

**MARION COUNTY COMMISSION
COUNTY COURT
JUNE 12, 2013**

The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, June 5th, 2013. Present were Commissioner Tennant, Commissioner VanGilder and President Elliott.

The proceedings of Wednesday, June 5th, 2013, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on June 6th, 7th, 10th and 11th, 2013 were approved as submitted and signed.

*D. D. Meighen led the Court with a prayer. Thomas F. Antulov, deputy county clerk 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, June 5th, 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 June 12, 2013
Nos. #2013-565 through #2013-634***

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Tennant moved that the President sign Nos. #2013-565 through #2013-634. 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 June 12, 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 June 3, 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>
FLORI, ALBERT, JR. (ward, annual)	Harold E. Perkins, Committee
SHEETS, RONALD LEE (2 nd & Final)	Cynthia A. Sheets, Administratrix DBN
HESS, JOYCE ANN (supplemental)	Laura Benzo, Executrix
STARKEY, PANSY MAE	Rosemary Snodgrass, Executrix
COOK, PATRICIA L.	Dennis J. Cook (now deceased) and Darla Gribble, Co-Executors
SCHAFFER, FRANK	John W. Schaffer, Administrator CTA DBN
LINTON, BERNICE M.	Sharon J. Seifrit, Executrix
SANTEE, NOLA G.	Sapp, Mary K., Executrix
ASH, ROBERT MARQUIS	Terry J. Ash, Administratrix
GRIMES, JAMES ALTON	Delores A. Morris, Administratrix
DeROSA, AGNES M.	Agnes Diana Haught, Executrix
DEIRIGGI, HELEN L.	Pamela M. Deiriggi, Executrix
KNICELEY, WILLIAM REED	Kristopher N. Kniceley, Administrator
SPONAUGLE, BERTHA L.	Roger L. Sponaugle, Executor
SHAW, CAROLYN E.	Barbara E. Smith, Executrix
ICE, MONTY	Melissa Sue Ice, Executrix
TALKINGTON, MARK J.	Janet Louise Garner, Executrix
DONNE, ELMER GEORGE	Karen Lynn Richman, Executrix
GOWER, JAMES R.	James Larry Gower, Executor
TOOTHMAN, JOSEPHINE MARIE	Jewel A. Wilson, Ancillary Admrx.
MAUNZ, MARY THERESA	Twila Smith, Executrix
EDDY, BUEL REX	Sue C. Eddy, Administratrix
McDONALD, PAMALA S.	Leticia M. Cavicchio, Executrix
VALENTINE, WANETA H.	James Nobel Valentine and Nancy Ellen Valentine Cutright, Co-Executors
DUNNINGTON, ROBERT JOSEPH	Mary Faith Dunnington, Executrix
MORRIS, WALTER KEITH	Karen S. Morris, Executrix
MICONI, MARY CATHERINE	Louie R. Miconi, Administrator
RHOADES, DAREL ADRAN	Helen D. Rhoades, Administratrix
HARSH, DORIS L.	John R. Harsh, Sr.
THORNE, RACHEL G.	Cathy L. Trach and Donna T. Hartwig, Co-Executrices

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Estate of

STEVENS, TERESA DARLENE
MODI, LEO F.
BASS, JOHN E.
BUSH, DORIS L.
VINCENT, THOMAS LEE

Representative

Earl P. Stevens, II, Executor
Thomas A. Modi, Executor
Rosalee E. Bass, Executrix
J. Scott Tharp, Executor
Mitchell A. Vincent, Administrator

ENTER: June 12, 2013


Randy Elliott, President


Burley "Butch" Tennant, Commissioner


Ernie VanGilder, Commissioner

ATTEST:


Janice Cosco, County Clerk


THOMAS F. CABALU
DEPUTY


David A. Glance, Fiduciary Supervisor

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

The Commission received an Order of Probate of Wills from the County Clerk's Office for the month of May, 2013. Charlie Reese stated that this Order is a list of Estates in which have been admitted to Probate in the County Clerk's Office, in vacation of the Commission, from May 1, 2013 through May 31, 2013 pursuant to West Virginia Code §41-5-10, as amended.

