The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, July 9th, 2014. Present were Commissioner Elliott, Commissioner VanGilder and President Tennant.

The proceedings of Wednesday, July 9th, 2014, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on July 10th, 11th, 14th, 15th, 16th, 17th, 18th, 21st and 22nd, 2014 were approved as submitted and signed.

D. D. Meighen led the Court with a prayer. Columbus Carpenter 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, July 9th, 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 July 23, 2014
Nos. #2014-622 through #2014-667

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Elliott moved that the President sign Nos. #2014-622 through #2014-667. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received an Order Filing Petition and Setting Hearing Date for Removal of the Executrix of the estate of Mildred H. Bondy; deceased. County Administrator Kris Cinalli stated that the Hearing Date will be on Wednesday, August 20th, 2014 at approximately 10:30 a.m.
Commissioner Elliott moved that the Commission sign the Order setting the Hearing Date of Wednesday, August 20th, 2014 at 10:30 a.m. Commissioner VanGilder seconded. President Tennant 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 July 23rd, 2014.

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 July 7th, 2014, issue of the Fairmont Times West Virginian, all in accordance with West Virginia Code 44-3A-19.
Commissioner Elliott moved that the Commission sign the document. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received an internal budget revision request from Patrick Wilson, Marion County Prosecutor. County Administrator Kris Cinalli stated that the internal budget revision is in the amount of $33,000.00.

**INTERNAL BUDGET REVISION REQUEST**
Marion County Commission

<table>
<thead>
<tr>
<th>Dept #</th>
<th>405</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fund</td>
<td>001</td>
</tr>
</tbody>
</table>

Fiscal Year: 2014-2015

1. Patrick N. Wilson, 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>Increase</th>
<th>Decrease</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-405-109-00</td>
<td>XTR/Part-time</td>
<td></td>
<td></td>
<td>$33,000.00</td>
</tr>
<tr>
<td>001-405-103-00</td>
<td>Salary and Wages</td>
<td></td>
<td></td>
<td>$33,000.00</td>
</tr>
</tbody>
</table>

The salary allotment for Charles Shields was inadvertently placed in line item 001-405-109-00. Mr. Shields is a salary employee who is paid from line item 001-405-103-00.

7-23-14
Patrick Wilson
Signature of Requesting Official/Dept Head
Commissioner Elliott moved that the Commission grant the internal budget revision request from Patrick Wilson. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received a request for reimbursement from the West Virginia Division of Justice and Community Services to cover expenditures from July 1, 2014 to July 31, 2014; for our Victim’s Advocate Grant, 12-VA-011 in the amount of $2,396.00.

<table>
<thead>
<tr>
<th>WEST VIRGINIA DIVISION OF JUSTICE AND COMMUNITY SERVICES</th>
<th>Request for Reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>RECEIVED (For DJCS Use Only)</td>
<td></td>
</tr>
<tr>
<td>Subgrantee: Marion County Commission</td>
<td></td>
</tr>
<tr>
<td>Address: 200 Jackson Street</td>
<td></td>
</tr>
<tr>
<td>Fairmont, WV 26554</td>
<td></td>
</tr>
<tr>
<td>Project #: 12-VA-011</td>
<td></td>
</tr>
<tr>
<td>FEIN#: 55-600-346</td>
<td></td>
</tr>
<tr>
<td>Funds are hereby requested to cover expenditures</td>
<td></td>
</tr>
<tr>
<td>FROM: July 1, 2014</td>
<td>TO: July 31, 2014</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROJECT CASH EXPENDITURES</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel/Contractual</td>
<td>2396.00</td>
</tr>
<tr>
<td>Travel/Training</td>
<td></td>
</tr>
<tr>
<td>Space</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>2396.00</td>
</tr>
</tbody>
</table>

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: Butch Tennant, President
DATE

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

The Commission received a request for reimbursement from West Virginia Division of Justice and Community Services to cover expenditures from June 1, 2014 to June 30, 2014 for our Day Report Center Grant; 14-CC-10, this is in the amount of $10,722.81.
Commissioner Elliott moved that the Commission President sign the request West Virginia Division of Justice and Community Services. Commissioner VanGilder seconded. President Tennant concurred.

The Commission presented the Proposal and Contract from Wilson Restoration, Inc., to fix areas of the Courthouse dome. County Administrator Kris Cinalli added that this is an emergency item to correct the courthouse dome to repair the. He continued that the County was awarded a grant in the amount of $100,000.00 and Wilson Restoration, Inc. has been the only company in the past that has accepted the project to complete repairs. Kris added that the cost is not to exceed $98,500.00.
Commissioner Elliott moved that the Commission approve the bid and authorize Wilson Restoration, Inc. to begin the work. Commissioner VanGilder seconded and stated that it is an emergency job; but a bandaid does not solve the problem. President Tennant concurred.

The Commission received the recommendation from the Economic Development Office for Korean War Memorial Request for funds. Charlie Reese stated for the record his findings and his proposal to both the Commission and Korean War Memorial group. Charlie Reese made the presentation and stated that he got in touch with Aaron Hawkins and Butch Phillips and now they are involved with this project. He continued that we are going to break this down into phases. He added that this phase will be Phase 2014. He added that this will be a tourism attraction and is eligible for Hotel/Motel Funds. Charlie added that he is challenging all Municipalities in the County who received these tax funds to support this endeavor. Charlie stated that we as a group are seeking $10,000.00 for this phase of the project; and we are requesting $5,000.00 from the Marion County Commission.
Commissioner Elliott stated that this item will be placed not next week’s agenda in order for the Commission to make a decision on this matter.

