

**MARION COUNTY COMMISSION
COUNTY COURT
SEPTEMBER 25, 2013**

The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, September 18th, 2013. Present were Commissioner Tennant, Commissioner VanGilder and President Elliott.

The proceedings of Wednesday, September 18th, 2013, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on September 19th, 20th, 23rd and 24th, 2013 were approved as submitted and signed.

*D. D. Meighen 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 18th, 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 25, 2013
Nos. #2013-1260 through #2013-1278**

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Tennant moved that the President sign Nos. #2013-1260 through #2013-1278. Commissioner VanGilder seconded. President Elliott concurred.

*The Commission received the **Order Confirming and Ratifying Fiduciary Supervisor's Report of Claims and Settlement Reports; Order #342.***

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 25th, day of September, 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

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 (ARAH) RAYANNA ANDERSON
ALBRITTON, BONNIE JO STARR
BALDRIDGE, JOYCE ANN
McVICKER, CHERYL ANN
RASPA, RALPH F.
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.
FANCHER, GRACE A.

Representative

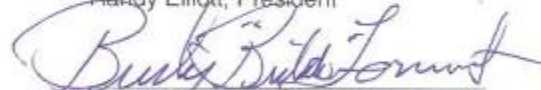
Robert M. Morris, Executor
Gary K. Bennett, Administrator DBN
Michael L. Floyd, Administrator CTA DBN
Greg Lee, Executor
Henry J. M. Schaefer, Executor
Linda Layman, Executrix
J. Scott Tharp, Administrator CTA
Dean E. Bower, Executor
Mary Mason, Executrix
Julie Lawson, Administratrix
Lisa M. Moore, Administratrix
Linda Nichols Poling, Executrix
Roy Michael, Executor
Diana L. Shaffer, 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-Executrices
Richard Carl Tennant, Executor
Eugene 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. Admr. CTA DBN
John W. Parker, Executor
Charles Thomas Fancher, Executor

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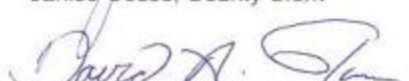
<u>Estate of</u>	<u>Representative</u>
FRIEND, JAMES GARY	Jonnie L. Friend, Administratrix
CLELLAND, ZANALU VAILE	Judith A. Kuhn, Anc. Admr. DBN
KUBIET, JOSEPH J.	Doris Maxine Kubiet, Executrix
SEHEWCHUK, DANIEL PETE	Pete Sehwchuk, Administrator
TUCKER, WILLIAM L.	Anna M. Tucker, Administratrix
PORTER, DRAUNDA SUE	Doretta D. Bonnell, Administratrix
ARMSTEAD, ZELDA GAY	Anthony L. Armstead, Executor
CINELLI, HELEN M.	Linda A. Cinelli, Executrix
STEPHEN, RONALD L.	Shirley J. Stephen, Administratrix
SNIDER, THOMAS LEE	Shirley May Snider, Executrix
HARDING, FLOYD H.	Grethel L. Harding, Executrix
IORIO, ANTHONY L.	Lawrence E. Iorio, Executor
CAMPIONE, SARAH J.	Robert J. Campione, Executor

ENTER: September 25, 2013


Randy Elliott, President


Burley "Butch" Tennant, Commissioner


Ernie VanGilder, Commissioner

ATTEST:

Jahice Cosco, County Clerk

David A. Glance, Fiduciary Supervisor

Commissioner Tennant moved that the Commission sign the Order, Order #342. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received the Grant Contract Agreement between Division of Justice and Community Services and Marion County Commission (12-VA-043). County Administrator Kris Cinalli added that this Grant is in the amount of \$21,613.00 for our Victim's Advocate Grant through the Marion County Prosecuting Attorney's Office.

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Earl Ray Tomblin, Governor



J. Norbert Federspiel, Director

September 13, 2013

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



Re: Victims of Crime Act (VOCA)
Approved Funding – \$21,613.00
Project Number: 12-VA-043

Dear Commissioner Elliott:

Congratulations on your recent award for a Victims of Crime Act (VOCA) Grant Award. Enclosed you will find:

- Contract Agreement
- Resolution
- Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements; and
- EEOP Certification – Two (2) forms – one completed form to the Office for Civil Rights and one completed form returned to the Division of Justice and Community Services
- Supplemental Special Conditions

Also, enclosed you will find a copy of the revised budget pages for the new grant. Please replace your original budget pages of the grant application with the enclosed revised budget pages. Do not send these revised pages back with the signed contract. These pages are for your grant records only.

