

**MARION COUNTY COMMISSION
COUNTY COURT
AUGUST 28, 2013**

The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday 21st, 2013. Present were Commissioner Tennant, Commissioner VanGilder and President Elliott.

The proceedings of Wednesday, August 21st, 2013, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on August 22nd, 23rd, 26th and 27th, 2013 were approved as submitted and signed.

*George Patton of the Union Mission led the Court with a prayer. Chuck Shields the County Attorney 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, August 21st, 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 August 28, 2013
Nos. #2013-1105 through #2013-1128***

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Tennant moved that the President sign Nos. #2013-1105 through #2013-1128. Commissioner Tennant seconded. President Elliott concurred.

*The Commission received an **Order Confirming and Ratifying Fiduciary Supervisor's Report of Claims and Settlement Reports., Order # 341.***

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 August, 2013.

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.

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Estate of

SUMMERS, CAROL EUGENE (Interim)
MATTHEWS, LOTTIE HATFIELD (2ND & Final)
WILEY, AUSTIN DALE (2ND & Final)
GRAFFIUS, DAVID ALLEN (2ND & Final)
ZUKOWSKY, FRANK P.
HIGGINBOTHAM, FREDERICK S. III
HIGGINBOTHAM, STEPHANIE
HARVEY, GLADYS IRENE ANDERSON
HARVEY, LYNDELL M.
HENDERSON, NANCY SUE
COX, MAE LEVINE
ASHCRAFT, DOUGLAS W.
HUGUS, ARTHUR C.
HOLT, HELEN J.
KEENE, ELIZABETH C.
BECKMAN, PAUL E, SR.
GOODWIN, ROSA LEE
KENDZIOR, WALTER GENE
FRISENDA, THELMA JEAN
FINDLEY, JOANN L.
ARTHUR, EVELYN S.
SIMPSON, DONALD M.
ORR, WAITMAN D.
ORSINI, ALICE JOSEPHINE
WHITING, GEORGE, III
WILLIS, WILLIAM L.
HAYES, WILLIAM JUNIOR
PHILLIPS, MADELYN M.
EFAW, THOMAS W.

Representative

Trina E. Summers, Co-Executrix
Karen M. Yokum, Administratrix CTA
Debra Jones, Executrix DBN
Debra L. Graffius, Administratrix DBN
Frank P. Zukowsky, Jr., Executor
Christine L. Murin, Anc. Admrx CTA DBN
Christina L. Murin, Anc. Admrx. CTA DBN
Frank J. Harvey, Administrator
David Harvey, Executor
Lisa M. Turner, Administratrix
Jack E. Cox, II, Administrator
Donna L. Menefee, Executrix
Russell M. Hugus, Anc. Executor DBN
Cheryl L. Holt Goodrich, Executrix
Debbie J. Cerrillo, Executrix
Pearl L. Beckman, Executrix
Terry Lee Pratt, Executrix
Sheila M. Kendzior, Executrix
Diana Lynn Drake, Executrix
J. Scott Tharp, Executor
Lewis G. Arthur, Executor
Debra G. Moffa, Executrix
Mary Ann Orr, Executrix
Joni A. Opyoke, Executrix
Mary Ann Whiting, Administratrix
Cathy W. Bolyard, Executrix
Laura Louise Hayes, Executrix
Alice Lemley, Executrix
Martha B. Efaw, Executrix

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Estate of

SCOTT, VICKI R.
NESTER, ELLA MAE
ABEL, GERALD L.
SMITH, THOMAS E.
HUGUS, DORIS J.
CORLEY, LAWRENCE BLAIR, JR.
BOORD, BETTY IRENE
VAN GILDER, NELMA
DRAKE, DORTHA

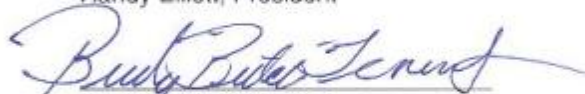
Representative

Herbert L. Scott, Executor
William B. Nester, Jr., Executor
Linda L. Abel, Executrix
J. Chad Smith, Administrator
Judith A. Kuhn, Anc. Admrx. CTA DBN
Gloria D. Corley, Administratrix
Sherry Lynn Gillett, Executrix
Donald Lee VanGilder, Executor
Mary Markely Taylor, Executrix

ENTER: August 28, 2013



Randy Elliott, President



Burley "Butch" Tennant, Commissioner

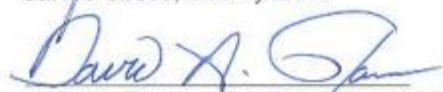


Ernie VanGilder, Commissioner

ATTEST:



Janice Cosco, County Clerk



David A. Glance, Fiduciary Supervisor

Commissioner Tennant moved that the Commission sign the Order #341. Commissioner VanGilder seconded. President Elliott concurred.