The Commission received a request advice and consent of the Commission to accept resignation of Adams Reeves from the GMPSD and the appointment of Rita Jacobin to serve out his term.

Commissioner Elliott moved that the Commission accept the resignation of Adams Reeves and appoint Rita Jacobin to fill the unexpired term. Commissioner VanGilder seconded. President Tennant concurred.

For the record, note the Commission presented the Resolution and Coal Severance Fund Budget Revision #1 for Fiscal Year 2014-2015; the carryover from Fiscal Year 2013-2014.
For the record, note the Commission received the Kingmill Valley Public Service District Independent Auditor’s Report and Related Financial Statements for the Years Ended June 30, 2013 and 2012.

For the record, note the Commission received the Kingmill Valley Public Service District Proposed Budget FY 2015 and Banking Summary Report for May 2014.

For the record, note the Commission received the Valley Falls Public Service District Reconciliation Summary for Period Ending 5/31/2014.
For the record, note the Commission received the notification form COMCAST of channel changes to be effective July 31, 2014.

COMCAST

July 1, 2014

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

IMPORTANT INFORMATION – CHANNEL CHANGES

Effective July 31, 2014, Encore Español will be added to channel 639 on the Latino TV 300 and Latino TV 400 packages.

Also on July 31, 2014, FearNet will cease operations. As a result, FearNet will be removed from the channel lineup.

We will notify customers of these changes via a bill message.

Should you have any questions about this change or any other cable matter, please contact me at 412-698-6379.

Sincerely,

Mark Depretlis
Regional Director, Government & Regulatory Affairs
Comcast
For the record, note the Commission received the notification form Atlantic Broadband of rate changes to be effective August 8, 2014.
Columbus Carpenter stated that on August 15th & 16th, 2014, they will be having a chicken roast at Palatine Park and those donations will be for the Korean War Memorial.

Kate Greene of Main Street Fairmont gave an update on some potential future growth in the Downtown Fairmont area. She stated that Developer Tour which occurred in June 2014 and was very successful. There were developers for Washington D.C., New York and Kentucky as well as local. Because of that there is interest in four of our downtown buildings. This also has led to an interest from the Northern Brownfield Assistance Center; they want to use this model as their model and take it throughout the State. Kate added that Main Street is buying a building on Adams Street that houses the bail bondsman. She added that we are going to practice what we preach. She continued that the ground floor will be updated and used for the same. She added that the upstairs would be for apartments. She was honest is stating that all is conversations at this point and time; but you have to start somewhere and things do look very promising is some areas.
Charlie Reese added that Palatine Park is 95 to 99 percent completed, the changing tables are coming for the restrooms. He continued that the playground is underway as well and is coming along very nicely. Charlie added that they meet with the Mayor of Elkins and we toured him throughout the Splash Park. The mayor gave them a lead on the ice skate park where they setup the ice and bring and rent their own skates. Charlie added that this could allow us to determine if this is a worthwhile project.

There being no further business to come before the County Commission now recess until 10:30 a.m. for our Public Hearing on the Matter of the Closing of unused streets located in Downs, Rachel of Lincoln District.
Public Hearing at 10:30 in the Matter of the closing of unused portions of Walnut Street, unused portions of Elm Street, unused portions of Sycamore Street and an unused portion of an unnamed alley in the Lincoln District Marion County, West Virginia.

President Tennant called the Public Hearing to order and turned it over to the County Administrator Kris Cinalli to update the court on today proceedings.

County Administrator Kris Cinalli stated that the first reading was on June 25th, 2014 and this was advertised in the Times West Virginian on July 5th and 12th, 2014. Kris Cinalli stated that the Marion County Commission has received no negative comments on the proposed closing of these roads; neither phone calls, emails or letters. Mr. Steven D. Stinger re-stated their position on the closing of those roads and added that the only affected land owner is that of the petitioner. He added that this is the closing of roads and alley ways that were never constructed, on paper only.

Commissioner Elliott asked County Attorney Chuck Shields if he had reviewed this application and if it has met all of the requirements. Chuck Shields replied in the affirmative. President Tennant asked if we had received any objections and it was re-stated that none were received. County Administrator Kris Cinalli added for the record that we have an Exhibit 1 to be added for the record, the Notice of Public Announcement. Commissioner VanGilder asked why the 1.5 acre tract reads that the deed is not available in the Clerk’s Office. Mr. Stinger stated that all of the adjacent lots to the roads and alleys are owned by Pennzoil. Chuck Shields stated that with that he sees no issues arising from the closing of these roads and alleys.

Commissioner Elliott moved that the Commission grant the Petition by Pennzoil Quaker State Company dba Sopus Products granting them the closure of the named alley ways and roads contingent upon that the Commission reserves the right of a utility easement. Commissioner VanGilder seconded. President Tennant concurred.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, July 30th, 2014 at 10:00 a.m. for the next scheduled County Commission Meeting.

Burley “Butch” Tennant, President