

**MARION COUNTY COMMISSION**  
**AUGUST 20, 2014**

*The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, August 13<sup>th</sup>, 2014. Present were Commissioner Elliott, Commissioner VanGilder and President Tennant.*

*The proceedings of Wednesday, August 13<sup>th</sup>, 2014, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on August 14<sup>th</sup>, 15<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup>, 2014 were approved as submitted and signed.*

*George Batton led the Court with a prayer. Rick Garcia 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, August 13<sup>th</sup>, 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 August 20, 2014***  
***Nos. #2014-794 through #2014-835***

*Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Elliott moved that the President sign Nos. #2014-794 through #2014-835. Commissioner VanGilder seconded. President Tennant concurred.*

***For the record, note the Commission received the Fiscal Year, FY 2015 West Virginia Community Grant Program Application Forms. County Administrator Kris Cinalli stated that this document is the revised grant program for our community services grant for our Day Report Center.***

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<b>West Virginia Community Corrections Grant Program Application</b>	<b>General Administrative Information Page 1</b>
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<b>Applicant Agency:</b> Marion County Commission <b>Address:</b> 200 Jackson Street, Room 400 Fairmont, WV 26554  <b>Phone:</b> 304-367-5400 <b>Fax Number:</b> 304-367-5431	<b>Type of Agency:</b> <input type="checkbox"/> State  <input checked="" type="checkbox"/> County <b>Type of Application:</b> <input checked="" type="checkbox"/> For State Funds <input type="checkbox"/> No State Funds
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<b>Project Director:</b> Ted Offutt <b>PD Title:</b> Director <b>Address:</b> 211 Adams Street Suite 301 Fairmont, WV 26554  <b>Phone:</b> 304-333-2441 <b>Fax:</b> 304-333-2444 <b>Email:</b> Toffutt@marioncountywv.com	<b>Fiscal Officer:</b> Kris Cinalli <b>FO Title:</b> County Administrator <b>Address:</b> 200 Jackson Street Room 400 Fairmont, WV 26554  <b>Phone:</b> 304-367-5400 <b>Fax:</b> 304-367-5431 <b>Email:</b> Kcinalli@marioncountywv.com
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State Funds Requested: \$133,955.00      Amount Awarded:  
 Local Funds Utilized: \$160,308.00      (for DJCS use only)  
 Project Period: July 1, 2014 – June 30, 2015

**Number of years previously funded:** 4      **Estimated Number to be Served:** 75  
**Geographic Area(s) Served:** Marion County WV  
**Total Population:** 56,678  
**Project Title:** Marion County Day Report Center  
**Project Description:** Provide alternative sentencing and intervention services to medium to high risk offenders in Marion County.

**Certification:** To the best of my knowledge, the information contained in this application is true and correct. The submission thereof has been duly authorized by the governing body and the applicant will comply with the attached special conditions and assurances, if funding is provided.

<b>West Virginia Community Corrections Grant Program Application</b>	<b>Budget Detail Page 3</b>
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<b>Authorized Official:</b> Butch Tennant <b>Address:</b> 200 Jackson Street, Room 400 Fairmont, WV 26554   Signature:	<b>AO Title:</b> President <b>Phone:</b> 304-367-5400  <b>Fax:</b> 304-367-0431 <b>E-Mail:</b> Btennant@marioncountywv.com <b>Date:</b> 8/8/14
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**MARION COUNTY COMMISSION**  
**AUGUST 20, 2014**

<b>West Virginia Community Corrections Grant Program Application</b>	<b>Budget Summary Page 2</b>
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Applicant: Marion County Day Report Center	FEIN Number: 55-6000346
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Budget Category	WV Community Corrections Requested Funds (A)	Local (Match) Funds (B)	Total Budget (A + B)
Personnel	\$39,904.00	\$137,612.00	<b>\$177,516</b>
Contractual	\$92,300.00	\$0	<b>\$92,300.00</b>
Travel/Training	\$0	\$3,688.00	<b>\$3,688.00</b>
Equipment	\$0	\$0	
Other	\$1,751.00	\$18,510.00	<b>\$20,261.00</b>
<b>Totals</b>	<b>\$133,955.00</b>	<b>\$160,308.00</b>	<b>\$294,263.00</b>

\*All funds must be rounded to the nearest whole dollar amount

Funding Strategy

Funding Source(s)	Amount	Status
Community Corrections Grant Program	\$133,955.00	A
Local Funds (County Match)	\$160,308.00	C
<b>Total</b>	<b>\$294,263.00</b>	

