The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, September 3rd, 2014. Present were Commissioner Elliott, Commissioner VanGilder and President Tennant.

The proceedings of Wednesday, September 3rd, 2014, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on September 4th, 5th, 8th and 9th, 2014 were approved as submitted and signed.

Bill Preston of the Everlasting Covenant Church led the Court with a prayer. Norman Kronjaeger 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, September 3rd, 2014 and accept them as presented. Commissioner VanGilder seconded. President Tennant concurred.

The Commission presented a Proclamation for Norman Kronjaeger for his service. Also acknowledged were former County Commissioners who had worked with Norman and whom were present for this meeting; the former Commissioners in attendance were: Raymond Prozzillo, Cody Starcher, Jack May, Cecily Enos, Jim Sago and Alan Parks. Norman addressed the Commission and thanked them for being given the opportunity to work with them and for the community and expressed the desire to be remembered as “the guy who gave back.”
Commissioner Elliott moved that the Commission approve the Proclamation. Commissioner VanGilder seconded. President Tennant concurred.

For the record, note James Priester, Assessor presented to the County Commission the following Exonerations for approval.

Dated September 10, 2014
Nos. #2014-889 through #2014-904

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Elliott moved that the President sign Nos. #2014-889 through #2014-904. Commissioner VanGilder seconded. President Tennant concurred.
The Commission received an Order of Probate of Wills from the County Clerk’s Office for the month of August, 2014. Kris Cinalli 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 August 1, 2014 through August 31, 2014 pursuant to West Virginia Code §41-5-10, as amended.
Commissioner Elliott moved that the Commission sign the Order. 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 September 10, 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 September 1, 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 Order. Commissioner VanGilder seconded. President Tennant concurred.
The Commission received the List of Poll Workers for the General Election for approval from the County Clerk, Janice Cosco.

Commissioner Elliott moved that the Commission approve the List of Poll Workers for the General Election. Commissioner VanGilder seconded. President Tennant concurred.

For the record, note the Commission received the Commission on Drunk Driving Prevention Grant Application in the amount of $15,000.00.
The Commission received an **Order Recognizing First Exchange Bank as a County Depository.**

**ORDER RECOGNIZING FIRST EXCHANGE BANK AS A COUNTY DEPOSITORY**

This day came First Exchange Bank, Marmont, Marion County, West Virginia, a West Virginia corporation, a bank created, organized and doing business under and by virtue of the laws of the State of West Virginia, with its banking house and principal place of business in the City of Marmont, and moved the Marion County Commission, pursuant to a Resolution passed by the Board of Directors of the First Exchange Bank, at a meeting of said Board held on the 7th day of June, 2014, that it be permitted to qualify as a County Depository for the fiscal year beginning July 1, 2014 and ending June 30, 2015, and that it be permitted to avail itself of the provisions of Chapter 7, Article 5, Section 2, of the Code of West Virginia, as amended, by depositing with the County Commission of this County, in lieu of the execution of bonds, interest-bearing securities of the United States of America or their equivalent as provided for in said Act to secure the deposits of public funds made by the Sheriff and Treasurer of this County as said deposits.

And it appearing to the Commission that First Exchange Bank, a bank created, organized and doing business under and by virtue of the laws of the State of West Virginia, with its banking house and principal place of business in the City of Marmont, Marion County, West Virginia, has elected to and has deposited collateral security to secure the County Commission in public funds so deposited in said county depository instead of executing bond to secure said deposit, which said collateral security was deposited with a Trustee as provided by law under and by virtue of a certain agreement made and entered into between the Sheriff and Treasurer of Marion County, for and on behalf of Marion County and said First Exchange Bank, a bank created, organized and doing business under and by virtue of the laws of the State of West Virginia, with its banking house and principal place of business in the City of Marmont, Marion County, West Virginia, which said agreement is in writing, is attached hereto to be filed in the Clerk’s Office of this Commission, to which reference is here made.

And it now appearing to the Commission that said agreement and the collateral security deposited thereunder with said Trustee and all sufficient security to indemnify this Commission against loss by reason of the deposit of public funds in said depository and that said agreement and the securities therein subsequently deposited will be sufficient security to this Commission for funds deposited in said depository, and that the Prosecuting Attorney has approved said agreement and said securities, the Commission does hereby consent that the agreement aforesaid, heretofore entered into between the Sheriff and Treasurer of this County and First Exchange Bank, be, and the same is hereby approved as and for the Agreement between this Commission and First Exchange Bank, in the City of Marmont, Marion County, West Virginia, for and during the fiscal year beginning July 1, 2014 and ending June 30, 2015; and that the securities so deposited by said First Exchange Bank, as they are now held by this Commission as aforesaid, and it is further ordered that said agreement and the collateral security therewith deposited shall be in
Commissioner Elliott moved that the Commission sign the Order Recognizing First Exchange Bank as a County Depository. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received Agreements and a Release from Equitrans, LP for property at Curtisville. Commissioner Elliott explained that Equitrans, LP had previously secured a right-of-way at Curtisville and this was an extension of this right-of-way, for which Equitrans, LP is making payment by the foot. It was also explained that no activity by Equitrans, LP would cause disruption to the lake or the recreational area; the property involved was nearby acreage. County Administrator Kris Cinalli stated that once signed the County will receive $194,225.00 from Equitrans, LP for the County’s lease interest for 644.34 acres and that those funds will go into the General Fund.

