The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, September 4th, 2013. Present were Commissioner Tennant, Commissioner VanGilder and President Elliott.

The proceedings of Wednesday, September 4th, 2013, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on September 5th, 6th, 9th and 10th, 2013 were approved as submitted and signed.

George Patton of the Union Mission led the Court with a prayer. Belinda Biafore 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, September 4th, 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 September 11, 2013
Nos. #2013-1180 through #2013-1219

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Tennant moved that the President sign Nos. #2013-1180 through #2013-1219. Commissioner Tennant seconded. President Elliott 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 September 11th, 2013.

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 2nd, 2013, issue of the Fairmont Times West Virginian, all in accordance with West Virginia Code 44-3A-19.
Estate of

MORRIS, MARVIN, JR. (Annual)
LITTLE, CHARLES WILLIAM (2nd & Final)
FLOYD, ELSIE MAE
YAREMCHUK, DANIEL M.
SCRIVO, MARGARET PARSONS
MARTINO, CHLOE JOSEPHINE SHIMER
MULLENAX, MILLARD S., JR.
BOWER, NELLIE P.
PARKER, DALLIS V.
LAWSON, WILLIAM EUGENE
MOORE, MICHAEL LEE
FERGUSON, CATHERINE P.
CARPENTER, DORIS E.
HUFFMAN, ARA (ARA) RAYANNA ANDERSON
ALBRITTON, BONNIE JO STARR
BALDRIDGE, JOYCE ANN
McVICKER, CHERYL ANN
RASPA, RALPH P.
LINDSAY, JANE C.
MOORE, NINA L.

TENNANT, STANLEY R.
LIEVING, VALJEAN
GERKEN, BETTY JOANNE
SQUIRES, LOU G.
FARMER, RUSTY ARTHUR
FRY, CHARLES WILLIAM
VINCENT, BRIAN LEE, JR.
STEWART, GLENN M., JR.
PARKER, IRENE H.
FANCHESTER, GRACE A.

Representative

Robert M. Morris, Executor
Gary K. Bennett, Administrator DBN
Michael L. Floyd, Administrator CTA DBN
Greg Lee, Executor
Henry J. M. Schaefer, Executor
Linda Layman, Executrix
J. Scott Tharp, Administrator CTA
Dean E. Bower, Executor
Mary Mason, Executrix
Julie Lawson, Administratrix
Lisa M. Moore, Administratrix
Linda Nichols Poling, Executrix
Ray Michael, Executor
Diana L. Shafer, Executrix
Leland Elbert Albritton, Administrator CTA
Magalene Conaway, Administratrix
Renee M. Postlethwait, Administratrix
Ralph M. Raspa, Executor
John D. Lindsay, Jr., Executor
Rebecca Ann Mattingly and Mary Ann Moore, Co-Executors
Richard Carl Tennant, Executor
Etienne S. Lieving, II, Executor
Paulette Couch Klingensmith, Executrix
Stephen G. Engle, Executor
Susan Kay Farmer, Administratrix
Kelly Jeanne Fry, Executrix
Brian Lee Vincent, Sr. Administrator
Mary A. Thorne, Anc. Admin. CTA DBN
John W. Parker, Executive
Charles Thomas Rancher, Executor
Commissioner Tennant moved that the Commission sign the Order. Commissioner VanGilder seconded. President Elliott concurred.

The Commission presented the Proclamation for Patriot Day and National Day of Service and Remembrance.
Commissioner Tennant moved that the Commission sign the Proclamation. Commissioner VanGilder seconded. President Elliott concurred. Chris McIntire made some comments on how the 911 Center operates and the amount of calls that are received and sent out.

The Commission presented the appointment and replacement of the trustee, paying agent, registrar and discloser/dissemination agent for the County Commission of Marion County Hospital Revenue Bonds, Series 2007 (Fairmont General Hospital Project).
County Administrator Kris Cinalli stated that they are requesting that the County Commission appoint UMB Bank to be appointed as Successor Trustee. He added that Fairmont General Hospital has agreed to this appointment as well. Kris added that Chuck Shields and he have reviewed this and all appears in order. Ryan White was present from White Law Offices to respond to any questions if needed. He added that the Commission should sign.

Commissioner Tennant moved Commission President sign the Order. Commissioner VanGilder seconded. President Elliott concurred. Mr. White added that there were some additional documents that need sign as well. President Elliott asked that Chuck Shields review those documents and if approved that the Commission will sign those as well. Commissioner Tennant moved Commission sign the subsequent Order. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received the Drunk Driving Prevention Grant Application. Kris Cinalli stated that this grant period is from October 26th, 2013 through January 26th, 2014 in the amount of $15,000.00.
Commissioner Tennant moved that the Commission President sign the grant application. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received the request for reimbursement from West Virginia Division of Justice and Community Services from August 1, 2013 to August 30, 2013. Kris Cinalli the County Administrator stated that this request is in the amount of $2,396.00 for August 2013.