- Funding Source - Separately list each source of funds that will be used in the program.
- Amount - Enter the amount received or anticipated for each
- Status - Indicate the status of each funding source as follows:  
P – Projected grant, loan or donation  
A – Application submitted (apart from this CC Grant)

*The Commission received a request from the West Virginia Division of Justice and community Services Request for Reimbursement. (12-VA-011) County Administrator Kris Cinalli stated that this reimbursement is for our Victim's Advocate Grant in the amount of \$2,396.00 for August , 2014 expenses.*

**MARION COUNTY COMMISSION**  
**AUGUST 20, 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: 200 Jackson Street Fairmont, WV 26554
	Project #: 12-VA-011
	FEIN#: 55-600-346
	Funds are hereby requested to cover expenditures FROM: August 1, 2014 TO: August 31, 2014

PROJECT CASH EXPENDITURES

CATEGORY	AMOUNT
Personnel/Contractual	2396.00
Travel/Training	
Space	
Other	
<b>TOTAL</b>	<b>2396.00</b>

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 document. Commissioner VanGilder seconded. President Tennant concurred.*

*The Commission received a request for advice and consent to accept the resignation of Kristen Toothman from the Monumental PSD, effective immediately, and the appointment of Tom Uram as her replacement, term to expire March 31, 2020.*

*Commissioner Elliott moved that the Commission accept the resignation of Kristen Toothman and appoint Tom Uram to the unexpired term. Commissioner VanGilder seconded. President Tennant concurred.*

*The Commission received a request for advice and consent to accept the resignation of James Toothman from the Ice's Run PSD, effective immediately and the appointment of Dennis Basnett as his replacement, term to expire June 30, 2020.*

*Commissioner Elliott moved that the Commission accept the resignation of James Toothman and confirm the appointment of Dennis Basnett on June 4<sup>th</sup>, 2014. Commissioner VanGilder seconded. President Tennant concurred.*

*For the record, note the Commission received the notice from the Statewide Transportation Improvement Program (STIP) of the draft copy of the 2015- 2020 expenditures, available for public comment.*

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*For the record, note the Commission presented the Final Order 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.*

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IN THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA

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

UPON PETITION FOR ABANDONMENT  
OF UNUSED STREETS AND ALLEY

FINAL ORDER

On the 23<sup>rd</sup> of July, 2014, came the petitioner, Pennzoil Quaker State Company dba SOPUS Products, by Steven D. Stinger, LRS, their representative, pursuant to a verified petition duly filed with the County Commission of Marion County, and pursuant to Notice of Hearing.

The Commission proceeded to hear the introduction of the case by the representative for the petitioner.

After hearing said presentation by the representative for the petitioner, the Commissioners hereby make the following Findings of Fact:

1. Pennzoil Quaker State Company dba SOPUS Products, is the owner of six parcels of real estate situated in the Lincoln District, Marion County, West Virginia which parcels of real estate abut those unused portions of Walnut Street, those unused portions of Elm Street, those unused portions of Sycamore Street and those unused portions of an Unnamed Alley sought to be abandoned.
2. There are no other adjoining landowners on those unused portions of Walnut Street, those unused portions of Elm Street, those unused portions of Sycamore Street and those unused portions of an Unnamed Alley sought to be abandoned.
3. The unused portions of Walnut Street, the unused portions of Elm Street, the unused portions of Sycamore Street and the unused portions of an Unnamed Alley sought to be abandoned were never constructed and are not used for vehicular traffic.
4. Notice of hearing and publication were proper.

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5. No party having standing to object to said abandonment provided any objection to the same.

Based on the testimony adduced at hearing, the presentation of the representative for the petitioner, and the above Findings of Fact, the Commissioners make the following Conclusions of Law:

1. Proper notice was given to all interested parties entitled to notice of said hearing pursuant to West Virginia Code Section 7-1-3(h).
2. The County Commission finds that the rights of no person or persons shall be impaired or lost by the closing of said streets and alley.
3. No party having standing to object to said abandonment objected.

WHEREAS, pursuant to the above Findings of Fact and Conclusions of Law, the Commission finds that the vacation and abandonment of unused portions of Walnut Street (approximately 277 feet), Elm Street (approximately 133 feet), Sycamore Street (approximately 265 feet) and an unnamed alley (approximately 467 feet) shown on the attached map, shall be, and are hereby abandoned. There is reserved and excepted unto all adjoining landowners an easement for installation and maintenance of utilities.