For the record, note the Commission received the West Virginia Development Office's Final Performance Report for Mannington PSD Waterline extension Project FY2007 Small Cities Block Grant Project Number 07SCBG0038X. County Administrator Kris Cinalli stated that the grant ran \$11,259.10 under budget. He continued that the audit has been completed with no findings. Kris wanted to thank our former County Planner Richard Walton for the work he did in regards to this Grant and Kris also thanked our current Grant Coordinator Belinda Biafore for the work in closing out the grant.

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WEST VIRGINIA DEVELOPMENT OFFICE

1900 Kanawha Boulevard East • Charleston, WV 25305-0311
(304) 558-2234 • (800) 982-3386 • WVDO.org

August 13, 2013



The Honorable Randy Elliott
President
Marion County Commission
200 Jackson Street
Room 103
Fairmont, West Virginia 26554

**RE: Final Performance Report
Marion County Commission – Mannington PSD Waterline Extension Project
FY2007 Small Cities Block Grant – Project Number: 07SCBG0038X**

Dear Commissioner Elliott:

This letter is to acknowledge receipt, and acceptance of the Marion County Commission's Small Cities Block Grant (SCBG) Final Performance Report, dated July 31, 2013, and submitted by Belinda Biafore of the Marion County Development Office. The following comments resulted from our review of the information contained in the report.

COVER SHEET

A review of the report indicates there were no citizen complaints regarding this project. A review of the West Virginia Development Office (WVDO) files also indicates there were no complaints received. If any complaints about this project should be made in the future, please notify the WVDO and provide a copy of the complaint with the Marion County Commission's response.

FINANCIAL

The County's project has been completed for \$1,488,740.90. Unused funds of \$11,259.10 will be recaptured by the WVDO. The following is the final budget relating to the receipt of SCBG funds:

Activity	Budget	Expended
Administration	\$ 30,000.00	\$ 18,740.90
Construction Improvements	\$ 1,470,000.00	\$ 1,470,000.00
<i>Total:</i>	\$ 1,500,000.00	\$ 1,488,740.90

AUDIT

Our review shows that a single audit was completed for fiscal year 2011 for a total of \$1,470,000.00, with no findings noted. Since expenditures for FY 2012 and beyond do not trigger another audit, we will proceed with final closeout of this grant.

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The Honorable Randy Elliott
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GRANT ACCOMPLISHMENTS AND IMPACT

The proposed accomplishments for the Marion County Commission – Mannington PSD Waterline Extension Project involved installation of 149,000 line feet of 8, 6, and 2 inch water lines, a 100,000 gallon water storage tank, a 10,000 gallon water storage tank, a 20 gallon per minute booster, 2 master meters, and all necessary appurtenances to supply clean drinking water to 266 customers. Small Cities Block Grant funds were administered with sound financial management, labor compliance, and accurate record keeping.

PROGRAM BENEFIT

The program benefit was expanded service to Mannington PSD, with clean reliable drinking water to 266 customers where residents are 75.64% Low to Moderate Income. The identified project area included various ethnic groups, none were excluded as beneficiaries.

HOUSING OPPORTUNITIES

The WVDO acknowledges the activities to affirmatively further fair housing in your county. Please be advised that all efforts undertaken to implement your Fair Housing Resolution should be documented and maintained in your files for a period of three years after project close-out.

FINAL WAGE COMPLIANCE

No labor discrepancies were noted during Marion County's project.

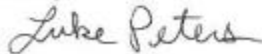
STATE MONITORING

After completing a technical review of the project files, it has been determined that there are no outstanding issues that need to be resolved regarding state monitoring.

Thank you for the submission of the Final Performance Report, it is to be made available to the general public in a manner deemed acceptable. Citizen comments relevant to this report should be responded to and a copy provided to this office along with your response.

If you have any questions regarding this letter, please contact me at 304-558-2234 or by email at luke.n.peters@wv.gov.

Sincerely,



Luke N. Peters
Community Development Specialist II

cc: Belinda Biafore Marion County Development Office
Kim DeMorato WVDO
Kelly Workman WVDO

For the record, note the Commission received a request for reimbursement from West Virginia Division of Justice and Community Services to cover expenditures from July 1 to July 31, 2013. County Administrator Kris Cinalli stated that this request for reimbursement is for our Day Report Program in the amount of \$6,459.59.

