

Butch Tennant, Commission President
County of Marion
200 Jackson St, Rm 403
Fairmont WV, 26554



Dear Commission President:

The following channel changes in your area will be effective June 17, 2014:

- NBC Sports Network SD channel 504(Digital Sports & Information Tier) will be relocated to Channel 45 (Expanded Basic).
- NBC Sports Network HD Channel 554 (HD Digital Sports & Information Tier) will be relocated to Channel 245 (HD Basic).

Respectfully,

A handwritten signature in black ink that reads "Michael Kelemen".

Michael Kelemen
Director of Government Relations

P.O. Box 1220 • 4038 Teays Valley Road • Scott Depot, WV 25560 • Phone 304.757.8001 • Fax 304.757.5807 • suddenlink.com

Robert Smith a member of the Honor Guard wanted to thank the Commission for its donation. He also wanted to bring to the Commissions attention the Sanford Road issues in that it has not been paved in over 2 decades. He is asking the Commission to contact the DOH and asked them to pave the road which is approximately .5 miles.

President Tennant stated that the Commission would contact the DOH and see what they could do in order to help the local residents.

Columbus Carpenter representing the Korean War Veterans Memorial is in need of some financial assistance in order to complete their Memorial. He stated that they need about \$135,000.00.

MARION COUNTY COMMISSION
MAY 29, 2014

President Tennant stated that the Commission has assisted their group in the past and was informed that they only needed about \$62,000.00. He continued that they would look into the matter further and see what the Commission can do to assist them.

President Tennant and Commissioner Elliott mentioned the joint effort in this matter and along with the new 125 foot Flag Pole that has been constructed. It will be a tremendous site once it has been raised.

President Tennant stated that the Three Rivers Festival was very successful and that the comments that were received were very positive. President Tennant also added that he wanted to thank GMS Contractors and Thrasher Engineering for all their good work and effort. President Tennant also added that he wanted to thank the other Commissioners for their support on this project as well.

Commissioner VanGilder asked Commissioner Elliott about the Fishing Tournament that was held in Fairmont over the weekend as well. Commissioner Elliott stated that it was very successful and next year it will be held at Palatine Park, The BASS Masters Classic.

Charlie Reese stated that over 10,000 people attended the Three Rivers Festival and that next year there will be a Regional BASS Masters Fishing Tournament. He added that within the next 3 to 4 weeks the park will be turned over to the Commission. He also informed Mr. Carpenter that some funds could be available to the Korean War Veterans through the Community Development Department and Charlie informed them that he would assist them in that matter. Charlie added that Thrasher Engineering rendered a first draft of the parking lot and ramps into the River. He added that it should begin in the fall of this year.

Belinda Biafore stated that Marion County will receive a \$15,000.00 grant to be utilized for fencing and hand rail around the Splash Park. Belinda continued that she has put in a request into the Governor's Office through the Community Participation Grant an application for an additional \$50,000.00 that she is confident that the County will receive.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, June 4th, 2014 at 10:00 a.m. for the next scheduled County Commission Meeting.

Burley "Butch" Tennant, President