ENTER: July 23, 2014

*Beryl Babi Linnell*  
*Ernest VanGilder*  
*Randall Elliott*

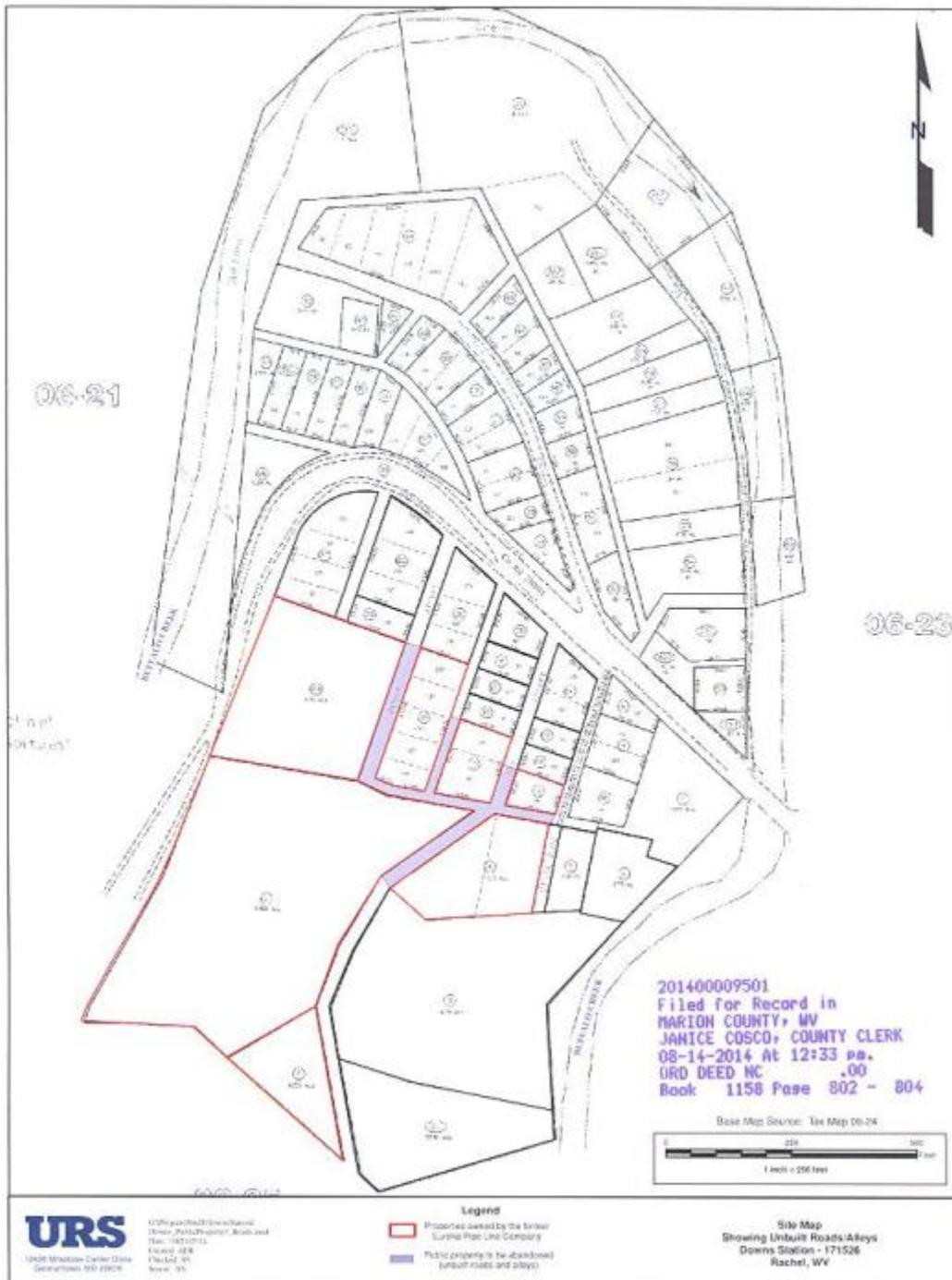
Commissioners

ATTEST:

*Janice Foster*  
Clerk

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*For the record, note the Commission received the Mannington Public Service District Independent Auditor's Report and Related Financial Statements for the Years Ended June 30, 2013 and June 30, 2012.*

*Columbus Carpenter wanted to thank the Commission for allowing the use of Palatine Park for their fund raising cookout in which they raised \$1,414.50. They would like to use the Park again later for another fund raiser and were told that they could use it.*

