

MARION COUNTY COMMISSION
JULY 23, 2014

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.*

MARION COUNTY COMMISSION
JULY 23, 2014

IN THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA

IN RE: MILDRED H. BONDY, DECEASED

ORDER FILING PETITION AND
SETTING HEARING DATE

On the 18th day of June, 2014, came the Petitioner, Harold E. Bondy, and filed a Petition for the Removal of the Executrix of the estate of Mildred H. Bondy, 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 20th day of August, 2014 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.

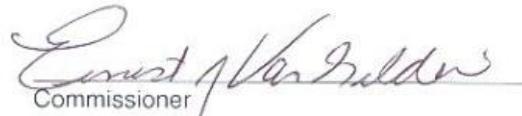
1. Patricia Ann Vincent, 18 Kimberly Circle, Fairmont, WV 26554
2. Todd R. Vincent, 8 Kimberly Circle, Fairmont, WV 26554
3. Jeffrey D. Taylor, Esquire, Rose Padden & Petty, PO Box 1307, Fairmont, WV 26554
4. Harold E. Bondy, 6808 Briar Hill, McLean, VA 22101
5. Ray A. Byrd, Esquire, Schrader, Byrd & Companion, The Maxwell Center, 32 – 20th Street, Suite 500, Wheeling, WV 26003
6. Kenneth R. Miller, Esquire, PO Box 2116, 936 East Park Ave., Ste. 2, Fairmont WV 26554
7. Jenna Ann Vincent, c/o Todd R. Vincent, 8 Kimberly Circle, Fairmont, WV 26554
8. Parker John Vincent, c/o Todd R. Vincent, 8 Kimberly Circle, Fairmont, WV 26554

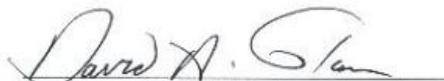
Wherefore, the Commission ORDERS this matter continued generally, pending such hearing.

ENTER: July 23, 2014
Date


Commissioner


Commissioner


Commissioner


David A. Glance, Fiduciary Supervisor

ATTEST:

Janice Cosco, County Clerk

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.

MARION COUNTY COMMISSION
JULY 23, 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 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.

<u>Estate of</u>	<u>Representative</u>
SUTPHIN, VIRGINIA ADELINE	Robert M. King, Jr., Executor
FERRELL, PATRICIA ANN	George Yelich, Administrator
McCARTNEY, NORMA L.	Peggy J. Wikle, Executrix
CONAWAY, ESTHER L.	Sally Conaway Feltz, Executrix
MORRIS, BETTY JANE	Janet Fleck Krueger, Executrix
EVANS, CHARLOTTE	Patricia Reese, Executrix
MOSS, MARGIE LEE	Jessica V. Collins, Administratrix
MORRIS, ALMA REE	Sheree A. Nixon, Administratrix
BAILES, CARL EDWARD	Rhonda Chapman-Bailes, Executrix
KENDZIOR, SHEILA M.	Jennifer Suzanne Kendzior, Executrix
MOORE, LURA PEARL	William Richard Moore and Johnnie Lowell Moore, Co-Executors
STEMPLE, MARGARET	John A. Starr, Executor
STARKEY, ROBERT E.	Tina Chicarelli, Administratrix
BLOSSER, RODNEY GLENN	Christopher Glenn Blosser, Administrator
WADE, LOIS K.	John Keith Wade, Executor
SAUNDERS, ROBERT E.	Sandra J. Saunders, Executrix
REYNOLDS, THOMAS J., JR.	Betty L. Reynolds, Executrix
FLOYD, JAMES O., SR.	Dolores S. Floyd, Executrix
CUTLIP, GENE PAUL	Jennifer Cutlip, Executrix
BANKS, CYRUS WILSON	Betty Eilene Banks, Executrix
CUNNINGHAM, DONALD GENE, SR.	Allena R. Cunningham, Administratrix
BERRY, LYDA GERALDINE	John R. Berry, Administrator

MARION COUNTY COMMISSION
JULY 23, 2014

ENTER: 7-23-14

Bruce Tennant
 President

Randall Elliott
 Commissioner

Ernest VanGilder
 Commissioner

ATTEST:
Janice Cosco
 Janice Cosco, County Clerk

David A. Glance
 David A. Glance, Fiduciary Supervisor
Sy: Cynthia A. Donley, deputy

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

Dept # 405
 Fund: 001

Fiscal Year: 2014-2015

I, Patrick N. Wilson, am requesting the following internal budget revision be made to the General Fund budget for the current fiscal year:

Acct Number	Description	\$Amount	
		Increase	Decrease
001-405-109-00	XTR/Part-time		\$33,000.00
001-405-103-00	Salary and Wages	\$33,000.00	
		\$33,000.00	\$33,000.00

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.