If there were positions not funded under this grant, a revision of the goals and objectives of the grant may be required. This only applies if the unfunded positions were built in to the overall scope of the grant via the goals and objectives. **Please note that revised goals and objectives (if applicable) are due back to DJCS no later than Friday, October 11, 2013.**

To formalize your acceptance of this grant award, please sign the contract, certifications, conditions, affect a resolution and return the **originals** to this office by **October 11, 2013.**

1204 Kanawha Boulevard East
Charleston, West Virginia 25301
Phone: (304) 558-8814
Fax: (304) 558-0391



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Randy Elliott
September 13, 2013
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Additional information regarding the administrative procedures that govern this grant program will be sent directly to your designated Project Director in the near future. In the interim, should you have questions concerning the contract or other enclosures, please contact Sara Miller at (304)558-8814, extension 53336, or via email Sara.E.Miller@wv.gov. I look forward to working with you on this project and feel confident that our efforts will prove tremendously beneficial to the State of West Virginia.

Sincerely yours,



Sarah J. Brown
Senior Justice Programs Specialist

SJB/lbm

c: Mr. Patrick Wilson (all attachments)
Grant File (all attachments)

Enclosures

Commissioner Tennant moved that the Commission President sign the Grant Contract Agreement as well as the Clerk. Commissioner VanGilder seconded. President Elliott concurred.

The Commission presented the appointment of Board Member to the Marion County Board of Health.

Commissioner Tennant moved that the Commission table this item until the Director of the Marion County Health Department has time to review these applications. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for funds from the town of Farmington for materials for a water extension project. County Administrator Kris Cinalli stated that this will supply 5 additional homes in the area. He continued that the Town has submitted a quote of \$2,493.63; however, this is probably not correct due to them being estimated.

Commissioner Tennant moved that the Commission pay the final bill for the pipe, glue and fittings and that those funds be appropriated from the Coal Severance Fund. Commissioner VanGilder seconded. President Elliott concurred.

The Commission received a request for funds for the first Emergency Preparedness Expo. Bishop Galen Hansen of the Church of Jesus Christ of Latter Day Saints presented this request and answered questions presented to him. The request was in the amount of \$300.00 for signage.

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Marion County Commission
200 Jackson St.
Fairmont, WV 26554

September 18, 2013

Greater Fairmont Council of Churches
c/o Rev. Dr. Michael C. Richards, President
Boothsville Charge, The United Methodist Church
379 Dean Drive
Fairmont, WV 26554
(304) 366-7288
drmichaelrichards@yahoo.com

Dear Commissioners:

The Greater Fairmont Council of Churches, in partnership with and at the request of the Marion County Homeland Security and Emergency Management Department and the Health Department, as well as various other State, County, and local agencies, is endeavoring to deeply involve our representative faith communities with emergency preparedness. To this end, our first major event is the Emergency Preparedness Expo to be held at the Church of Jesus Christ of Latter-Day Saints in Meadowdale on Saturday, October 12, 2013 from 10:00am to 2:00pm. This expo will feature displays and instructions in the areas of 72-hour preparedness, community preparedness, water purification, food storage, wilderness survival, CPR awareness, auxiliary power, sanitation, cast iron cooking, and other related areas. The Marion County Health Department will also be making flu shots available. Our confirmed participants, in addition to the churches of our Greater Fairmont Council of Churches are: Homeland Security and Emergency Management, FEMA, Marion County Health Department, American Red Cross, the Salvation Army, Connecting Link, area Police and Fire Departments, Marion County Rescue Squad, Boy Scouts, Adult Learning Center, and others. As you can see, this has the potential to become a major event as we plan to hold it annually, and may be of some of the most needed and significant service to our community in these times. The Greater Fairmont Council of Churches is committed to a long-term partnership with these government and community agencies to help our citizens be more prepared in the event of natural disaster with utilities disruption and other unforeseen events.

We are requesting a grant of \$300 toward the costs of this event. We would also invite the members of the Commission to be our guests for the day's events. We thank you for your most kind consideration of our request. We pray Heaven's blessings on the work of The Commission in your ongoing service to our community.

Grace and Peace,

for 
Rev. Dr. Michael C. Richards, President

*Bishop Church of Jesus Christ
of Latter-Day Saints*

PREPAREDNESS EXPO
SATURDAY - OCTOBER 12 - 10:00 a.m. - 2:00 p.m.
at The Church of Jesus Christ of Latter-Day Saints
Meadowdale Road, Fairmont, West Virginia

ARE YOU PREPARED ?

COME JOIN THE GREATER FAIRMONT COUNCIL OF CHURCHES
LEARN HOW TO PREPARE FOR FUTURE EMERGENCIES



FEATURING

- * 72-Hour Prep Kits
- * Community Preparedness
- * Water Purification
- * Food Storage
- * Freeze Dried Food
- * Wilderness Survival
- * CPR Awareness
- * First Aid
- * Fingerprinting for Children
- * Communications
- * Auxiliary Power
- * Sanitation
- * Document Preparedness
- * Cast Iron Cooking
- * WV Assistive Tech. System
- * Blood Drive
- * Flu Shots (\$25 or PEIA or Medicare)



PARTICIPANTS

- * Homeland Security & Emergency Management
- * FEMA
- * FBI
- * Marion County Health Department
- * American Red Cross
- * Salvation Army
- * National Guard
- * Connecting Link
- * Police Department
- * Fire Department
- * Rescue Squad
- * Boy Scouts
- * Lowes
- * Center for Excellence in Disabilities
- * Adult Learning Center
- * Plus Many Other Participants



Commissioner Tennant moved that the Commission grant \$300.00 to this event and that those funds be appropriated from the Coal Severance Fund. Commissioner VanGilder seconded. President Elliott concurred.