*Kate Green came and presented an update on the progress that Main Street is making. She spoke on the following topics with emphasis on the purchase of 228/230 Adams Street Building. She added that they are going to change the buildings appearance for the better. She added that they have been working with Thrasher Engineering on a Connectivity Plan will be adopted by the Fairmont City Planning Commission today. Kate stated that she could contact the State Technical Program is get them reviewing the Law Tower to restore the façade and bring it back to what it was original.*

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*President Tennant asked who will pay for the work that needs to be completed once the design has been determined. Kate replied that the Commission would and that fund sis always the hurdle for any project. Commissioner Elliott stated that the Law Tower appearance is better than it was. He added that the work being done inside was very much needed. Commissioner VanGilder asked what is going on with Downtown Parking. Kate replied that they are reviewing what are the best practice solutions to the downtown area parking concerns. She added that they are considering upgrading the parking garage as a potential solution. President Tennant asked Kate about the Farmers Market and the potential move to maybe Palatine Park. He stated that the Commission has received a lot of phone calls about moving the Farmers Market. She added that there are a lot of options for us in moving the Farmers Market. She stated that it is growing especially on Tuesday. She continued that are location is not ideal. She stated that the Park has changed considerably since the last time they tried it at the Palatine Park.*



August 18, 2014  
Program Managers Report

**PROGRAM MANAGERS REPORT**

**Connectivity and HIA:** The Connectivity Plan will be presented to the City of Fairmont Planning Commission on Wednesday, August 20<sup>th</sup> for inclusion into Fairmont's Comprehensive Plan. Jim Christie with Thrasher Engineering will present the plan earlier that day to the South Fairmont Rotary.

**Growing Healthy Communities:** We submitted an application to the GHC Program on Friday, August 15<sup>th</sup>. If awarded, this grant will fund sculpted bike racks in downtown Fairmont, painted mural crosswalks on select city streets, appropriate pedestrian/bicycle signage along Downtown Loop Route (as identified in the Connectivity Plan), and a collaborative community event focused on the value of being a walkable/bikable/livable community.

**Return on Reinvestment Program:** We have submitted a request for \$85,000 in funding to the Benedum Foundation. This program has been recommended for funding by the Foundation Funding Director and is awaiting board approval. We should know in September.

**228/230 Adams Street:** Main Street Fairmont owns property!!! We closed on buildings at 228/230 Adams Street on August 1, 2014. We have secured a \$61,000 acquisition loan/\$70,000 redevelopment loan from WVAHT at 1% for 20 years. Payments are deferred until housing units are income producing. We do have an opportunity to request additional funds (and re-negotiate for more time at the 20 year mark). We are currently working to negotiate these same terms with Community Works. Until that deal is finalized, we have a bridge loan with MVB to cover the remaining \$76,000 in acquisition costs.

**Members (investors) Drive:** We have received an estimated \$3,000 in support from our recent mailing.

**Firehouse Studios:** The next phase of Firehouse Studios is to structure the financial package for development. We are working with WVRC to secure a \$3,000 grant to cover these costs. Applications for funding are due Friday, August 22<sup>nd</sup>.

**The Amazing Raise:** In lieu of a one-week event, we've decided to host the Amazing Raise as an ongoing campaign. A possible public launch could be connected via press conference with the acquisition of properties at 228/230 Adams.

**Downtown Parking:** We are working with interested parties to identify best-practice parking solutions for downtown revitalization. Our goal is to find three possible alternatives to our current downtown parking arrangement and present them to the Fairmont Parking Authority for consideration.

**Police Presence:** We are working with Chief Kelly Moran to bring a beat-cop to downtown Fairmont. We have requested a Barney Fife type to help discourage loitering and make evening downtown visitors feel secure.

**Law Tower Building:** We are making a request to the Marion County Commission that they allow Main Street Fairmont to contract with Mike Gioulis (through the WV Main Street technical service program) for a proposal to restore the façade of the Law Tower.

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*Charlie Reese presented his good news report by stating that Monongalia County Head Start brought their kids to the Park and they had a great time and will come back again. He has also contacted Debbie Harvey from the Marion County Senior Citizens about having a Senior Citizens Day in September. He added that the Town of Pleasant Valley has added a member to the Korean War Memorial Board. Charlie Reese then stated that he has received an email from the DNR boat ramp finalizing approval process through the Purchasing Director, he is not sure what it means and finally they stated that it should not be long now. Finally he added that they have found four building that may meet the needs of the business that is considering leaving the City of Fairmont as well as the County; therefore, there is hope in keeping them within our County.*

*There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, August 27<sup>th</sup>, 2014 at 10:00 a.m. for the next scheduled County Commission Meeting.*

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*Burley "Butch" Tennant, President*