7-17-14
 DATE OF REQUEST

Patrick N. Wilson
 SIGNATURE OF REQUESTING OFFICIAL/DEPT HEAD

MARION COUNTY COMMISSION
JULY 23, 2014

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.

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

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: Butch Tennant, President _____
 TYPED NAME & TITLE SIGNATURE
 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.

MARION COUNTY COMMISSION
JULY 23, 2014

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: 211 Adams St. Suite 301 Fairmont, WV 26554
	Project #: 14-CC-10
	FEIN#: 556000346
Funds are hereby requested to cover expenditures FROM: June 1 TO: June 30	

PROJECT CASH EXPENDITURES

Account #	Amount
Personnel	\$10,683.63
Contractual	0
Travel/Training	0
Equipment	0
Other	\$39.18
TOTAL	\$10,722.81

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: _____
 TYPED NAME & TITLE
 (Authorized Official or Grant Financial Officer ONLY)

Buddy Ruth Tennant 7-14-14
 SIGNATURE DATE

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.

MARION COUNTY COMMISSION
JULY 23, 2014



WILSON RESTORATION, INC.

P.O. Box 14250
Pittsburgh, PA 15239
Phone: (412) 793-4400 Fax: (412) 793-1301

June 30, 2014

Mr. Kris Cinalli
Marion County Commission
200 Jackson Street
Room 403
Fairmont, WV 26554

RE: Marion County Courthouse : **Budget Proposal**

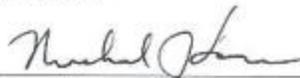
Dear Sir:
Wilson Restoration proposes the following extent of work for the above referenced location:

EXTENT OF WORK:

1. Build an access tower on the roof in order to perform a thorough inspection and access emergency repairs. There are areas where bolts have broken at the outer skin of the dome that will need to be addressed first. Scaffolding will be provided for a period of 6 months. ~~Dismantle and removal of scaffolding is not included in our price.~~ *mj*
2. Clean and properly prepare existing flat metal surfaces at 6 water table projections per Karnak specifications as necessary. Apply coating to same areas with two coats of Karnak coating as necessary.
3. Inspect steep sloped areas of the dome and provide written report as to the existing conditions and perform minor repairs if needed.
4. Existing rubber roof has numerous holes and deficiencies. We will repair holes and damaged areas as needed. We have included 1,000 sq. ft. of .045 rubber membrane for repairs.
5. We will check and repair existing metal roofs at the low slope rubber roof area where necessary.

NOTE: Support needed from Owner, if necessary: electrical power source, water, permits, insulation of power lines by power company, sanitary facilities, and equipment staging area. Payment terms are ~~15~~ *30* days from invoice date. Past due invoices will be charged at 1.5% monthly interest rate. *mt*

COST OF WORK..... \$ 98,500.00


Proposed by: Michael J. Lowe, Vice President

MJL:dhw

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.

MARION COUNTY COMMISSION
JULY 23, 2014

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.

RESOLUTION

At a regular session of the Marion County Commission, held on the 15th day of July, 2014, the following order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) Of the Coal Severance Fund for the County of Marion. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the county commission does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number 1, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Burley "Butch" Tennant, and duly seconded by Ernie Vangilder the vote thereon was as follows:

Burley "Butch" Tennant	<u>Yes</u> or No
Ernie Vangilder	<u>Yes</u> or No
Randy Elliott	<u>Yes</u> or No

WHEREUPON, the Marion County Commission declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the President of The Marion County Commission is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