MARION COUNTY COMMISSION
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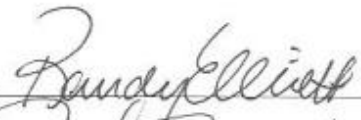
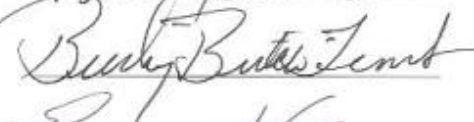
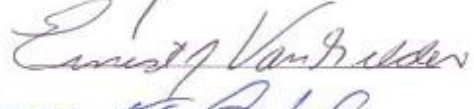



BEFORE THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA
IN RE: CONFIRMATION OF PROBATE OF
WILLS, BY CLERK IN VACATION

ORDER CONFIRMING PROBATE OF WILLS

On this day came Janice Cosco, Clerk of the Commission, and presented a list of Estates in which wills have been admitted to Probate by her office, in vacation, from May 1, 2013, to May 31, 2013, pursuant to W. Va. Code 41-5-10, as amended.

The Commission, having received no objections to the actions of the Clerk, and perceiving no objections thereto, does ratify and confirm the probate of wills in all the Estates attached hereto. The list attached hereto is made a part of this Order by this expressed reference thereto, as if all such Estates are fully set forth herein.

Dated this 12th day of June, 2013.






JANICE COSCO, CLERK

DAVID A. GLANCE,
FIDUCIARY SUPERVISOR

MARION COUNTY COMMISSION
JUNE 12, 2013
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WILLS PROBATED FROM May 1, 2013, to May 31, 2013

<u>Estate</u>	<u>Representative</u>
Batiste, Mazel K.	David A. Batiste, Executor
Belcastro, Louis J.	Ronald Belcastro, Administrator CTA
Belcastro, Mary E.	Ronald Belcastro, Administrator CTA
Corley, Lawrence B. Sr.	Sally Corley Alvarez, Executrix
Davis, Charles L.	Charles L. Davis, Jr., Executor
Floyd, Kathy Ellen	Michael L. Floyd, Executor
Freeman, Amy Little	Staci Butler, Administratrix CTA
Griffith, Gary Ray	Vicki Lee Griffith Porter, Executrix
Gwinn, Robert L. Sr.	Rebecca Shuttlesworth, Executrix
Hamilton, Mary Elizabeth	Debra Dawn Hardman Buffington, Executrix
Harris, Trevah A.	Marilyn Sue Brunett, Administratrix CTA
Jones, Mary M.	J. C. Amos, Administratrix CTA
Kines, Philip Lee	Pamela D. Bombard, Executrix DBN
Kines, Terri L.	Pamela D. Bombard, Executrix
Knight, Vivian I.	Sharon Clelland, Executrix DBN
Martin, Cora	Terry D. Metz, Executor
Martin, Mary	Mary Frances Martin, Executrix
Martino, Theresa M.	Terri M. Marino, Executrix
Michael, Eva S.	Joseph F. Blake, Administrator CTA
Mundell, Robert E.	Barbara Jean Mundell, Executrix
Nester, William B., Sr.	William B. Nestrer, Jr., Executor
Nuzum, Harold Meigs	Jude M. Nuzum, Executor

MARION COUNTY COMMISSION
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Confirmation of Wills Probated in May, 2013

<u>Estate of</u>	<u>Representative</u>
Robinette, Linda Sue	James Keith Robinette, Executor
Robinson, Fannie L.	Donald Robert Downs, Administrator CTA
Smell, David M.	Lisa Kay Blosser, Executrix
Stull, Loy Lawrence	Mary Lee Stull, Administratrix CTA
Sullivan, Johnnie L.	John L. Sullivan, Executor
Sullivan, Joseph T.	Patricia S. Sullivan, Executrix
Van Pelt, Diana J.	William E. Van Pelt, Executor
VanGilder, JoAnn	William R. VanGilder, Executor
White, Billie J.	Julia DeVincent, Executrix
Williams, Charles Lee, Sr.	William D. Williams, Executor

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Commissioner Tennant moved that the Commission sign the Probate of Wills. Commissioner VanGilder seconded. President Elliott concurred.