![Image of reimbursement form]

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

The Commission received the request for advice and consent of the County Commission to hire Allison Smith as full time Administrative Assistant, with benefits, for the Prosecuting Attorney’s office. Prosecuting Attorney Patrick Wilson introduced Allison Smith to the Court.
Commissioner Tennant moved that the Commission grant its advice and consent to hire Allison Smith as full time Administrative Assistant, with benefits, for the Prosecuting Attorney’s office. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received the request for advice and consent of the County Commission to hire Emily Potesta and Andrea Wright as full time Telecommunicators at starting salary of $22,380.80 with benefits, effective September 16, 2013.
Commissioner Tennant moved that the Commission grant its advice and consent to hire Emily Potesta and Andrea Wright as full time Tele-communicators at a starting salary of $22,380.80 with benefits, effective September 16, 2013. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received the request for advice and consent of the County Commission to move Shawn Teets from part-time Tele-communicator, with no benefits, to full time, starting salary $25,937.60, with benefits.
Commissioner Tennant moved that the Commission grant its advice and consent to move Shawn Teets from part-time Tele-communicator, with no benefits, to full time, with starting salary $25,937.60, with benefits. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received the request from George R. Higinbotham for decision upon abandonment of the County’s interests in only a portion of right of way adjacent to the plots comprising the business interests of Steve Dodd doing business as the Nautilus Connection. County Administrator Kris Cinalli added that Mr. Higinbotham wants the Commission to review this file. Chuck Shields asked that we may have a public hearing later and that the interested parties present their information to the Commission and that the Commission make its recommendation to the State. Chuck Shields stated that this should be tabled pending information that Mr. Higinbotham will ask for a public hearing or removed his request. The State of West Virginia Attorney Brenda Craig Ellis was present and added for the record that this is in the realm of the Department of Highways.

Commissioner Tennant moved that the Commission table this item. Commissioner VanGilder seconded. President Elliott concurred.
The Commission received the request from Marion County Senior Citizens for assistance for the Senior Center in Mannington. County Administrator Kris Cinalli stated that they are requesting $4,000.00 to complete their project of the outdoor pavilion with kitchen.

Commissioner Tennant moved that the Commission grant their request of $4,000.00 to complete their project and that those funds come from the Coal Severance Fund. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received the request from Baxter VFD for $10,000.00 for air pack grant match.

Commissioner Tennant moved that the Commission grant their request of $10,000.00 and that those funds come from the Coal Severance Fund. Commissioner VanGilder seconded. President Elliott concurred.

For the record, note the Commission received the Resolution in Support of Palatine Park Development.
For the record, note the Commission received the notification from Time Warner Cable of agreements with programmers and broadcasters whose services and stations about to expire.

Mr. Summers stated that the meeting on the September 13th, 2013 has been changed to September 26th, 2013 at 1:30 p.m. with the Corps of Engineers on keeping the locks opened on the Monongahela River.

Mr. White from White Law Office stated that there is a deed of trust that goes with the other documents in which Mr. White is named trustee on the deed of trust.

Charlie Reese presented his update on the Palatine Park Project in that he attend the City of Fairmont Council Meeting in which he tried to clear up some issues. He also added that the second house on New Street will be closed on next week. We will be bidding out the contract to demolish both houses.
Jeff Biafore presented the Skate Park project update cutting trees behind the park opening it up to be viewed towards the river. He added that the skating area has been re-coated, which has been made smoother. They are also going to add another light pole after discussion with the power company.

Charlie Reese added that there have been no geese for two to three weeks now. Charlie added that at the City Council meeting he requested formally the appraisal of the property that the City had contracted as well as the script that the Mayor used during the Council Meeting, because there were things that did not jive. Charlie added that there will be an advertisement in the Times West Virginia for an RFP for engineering on this project. Charlie stated that we will start beginning on Phase II the abandonment of roads that are located on the map only and not there physically. He will give the application for abandonment of roads to Norman Kronjaeger to start completing in order to begin that process. Charlie stated that the sidewalks are completed around the Amphitheater. Charlie stated that there only two questions that he has for the City and they are: When is the next meeting date when we will decide what the City wants to do; and what are they going to do with the green grass area?

President Elliott stated that at a meeting with the City we need to determine what we both agree upon and get those issues complete and accomplished. Commissioner VanGilder would like to address those new businesses that have privately invested in our Community; those being Jay Prendergast in Bellview; Dennis Hermosilla on Morgantown Avenue; and the Coppertop near the airport. Commissioner Tennant added that the new bus depot will be opening soon as work has begun on the new State Building on the 400 Block of Adams Street.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, September 18th, 2013 at 10:00 a.m. for the next scheduled County Commission Meeting.

__________________________________
Randy Elliott, President