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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: July 1 TO: July 31

PROJECT CASH EXPENDITURES

Account #	Amount
Personnel	\$6,351.61
Contractual	0
Travel/Training	0
Equipment	0
Other	\$107.98
TOTAL	\$6,459.59

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)


 SIGNATURE 8-19-13
 DATE

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WEST VIRGINIA	Project Financial Report
Division of Criminal Justice Services	Final Report <input type="checkbox"/>
Page 1 of 1	Report #: 1
Subgrantee: Marion County Commission Address: 211 Adams Street Suite 201 Fairmont, WV 26554	Prepared By: Brandt Conley Phone #: 204-333-2445 FAX #: 204-333-2444
For Period: July 1 to July 31 Date Prepared: 8-16-2013	Project #: 14-CC-10 Signature: <i>K. Conley</i>

CATEGORY	APPROVED BUDGET (If Applicable to Program)			EXPENDED THIS PERIOD (If Applicable to Program)			EXPENDED TO DATE (If Applicable to Program)			UNPAID OBLIGATIONS Grant Funds ONLY
	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	
Personnel	\$133,392.00	\$41,700.00		\$6,351.61	\$3,162.50		\$6,351.61	\$3,162.50		
Contractual		\$101,400.00		0	\$10,365.00			\$10,365.00		
Travel		\$5,071.00			\$7.81			\$10,365.00		
Training										
Equipment		\$1,000.00								
Other	\$563.00	\$12,174.00		\$107.98	\$2,126.88		\$107.98	\$2,126.88		
TOTALS:	133,955.00	161,345.00		\$6,459.59	\$5,294.19		\$6,459.59	\$5,294.19		

INSTRUCTIONS

The following instructions should be observed when preparing a Project Financial Report:

DATE DATES: Reports are due in the Division of Criminal Justice Services by the C.O.B. on the 20th day of the month following the period of this report.

SUBGRANTEE: Enter the name and address of the State Agency, Unit of Local Government, or Non-Profit Agency that is designated as the grant recipient.

PREPARED BY: Type the name and phone number (including extension) of the person preparing this report. The preparer must sign in the space provided.

FOR PERIOD: _____ to _____; Enter the month(s) covered by this report.

FINAL REPORT: Check this block if this is the last report.

DATE PREPARED: Enter the date this report was prepared.

PROJECT #: Enter the number assigned by the Division of Criminal Justice Services.

APPROVED BUDGET: Enter the latest approved project budget.

EXPENDED THIS PERIOD: Enter expenditures made during this reporting period. Expenditure information should be based on actual disbursements and should not be rounded.

EXPENDED TO DATE: Enter cumulative expenditures to date based on actual disbursements and not rounded.

UNPAID OBLIGATIONS: Enter all obligations that have been incurred during this reporting period that have not been paid.

Submit original report to:

Tim P. Hanna
 Justice Programs Specialist
 Division of Criminal Justice Services
 1204 Kanawha Boulevard, East
 Charleston, West Virginia 25301

For the record, note the Commission presented the Listing of the proposed amendment to the approved 2013-2018 Statewide Transportation Improvement Program (STIP).

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WEST VIRGINIA
DEPARTMENT OF TRANSPORTATION
1900 Kanawha Boulevard East • Building Five • Room 109
Charleston, West Virginia 25305-0440 • (304) 558-0444

Earl Ray Tomblin
Governor

Paul A. Mattox, Jr., P. E.
Cabinet Secretary

August 13, 2013

To Whom It May Concern:

The Statewide Transportation Improvement Program (STIP) is a financially constrained document required to show planned Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) expenditures for federal fiscal years 2013-2018. One of the requirements to funding any project with FHWA or FTA funds is that each proposed project undergoes a public "review and comment period". Therefore, additions or deletions to the STIP and certain changes to projects currently in the STIP must meet this requirement before federal funds can be obtained. Accordingly, I am again requesting your assistance in making available (to anyone who wishes to review them) the attached listing of the proposed amendment to the approved 2013-2018 STIP.

All written comments are to be received no later than August 25, 2013, and should be mailed to:

Anthony J. Carovillano, P.E., P.S.
Program Division
West Virginia Division of Highways
Building 5, Room A-816
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0430

Should you have any questions, please contact Mr. Carovillano at (304) 558-9736.

Very truly yours,
Original signed by:
Gregory L. Bailey
Gregory L. Bailey, P. E.
Deputy State Highway Engineer
Planning and Programming

GLB:Cs

Attachment

cc: Mr. Kevin Burgess, Federal Highway Administration – w/ attachment
Ms. Brigid Hynes Cherin, Federal Transit Administration – w/ attachment
Ms. Kathleen Zubrzycki, Federal Transit Administration – w/ attachment
Ms. Susan O'Connell, Division of Public Transit – w/ attachment

E.E.O. AFFIRMATIVE ACTION EMPLOYER

*The Commission presented the **appointment of Taylor B. Downs to the Marion County Rescue Squad Board of Directors.***

Commissioner Tennant moved that the Commission appoint Taylor B. Downs to the Marion County Rescue Squad Board of Directors. Commissioner VanGilder seconded. President Elliott concurred.