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 Winfield VFD. Charlie Reese stated that this Resolution for funds is in the amount of \$20,000.00.

MARION COUNTY COMMISSION
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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

RESOLUTION

TO APPLY FOR WEST VIRGINIA
COMMUNITY PARTICIPATION PROGRAM FUNDS

WHEREAS, Twenty thousand dollars, (20,000.00) in Community Participation Program Funding is requested by the Winfield VFD on behalf of the Marion County Commission,

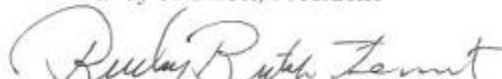
WHEREAS, an application for these funds must be made to the West Virginia Development Office; and,

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 thousand dollars, (\$20,000.00) in Community Participation Program funds for the Marion County Commission on behalf of the Winfield VFD and that he be empowered to sign the application and any agreement necessary to obtain these funds.

DATE: June 12, 2013


Randy J. Elliott, President


Burley "Butch" Tennant, Commissioner


Ernie VanGilder, Commissioner

ATTEST:


Janice Cosco, County Clerk


DEPUTY

Commissioner Tennant moved that the Commission sign the Resolution for Program Funds for Winfield VFD in the amount of \$20,000.00. Commissioner VanGilder seconded. President Elliott concurred.

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 HOPE, Inc. Charlie Reese stated that this Resolution for funds is in the amount of \$15,000.00.

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Marion County Commission

RANDY J. ELLIOTT
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RESOLUTION

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

WHEREAS, Fifteen thousand dollars (\$15,000.00) in Community
Participation Program Funding was requested by the Marion County
Commission, on behalf of Hope, Inc.,

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 fifteen thousand dollars (\$15,000.00) in Community
Participation Program funds for the Marion County Commission on
behalf of Hope, Inc. and that he be empowered to sign the contract
necessary to obtain these funds.

DATE: June 12 ,2013


Randy J. Elliott, President


Burley "Butch" Tennant, Commissioner


Ernie VanGilder, Commissioner


Janice Cosco, County Clerk


Thomas F. Carpenter
DEPUTY

Commissioner Tennant moved that the Commission sign and authorize the program funding for HOPE, INC. in the amount of \$15,000.00. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for advice and consent from Joseph Carpenter, Sheriff, to hire Daniel Allen Lawson as Deputy Sheriff, effective Wednesday, June 19, 2013, starting salary of \$32,956.82, with benefits.

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OFFICE OF THE SHERIFF



State of West Virginia
SHERIFF OF MARION COUNTY
PO Box 1348
Fairmont, West Virginia 26555-1348
(304) 367-5300 Law Enforcement Division
(304) 367-5310 Tax Office
(304) 367-5307 Record Division

Joseph N. Carpenter
Sheriff

Ralph L. Wright
Chief Deputy

To: Marion County Commission
From: Sheriff Joseph N. Carpenter
Date: June 06, 2013
Ref: Hiring of Deputy Sheriff

Dear Honorable Commissioners:

I am respectfully requesting the advice and consent to hire Daniel Allen Lawson as a Deputy Sheriff; Mr. Lawson's employment will become effective starting Wednesday, June 19, 2013. His starting salary will be \$32,956.82; plus benefits.

Mr. Lawson was one of the top candidates of the names that were submitted from the eligible list of the Marion County Deputies Civil Service test. He has successfully completed his physical agility test, background check, complete physical examinations and physiological evaluation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Carpenter", written over a horizontal line.

Sheriff Joseph N. Carpenter

Cc: File

Commissioner Tennant moved that the Commission hire Daniel Allen Lawson as Deputy Sheriff, effective Wednesday, June 19, 2013, starting salary of \$32,956.82, with benefits. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for advice and consent from Carolyn Ledsome, Director of Central Communications, to promote Dana Satterfield to Senior Dispatcher, with two step pay increase of \$1,240.00 per year, effective June 10, 2013.

