

MARION COUNTY COMMISSION
SEPTEMBER 3, 2014

The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, August 27th, 2014. Present were Commissioner Elliott, Commissioner VanGilder and President Tennant.

The proceedings of Wednesday, August 27th, 2014, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on August 28th, 29th, September 2nd, 2014 were approved as submitted and signed.

*Bill Preston of the Everlasting Covenant Church led the Court with a prayer. Rhonda Starn the Circuit Clerk 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 27th, 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 September 3, 2014
Nos. #2014-855 through #2014-888

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Elliott moved that the President sign Nos. #2014-855 through #2014-888. Commissioner VanGilder seconded. President Tennant concurred.

*The Commission received an **Order Filing Petition and Setting Hearing Date in the matter of the Estate of Jay L. Morgan, deceased. County Administrator Kris Cinalli stated that the Hearing Date will be on Wednesday, October 1, 2014 at 10:30 a.m. in the Commission Chambers.***

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IN THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA
IN RE: ESTATE OF JAY L. MORGAN, DECEASED

ORDER FILING PETITION AND
SETTING HEARING DATE

On the 14th day of November, 2013, came the Petitioner, Cindy Morgan Woodward, and filed a Petition for the Removal of Martin Linn Morgan as Co- Executor of the estate of Jay L. Morgan, deceased. The Commission orders such Petition filed herein, and accordingly, sets such Petition for hearing before the County Commission of Marion County, West Virginia, on the 4th Floor, 200 Jackson Street, Fairmont, West Virginia, on the 1st day of October, 2014, at 10:30 a.m., at which time and place the parties in interest shall appear before the Commission.

The Clerk shall summons all parties in interest, whose addresses are listed below.

1. Cindy Morgan Woodward, 184 Sherwood Rd., Bridgeport, WV 26330
2. Martin Linn Morgan, Rt. 8, Box 355, Fairmont, WV 26554
3. Richard W. Gallagher, Esq., PO Box 128, Clarksburg, WV 26302
4. Alfred Murray, Esq. 212 Margaret Court, Suite 3, Fairmont, WV 26554

Wherefore, the Commission ORDERS this matter continued generally, pending such hearing.

ENTER: September 3, 2014
Date


Commissioner


Commissioner


Commissioner


David A. Glance, Fiduciary Supervisor

ATTEST:

Janice Cosco, County Clerk

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

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The Commission received a request for a budget revision in the Extension Office budget. County Administrator Kris Cinalli stated that the revision is in the amount of \$1,000.00.

Marion County Commission

BURLEY "BUTCH" TENNANT, JR.
President
RANDY J. ELLIOTT
Commissioner
ERNIE J. VANGILDER
Commissioner



Address Correspondence to:
200 JACKSON STREET • ROOM 403
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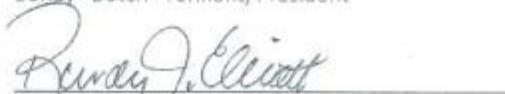
Commissioners,

The following budget revision is necessary in the Extension Office budget:

002-412-341-00	Increase
WVU Extension Office Matt&Supp	\$1,000.00
002-986-459-00	Decrease
Co Comm Capital Outlay	\$1,000.00

Entered: 9-3-14


Burley "Butch" Tennant, President


Randy J. Elliott, Commissioner


Ernie VanGilder, Commissioner

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

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The Commission presented the Proclamation for Breast Cancer Awareness.

Proclamation

WHEREAS, breast cancer is the most commonly diagnosed cancer among women in the United States and, in West Virginia, it's estimated a woman has a 1 in 8 lifetime risk of developing breast cancer; and

WHEREAS, at this time, the best method to reduce deaths, due to breast cancer, is through early detection of the disease and it is now being diagnosed at a much earlier stage; and

WHEREAS, recommended screening for breast cancer includes a mammogram every 1 to 2 years for women age 40 to 49, yearly mammograms for women age 50 and older, yearly breast examination by a physician or nurse, and monthly breast self-examination; and

WHEREAS, in recognition of the lifesaving importance of early detection practices available for breast cancer, the Marion County Commission does hereby proclaim October 3rd, 2014 as West Virginia Breast Cancer Awareness Day and the month of October, 2014, as

"BREAST CANCER AWARENESS MONTH"

in Marion County, and urge all Marion County women to become aware they are at risk for breast cancer and to discuss a screening program with their health care providers.