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*The Commission stated that **they are accepting applications for the Marion County Health Board.***

Commissioner Tennant moved that the Commission publish and accept applications for the Republican position on the Marion County Health Board. Commissioner VanGilder seconded. President Elliott concurred.

For the Record, note the Commission received from Consolidation Coal Company, Permit #U-0431-00 their Renewal, Sequence #6 for review in the County Clerk's Office.

For the record, note the Commission received the Independent Auditor's Report and Related Financial Statements for the Years Ended June 30, 2012 and 2011.

For the record, note the Commission received the Notice of Service Change effective October 29, 2013, Comcast will begin encrypting Limited Basic Service in our area.

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August 15, 2013

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



IMPORTANT INFORMATION – SERVICE CHANGE

Effective **October 29, 2013**, Comcast will begin encrypting Limited Basic service in your area.

Customers who have a set-top converter, a digital transport adapter (DTA), or a retail CableCARD™ device connected to each television will be unaffected by this change. Customers currently receiving Comcast's Limited Basic service on any television without equipment supplied by Comcast will lose the ability to view any channels on the television.

Affected customers should contact Comcast at 855-860-8989 to arrange for the equipment needed to continue receiving services. These customers are entitled to receive equipment at no additional charge or service fee for a limited period of time. The number and type of devices they are entitled to receive, and for how long, will vary depending on the situation.

- Limited Basic customers who receive cable service on a television without Comcast-supplied equipment are entitled up to two devices for two years. Customers who are on Medicare are entitled to receive the devices for five years.
- Cable customers who subscribe to a higher level of service and receive Limited Basic service on a secondary television without Comcast-supplied equipment are entitled to one device for one year.

Customers can learn more about the equipment offer and eligibility at www.comcast.com/digitaladapterinfo or by calling 855-860-8989.

To qualify for any equipment at no additional charge or service fee, customers must request equipment between September 29, 2013 and February 25, 2014, and satisfy all other eligibility requirements.

We will notify customers of this change via a bill insert beginning on August 22, 2013.

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, appearing to read "Mark Depretis".

Mark Depretis
Regional Director, Government & Regulatory Affairs
Comcast

2994 Industrial Boulevard · Bethel Park, PA 15102 · www.comcastcorporation.com

*The Commission received the **Baxter Community** to discuss mailing address changes caused by closing of **Baxter Post Office**. **Andrew Noshagya** and **Carolyn Bennett** came to thank the **Marion County Commission** and **Chris McIntire** of **Central Communications** for their assistance in helping **Baxter** try to have a plan to keep their **Post Office**.*

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WVSAMB

WEST VIRGINIA E9-1-1 ADDRESSING REFERENCE GUIDE – VERSION 1.1

With the coming of the WVSAMB statewide E9-1-1 addressing project, rural route box addresses will be changing to city-type addresses to better locate dwellings in an emergency. To insure that these city-type addresses can be used for both an emergency address and a mailing address, it is necessary for mail to be delivered to customers from the Post Office within their community. Otherwise, some customers would have two addresses: a rural route mailing address from a different community and a city-type address used for emergencies within their own community.

Given the large number of rural mailing addresses used in the state, the US Postal Service will, as far as is practical, switch rural route addresses when they are able. These changes may occur after the assignment of E9-1-1 addresses, however. Whenever these changes occur, those postal customers who live in a community with no Post Office will continue to have their mail delivered from a neighboring community's Post Office. When this happens, these postal customers will use their new city-type address, their community name, and the ZIP code of the community that delivers their mail, providing the US Postal Service serves the entire community under one ZIP code.

Jeff Biafore the Maintenance Supervisor stated that the County-Wide tire pick-up was a great success this year. He added that in 2012 the County collected approximately 56,000 tire and this year only collect 28,000 tires. Jeff believes that this indicates that there will be fewer tires dumped throughout the County.

Charlie Reese presented his update for the Palatine Park Project; firstly he wanted to thank the Commission for its financial support of \$750,000.00. He stated that Jimmy Summers; is the Vice-President of the BASS Nation was present and Mr. Summers added that there will be a meeting in Morgantown at their Airport on September 13, 2013 at 1:30 p.m. with the new Colonel of the Army Corps of Engineers over the Locks at Opekiska. He added that the presence of the Commission could be of great assistance. Charlie Reese added that the partnership with the West Virginia Department of Natural Resources is going very well and Charlie added that the DNR will construct and maintain the parking lot of 70 trucks and trailers the installation of the boat ramp and dock facility. Charlie stated that they believe that the cost will be a little over \$300,000.00 for this part of the Palatine Project and the general public will have full and complete access free of charge throughout the year. Charlie Reese added that Norman Kronjaeger has completed the survey and will be recorded soon.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, September 4th, 2013 at 10:00 a.m. for the next scheduled County Commission Meeting.

Randy Elliott, President