MARION COUNTY COMMISSION
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Marion County Central Communications
50 Centerview Drive
Fairmont, WV 26554

Carolyn Ledsome Director

TO: MARION COUNTY COMMISSION
FROM: CAROLYN LEDSOME, DIRECTOR
SUBJECT: SATTERFIELD PROMOTION
DATE: JUNE 3, 2013

Dana Satterfield has been employed at the Center since December 8, 2008. I would like to promote Dana to Senior Dispatcher. In recent months she has been placed in this position and has displayed the ability to Supervise and handle the daily operations of the shift. Senior Dispatcher is second in command of the shift and in charge when the Supervisor is absent. With this promotion comes a two step pay increase of \$1,240.00 per year. If approved by the Commission I would request her promotion become effective June 10, 2013. Thank You for your consideration.

Commissioner Tennant moved that the Commission grant and promote Dana Satterfield to Senior Dispatcher, with two step pay increase of \$1,240.00 per year, effective June 10, 2013. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for advice and consent from Carolyn Ledsome, Director of Central Communications, to approve Shawna Snyder's request to return to full time status.

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Marion County Central Communications
50 Centerview Drive
Fairmont, WV 26554

Carolyn Ledsome Director

TO: MARION COUNTY COMMISSION
FROM: CAROLYN LEDSOME, DIRECTOR
SUBJECT: EMPLOYMENT STATUS
DATE: JUNE 5, 2013

Attached is a request from Shawna Snyder to return to full time status at the Communication Center. Shawna requested part time in February to return to school.

If approved by the Commission her full time status would be in effect June 17, 2013. Her rate of pay will remain the same.

Thank you for your consideration.

Commissioner Tennant moved that the Commission grant the request to approve Shawna Snyder's request to return to full time status. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for Internal Budget Revisions in the Coal Severance Budget, Other Buildings, Litter Control, Economic Development, and WVU Extension Office.

Marion County Commission

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



Address Correspondence to:
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(304) 367-5400
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Commissioners,

The following internal budget revision is necessary in the County Commission Coal Severance Other Buildings budget:

002-988-459-JB CS Other Build Equipment	Increase \$1,852.00
002-988-459-NB CS Other Build Storage Bldg	Increase \$21,526.00
002-988-459-PO CS Other Buildings Pros Atty	Increase \$176,780.00
002-988-459-00 Other Buildings Cap Outlay	Decrease \$200,158.00

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Commissioners,

The following internal budget revision is necessary in the Litter Control budget:

002-813-221-00 Litter Control Training & Ed.	Increase \$250.00
002-813-341-00 Litter Control Supp&Materials	Increase \$50.00
002-813-459-00 Litter Control Cap Outlay	Increase \$375.00
002-813-217-00 Litter Control M&R Auto	Decrease \$675.00

Marion County Commission

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Commissioners,

The following internal budget revision is necessary in the Economic Development Office budget:

002-431-104-00 CS Econ Dev FICA	Increase \$2,000.00
002-431-105-00 CS Econ Dev INS	Increase \$2,000.00
002-431-106-00 CS Econ Dev Retirement	Increase \$2,500.00
002-431-109-00 CS Econ Dev Part-Time	Increase \$12,000.00
002-431-222-00 CS Econ Dev Dues & Subs	Increase \$1,000.00
002-431-223-00 CS Econ Dev Prof Serv	Decrease \$9,750.00
002-431-230-00 CS Econ Dev Contr Serv	Decrease \$9,750.00

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Marion County Commission

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Commissioners,

The following internal budget revision is necessary in the Agricultural Agent/WVU Extension Office budget:

002-412-223-00	Increase
Ag Office Prof Serv	\$250.00
002-412-459-00	Increase
Ag Office Cap Outlay	\$130.00
002-412-341-00	Decrease
Ag Office Commodities	\$380.00

Commissioner Tennant moved that the Commission grant and approve the Internal Budget Revisions in the Coal Severance Budget, Other Buildings, Litter Control, Economic Development, and WVU Extension Office. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for Internal Budget Revision in the Tax Office.