Commissioner Elliott moved that the Commission approve the Agreement and Release from Equitrans, LP. Commissioner VanGilder seconded. President Tennant concurred.

The Commission re-appointed Charles S. Piercy, Jr. to the Kingmill Valley PSD, term to expire on October 1, 2014.

Commissioner Elliott moved that the Commission re-appoint Charles S. Piercy, Jr. to the Kingmill Valley PSD. Commissioner VanGilder seconded. President Tennant concurred.
Chris McIntire addressed the Commission announcing that, in conjunction with National Preparedness Month, Weather Alert Radios would be given to each school in the county to help them stay aware and prepared for weather-related issues. Gary Price, Superintendent of Marion County Schools, was present to accept the Weather Alert Radios and extended much appreciation to the Commission and the Emergency Preparedness Committee for the donation, as well as for the support and protection provided to the students of Marion County. Chris also informed the Commission of a new FM radio station that he is hopeful will be up and running by next week. This station will be located at 99.5 FM and will broadcast weather-related alerts, as well as provide up-to-date weather forecasts.

Charlie Reese of the Marion County Economic Development Office addressed the Commission with some updates. Before doing so, he thanked Norman Kronjaeger for the work and guidance that he provided at Palatine Park.

He reported on plans for an ice skating rink for Palatine Park. He asked for permission to pursue a company who is willing to come in for a couple of days, set up and “Iceless” Ice Skating Rink, along with bringing about 100 pairs of ice skates, in order to get some idea of how well-received an ice skating rink would be to our county before moving forward with plans to construct an ice skating rink. The cost would be around $6000.00 for this ice skating preview and he is hopeful to gain some donations for this effort.

He also had an update on the Korean War Memorial it is an eligible project to make use of hotel/motel taxes. He explained that Phase I will cost $11,500 and the total cost for all three phases will be approximately $75,000.

Charlie also reported on Phase I of Palatine Park – the Amphitheater, explaining that the roof is in good shape, but some of the wood would require treatment for preservation and some of the metal will need to be painted. A wish list for the project would include adding some stone veneer to the amphitheater and also contacting some of those who had performed at the amphitheater to access any needs that they became aware of for those performances. He also said there remains the question of whether to hire out the work or to have it performed “in house.”

Lastly, Charlie announced that the DOH has approved $400,000 in their budget (in addition to the $150,000 from last year) to make improvements to Tulip Lane in Pleasant Valley, much of which was made available because Heston’s Distillery is considered a manufacturing company, making the road leading to it (Tulip Lane) an industrial road. The DOH is able to match the contributions of the businesses on that road (Shuck’s, Sole’s Electric, Heston’s Distillery, and Heston’s Restaurant).

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until 10:30 a.m. for the Public Hearing on the expansion of the Greater Harrison County Public Service (GHPSD).
Public Hearing on a Resolution and Order Proposing the Enlargement of the Sewer Authority of the Greater Harrison County Public Service District into the Boothsville Area of Marion County.

President Tennant called the Public hearing to order; and turned it over to the County Administrator Kris Cinalli.

Tom Michael, attorney for the Greater Harrison County PSD addressed the Commission to explain that the previous order which was approved by the Commission was flawed by the fact that it required that the order be posted in five conspicuous places within the affected area and that had not been done. Mr. Michael explained that this was an error on his part and did not hold any member of the Commission responsible for this oversight. Now that the postings have taken place at five conspicuous places in the area to be affected and since no one appeared at today’s meeting with any objections, it was requested that the original order be ratified. Commissioner VanGilder asked where the postings were placed in the Boothsville area. Mr. Michael replied that they were placed at the BP station, the Methodist Church, the Baptist Church, along the road between the two churches, and on a pole visible as you approach Boothsville along Rt. 73; he also explained that an affidavit will be sent regarding the postings.

Upon recommendation of the County Attorney, Chuck Shields, Commissioner Elliott moved to ratify the order, Commissioner VanGilder seconded and 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, September 17th, 2014 at 10:00 a.m. for the next scheduled County Commission Meeting.

Burley “Butch” Tennant, President