Marion County Commission

B. D. Tennant Jr.
Burley "Butch" Tennant
President

Randy Elliott
Randy Elliott, Commissioner

Ernie Vangilder
Ernie Vangilder, Commissioner

MARION COUNTY COMMISSION
JULY 23, 2014

LGSD BR 1180 (Rev. 2010)

Ora Ash, Director
West Virginia State Auditor's Office
200 West Main Street
Clarksburg, WV 26302
Phone: 627-2415 ext. 5114
Fax: 627-2417

REQUEST FOR REVISION TO APPROVED BUDGET

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-B-28a)

MARION COUNTY COMMISSION
GOVERNMENT ENTITY

CONTROL NUMBER

2014-2015

FY

2

FUND

1

REV. NO.

1 of 1

PG. OF NO.

Person To Contact Regarding

200 ADAMS ST.

Budget Revision: Marie Lockhart

STREET OR PO BOX

County

Phone:

304-367-5455

Fax:

304-367-5357

FAIRMONT, WV 26554

Government Type

CITY

ZIP CODE

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
298	Assigned Fund Balance		1,000,000		1,000,000
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

1,000,000

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
401	County Commission		400,000		400,000
986	County Commission		300,000		300,000
987	Courthouse		300,000		300,000
	#N/A				

NET INCREASE/(DECREASE) Expenditures

1,000,000

APPROVED BY THE STATE AUDITOR

BY: _____ Date _____
Director, Local Government Services Division

B. D. Jensen Jr.

AUTHORIZED SIGNATURE OF ENTITY

7/15/14
APPROVAL DATE

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.

MARION COUNTY COMMISSION
JULY 23, 2014

For the record, note the Commission received the notification form COMCAST of channel changes to be effective July 31, 2014.



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 412-595-8379.

Sincerely,

A handwritten signature in black ink that appears to read "Mark Depretis".

Mark Depretis
Regional Director, Government & Regulatory Affairs
Comcast

MARION COUNTY COMMISSION
JULY 23, 2014

For the record, note the Commission received the notification form Atlantic Broadband of rate changes to be effective August 8, 2014.



July 1, 2014

Marion County
Mr. Burley Tennant
200 Jackson St. Rm 403
Fairmont WV 26554



Dear Marion County:

Atlantic Broadband is committed to continually improving your entertainment and communications experience. In the past year, we have delivered several impressive service enhancements in your area. Atlantic Broadband was the first cable company in the U.S. to launch the new TiVo® T6 DVR which enables you to record up to 6 shows at one time and lets you enjoy your favorite shows on your TV, tablet or smartphone. We also launched the industry's first-ever fully integrated Netflix experience so you can enjoy your Netflix service effortlessly on your TV. And we increased our highest Internet speeds to 75Mbps, solidifying our #1 ranking by Netflix for streaming quality above all other Internet providers in your area.

While we continue to invest to deliver the optimal service experience, the costs to bring you the programming you want to watch are rising at record rates. In fact, this year the cost to provide our most popular service will rise by more than **10 times the rate of inflation**. While we will absorb a significant portion of these record cost increases, we must make adjustments to our rates to help compensate for these increased costs.

In 2014 alone, the fees we pay the major media companies for the rights to deliver ABC, CBS, FOX, NBC and others will increase **more than 50%** as these networks leverage their popularity to dramatically increase the fees they receive from us and you. As such, we will begin itemizing a new Local TV Surcharge to help defray a portion of these programming costs. We believe this itemized charge is the clearest possible way to indicate the fees we are paying on your behalf to local broadcasters. This Local TV Surcharge will be found under the Other Fees & Surcharges section of your bill and it will be \$2.90/month.

Sports programming costs have also risen dramatically over the past 12 months due in part to major network renewals and channel enhancements with ESPN, Fox Sports and others. To help offset these increased costs, our Sports Programming Surcharge will increase by \$2.10.

For customers who subscribe to one of our Internet and/or Phone services and are not currently in a fixed price promotion, there will be an increase in the monthly price for both of these services. Customers who are currently in a flat rate promotion will not be impacted by this increase until your promotional period has ended.

You will find a complete list of rate changes effective with bills beginning August 8th on the chart located on the following page.