MARION COUNTY COMMISSION
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Sheriff and Treasurer of Marion County

OFFICE OF THE SHERIFF



PO Box 1348
 Fairmont, West Virginia 26555-1348
 (304) 367-5310 Tax Office
 (304) 367-5300 Law Enforcement Division
BUDGET REVISION REQUEST
 Marion County Commission

Joseph N. Carpenter
 Sheriff

Ron Vernon
 Chief Tax Deputy

INTERNAL (handwritten)

Dept # 404
 Fund: 001

Fiscal Year: 2012-2013

I, Ron Vernon, am requesting the following budget revision be made to the General Fund budget for the current fiscal year:

Acct Number	Description	Amount	
		Increase	Decrease
001-404-220-00	Tax Office Legal Publication	27333.00	
001-404-212-00	Tax Office Printing		2959.00
001-404-230-00	Tax Office Contracted Services		11300.00
001-404-459-00	Capital Outlay		4390.00
001-404-214-00	Travel		1200.00
001-404-221-00	Training and Ed		807.00
001-404-109-00	Xtra Part time		6677.00
		27333.00	27333.00

Reason for requested amendment:

Restore Legal Publications to its original budget amount.

May 31, 2013
 DATE OF REQUEST

SIGNATURE OF REQUESTING OFFICIAL/DEPT HEAD

Commissioner Tennant moved that the Commission approve the internal budget revision for the Tax Office. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received from the Tax Office the 2012 list of delinquent real and personal property for approval.

Commissioner Tennant moved that the Clerk sign the 2012 list of delinquent real and personal property. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for funding from D. D. Meighen to create 2 DVDs. D. D. stated that Nicole Lemal was in attendance today; he continued that she once again ran in the Boston Marathon and finished the race prior to the explosion; she was not injured, thank God. Nicole added that she did better than last year but due to the circumstances of the terror attack she did not celebrate her accomplishments this time.

MARION COUNTY COMMISSION
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D. D. stated that this request is to present videos of how the Marion County government in all of its offices works. He will begin with the County Commission Office first. He will describe what their duties and responsibilities are. He hopes that this will utilized in the County Schools to show the students as to what and how our local government operates.

PROPOSAL: \$7,000

TO CREATE 2 DVDS BETWEEN NOW AND MARCH 2013

First DVD would be to document the History and Operation of the Marion County Commission. This would give a historical oversight into its history and its importance in the governance of Marion County. It would reflect the significance of the County to the communities that are both incorporated and unincorporated, highlight the various responsibilities it has (both by state charter, local laws or MOU), and share its role in the economic development of the county and region.

I would anticipate 1-2 months of research, visiting communities of Marion County and collecting video of projects funded or assisted in funding, talking to people at such places as Region VI or people such as city mayors, Charlie Reese, Chris McIntire, as well as some of the past Commissioners. I would also talk to present Commissioners.

The video would try to be limited to 30 minutes.

Cost would be divided this way:

\$2,500	new computer (present computer is three years old and unable to complete all projects)
\$2,300	BRAVE duplicating and labeling DVD system to handle the copying and distribution of DVD. With Commission approval I would like to offer each commission in WV a copy
\$1,200	Labeling, supplies, ink, paper, dvds, boxes and cases, mailing envelopes, stamps
\$1,000	Miscellaneous: Includes Travel to these communities and region networks; 1 Catered noon meetings with County and City Officials with interviews; materials and final reception to show dvd to public

For County Commission purposes, the \$5,000 I will receive for fiscal year 2013 will go in this matter

\$3,000	TelVue Company to produce live streaming web content on TV19 that allows County Commission Programs to be shown at the same time they are viewed on cable TV
\$1,500	Usually, about this much for repairs of equipment and supplies to compliment what is needed electronically – such as refurbished AV Mixer, mic lines, discs, and cable connections
\$500	miscellaneous

DD Meighen, 3 Park Dr., Fairmont: 304-366-4511; 304-203-4037

Commissioner Tennant moved that the Commission grant \$5,000.00 for the project and that those funds be appropriated from the Coal Severance Fund. Commissioner VanGilder seconded. President Elliott concurred.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, June 19th, 2013 at 10:00 a.m. for the next scheduled County Commission Meeting.

Randy Elliott, President