Given under our hand and the Seal of the County of Marion, this, the 1st day of October, 2014.

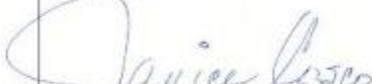
MARION COUNTY COMMISSION


BURLEY TENNANT, JR. PRESIDENT


RANDY ELLIOT, COMMISSIONER


ERNIE VANGILDER, COMMISSIONER

ATTEST:


Janice Cosco, County Clerk



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

For the Record, note the Commission received from Consolidation Coal Company, Permit #U-0431-00, Incidental Boundary Revision #7 for public review.

Chris McIntire, Director of the Department of Homeland Security and Emergency Services presented some awards; they are as follows: Sgt. Ryan Danley for perfect attendance; Jim Cox for instructing a woman through the birth of her child presented by Michael Angelucci as well from the Marion County Rescue Squad; President Tennant pinned a stork on his lapel. Other awards were presented by Fairmont City Police Chief Kelly Moran presented an award to Janet Miller who description allowed the police to apprehend a bank robber as well as presenting an award to the 911 dispatcher Shawn Teets who's coordinating of all

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the movement of law enforcement involved with the apprehension of the bank robber; and Chief Moran presented an award to West Virginia State Police Cpl. John McDougal for his actual apprehension of the bank robber and through his questioning of the suspect, that information lead to the closure of another Harrison County bank robbery. Finally, West Virginia State Police Sgt. G.S. Petsko presented an award to Angie Clutter of 911 for her efforts in the location of three Marion County Residents who were lost following a severe winter storm in Randolph County; all were recovered alive, but with minor health issues.

Marion County Parks and Recreation life guards; Jake Layman and Lindsey Turner were presented awards from Mike Lane who was rescued in a swimming incident at Wave Tech Pool in which he almost drowned.

President Tennant stated that the Marion County Day Report Center was awarded their grant application and funding for the upcoming fiscal year in the amount of \$133,955.00. Director Ted Offutt stated that they will be able to continue service to Marion County once again and that the Marion County Drug Court is up and running with the West Virginia Supreme Court reimbursing the Day Report Program for all of its funding of their programs to those participation of Drug Court.

President Tennant asked Charlie Reese, the Marion County Economic Development Office his opinion of the Home Rule that is under consideration by the City of Fairmont and has applied for approval. Charlie Reese began by quoting a Times West Virginian article "Welcome Home Rule to Fairmont - it's our door to the future." Charlie stated that what worries him is who has the handle to the door. Charlie spoke on various topics on the Home Rule Plan and said that it does has some good points on dilapidated structures; longevity credits for business and the time they have been located within the City; Charlie believes that the tax credit for a three new or newer business is very crucial early on for a startup business. The points that Charlie Reese spoke on that concerned him were revenue and potential for increasing it and also concerning him of the increase in revenue is where those funds would go, mainly to offset long term liabilities in their pensions funds with the Fire and Police Departments; the negative point on dilapidated structures was that the City has plenty of codes on vacant structures, why have they not been revisited to make adjustments to correct the problems that we are not faced with. Charlie also stated that when they talk it is only about the Downtown area and they never mention Bellview, Watson or East Fairmont. Commissioner VanGilder stated that he is hoping that everyone starts talking about the problems and come up with solutions other than just raising taxes. Commissioner VanGilder added that Business do not pay taxes; it is the individuals that patronize those business that pay the taxes. He continued that it is unfair for business to continue to have their taxes increased as a solution to government short comes. Charlie Reese also added that he heard that the Commission passed a tax on County citizens with a levy for Marion County Parks and Recreation; and Charlie Reese stated that Tony, the Director of MCPARC will inform everyone that the voters of Marion County voted to raise taxes on themselves by passing that levy. Charlie continued that he disagreed with the City Councilman that made those remarks. Commissioner VanGilder stated that that was absolutely correct and that he can assure you that this Home Rule project, that citizens of Fairmont and Marion County are not going to get vote on whether their

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taxes are increased or not. Commissioner VanGilder stated that he is not against the entire Home Rule, just certain parts.

Commissioner Elliott stated that the Assessor raises taxes, not the Commission; however, the Commission can lower those taxes through the Board of Equalization Hearings if presented with evidence of issues with your home and property. Commissioner Elliott added that the mill rate from last year did not change this year; it has remained the same.

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

Burley "Butch" Tennant, President