It is important to note that we are not increasing our Limited, Value, Digital Value or Digital Plus service fees at this time. Furthermore, Atlantic Broadband is not expecting any additional rate increases other than those listed on the reverse side of this sheet before August, 2015.

We are sensitive to the rising costs of your TV services and we value your business. We appreciate that you may have questions or concerns. Please feel free to contact us at 855-746-5701 and one of our representatives can assist you.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Lundy'.

MARION COUNTY COMMISSION
JULY 23, 2014

ATLANTIC BROADBAND RATES & SERVICES

	Current Price	New Price
VIDEO SERVICE		
Sports Surcharge	\$2.87	\$4.97
Local TV Surcharge	--	\$2.90
HIGH-SPEED INTERNET SERVICE		
Starter	\$38.99	\$40.99
Purchased with any Video Service	\$32.99	\$34.99
Starter Plus	\$42.99	\$44.99
Purchased with any Video Service	\$34.99	\$36.99
Preferred	\$55.99	\$57.99
Purchased with any Video Service	\$44.99	\$46.99
Max	\$62.95	\$64.95
Purchased with any Video Service	\$53.99	\$55.99
Mega Max	\$58.99	\$60.99
Express	\$59.99	\$61.99
Unleashed	\$72.99	\$74.99
PHONE SERVICE		
Unlimited Phone		
Purchased with any Service	\$34.95	\$35.95
Unlimited Phone Additional Line	\$19.95	\$20.95
Local Phone		
Purchased with any Service	\$24.99	\$25.99
Local Phone Line Additional Line	\$19.99	\$20.99
OTHER MONTHLY FEES		
Wire Maintenance	\$7.99	\$8.99

Pricing, programming, content and services effective 8/8/14 and are subject to change upon proper notice. Bundles and packages that include Video, Internet, Phone, and/or equipment shown above will be adjusted for new rates. Not all products or services available in all areas. Prices are for residential service only; business and commercial offerings differ. For customers with commercial accounts or bulk rate arrangements, some product, pricing and other information may not apply. Prices exclude taxes, franchise fees, regulatory fees or other assessments.

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 in stating that all is conversations at this point and time; but you have to start somewhere and things do look very promising in some areas.

MARION COUNTY COMMISSION
JULY 23, 2014



July 2014
Program Managers Report

PROGRAM MANAGERS REPORT

Connectivity and HIA: The GHC/Benedum funded Connectivity Plan was publicly launched on Thursday, July 17th. The plan was well received by the community and two pieces are already set in motion. The HIA Plan will be unveiled at an August 1230 meeting. Both plans will be presented at an August planning commission meeting to be adopted in the to City's comprehensive plan.

Growing Healthy Communities: We're moving into our second phase with the GHC Grant program. Our application for this round will set the Connectivity Plan in action. We're looking at artistic/mural crosswalks, metal artwork bike racks, a traffic impact study, and the possible introduction of complete streets elements. Grant application is due August 15th and represents a \$25,000 downtown investment.

Return on Reinvestment Program: MSF has introduced a unique approach to preservation of historic buildings. We are suggesting a micro-investment opportunity for the folks of Fairmont to revitalize downtown. The Benedum Foundation requested that we submit a funding request to help develop this model over the next year. Awards will be announced in September.

228/230 Adams Street: We're buying a building! Finally. Papers will be signed the week of July 21st. Initial funding has been made available through MVB Bank (cash injection waived). We have applied for funds through the WV Affordable Housing Trust to support 50% of the acquisition cost – these dollars will be approved and available after August 4th. We have been contacted by the Community Works organization with an opportunity to fund the remaining 50% acquisition cost. This application is in progress. If both federal funding opportunities come through, we will relieve our debt with MVB and our acquisition debt service will be 30 years at 1% interest, payments deferred until rental begins.

Members (investors) Drive: Letters have been stuffed and are going out in this week's mail.

Firehouse Studios: This project has attracted new tenants and interest from a potential developer. A meeting is scheduled with this developer on July 29th.

Fundraisers: We will host our first fundraiser of the fiscal year in September. The goal of MSF's Amazing Raise will be \$40,000.

206 Adams Street, Fairmont, WV 26554
304.366.0468 | www.mainstreetfairmont.org

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.

MARION COUNTY COMMISSION
JULY 23, 2014

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