For the record, note the Commission received the notice from Time Warner Cable of agreements with programmers and broadcasters about to expire.

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Time Warner Cable
Vice President of Government Relations

September 12, 2013



**Via Certified Mail
Return Receipt Requested**

Mr. Burley Tennant
President
Marion County Commission
200 Jackson Street, Room 403
Fairmont, WV 26554

Dear Mr. Tennant:

I am writing in our ongoing efforts to keep you apprised of programming developments affecting the cable television system serving your community.

Time Warner Cable's agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, but in order to comply with applicable regulations, we must inform you when an agreement is about to expire. The following agreements are due to expire soon, and we may be required to cease carriage of one or more of these services or stations in the near future.

CBS Sports Network, E! Entertainment, Flix East, Flix West, G4, IFC, KDKA, KDKA HD, Lifetime, LMN, Music Choice, NHL Center Ice, NHL, NHL HD, Showtime East, Showtime HD, Showtime Beyond East, Showtime Extreme East, Showtime Extreme HD, Showtime On Demand, Showtime Showcase East, Showtime Showcase HD, Showtime Too East, Showtime Too HD, Smithsonian HD, Style, TMC East, TMC HD, TMC Extra East, TMC On Demand, WE, WPSD, WPSD HD, You Too TV, Zap2It.

In addition, from time to time we make certain changes in the services that we offer in order to better serve our customers. The following changes are planned: On or about September 22, TV Guide Network with the scrolling guide on channel 21 will be discontinued; TV Guide Network will continue to be available on ch 132. KIWI-Non SDV: On or after October 1, CBS Sports Network will be added to the Digital Red tier. CBS Sports Network will continue to be carried in the TWC Sports Pass tier and will remain on channel 251.

Programming is subject to change. Not all services available in all areas. Restrictions may apply.

For up-to-date listings of our packages and channels, visit our website at www.timewarnercable.com.

If you have any questions or concerns, please do not hesitate to call me directly at (513) 386-5908.

Sincerely,

Pamela McDonald
Vice President of Government Relations
Time Warner Cable

For the record, note the Commission received the notice from COMCAST announcing the continuance of providing free Internet service to Marion County Schools and Library.

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September 13, 2013

County Commissioners
Marion County Commission
200 Jackson Street, Room 403
Fairmont WV 26554

Dear Mr. Parks:

Comcast is pleased to announce that it will continue to provide high-speed Internet service to Marion County schools, and your local library, free of charge again this year, continuing the company's tradition of putting its advanced fiber technology to work for the communities we serve.

Comcast has provided free high-speed Internet service to schools, libraries and Boys & Girls Clubs across the region since we began offering the service here. Comcast also uses our advanced fiber-rich network to deliver free cable television service to schools and other public buildings in Marion County. The company's broadband contribution in Marion County alone has an annual value of more than \$5,024.

Additionally, Comcast recently launched Internet Essentials, a program which provides families with children who are eligible to receive free lunches under the National School Lunch Program (NSLP) with low-cost Internet service, affordable computers and digital literacy training. The goal of Internet Essentials is to help close the digital divide and ensure more Americans benefit from all the Internet has to offer. The national program addresses what research has identified as the three primary barriers to broadband adoption – 1) a lack of understanding of how the Internet is relevant and useful; 2) the cost of a home computer; and 3) the cost of Internet service. The launch of this program has been a collaborative effort with schools, community leadership and community based organizations throughout the country. To learn more, please visit www.internetessentials.com or feel free to contact me.

Comcast is focused on delivering the best in innovation, information and entertainment to our customers in Marion County and across the region. We are committed to using our resources to make meaningful investments in communities where our customers and employees live and work. Comcast is pleased to help make a difference in schools and libraries by providing fast and reliable video and high-speed Internet connections.

As always, it has been a pleasure working with your community and we look forward to continuing our support of Marion County for years to come.

Sincerely yours,

Mark Depretis
Director, Government Relations
412-595-8379

Enclosure

Charlie Reese presented an update on the Palatine Park Project.

Jeff Biafore presented his update on the Skate Park and the lighting of that park.

Norman Kronjaeger presented a plat along with a short discussion on the alley way behind the Huntington Bank Building on Adams Street.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, October 2nd, 2013 at 10:00 a.m. for the next scheduled County Commission Meeting.

Randy Elliott, President