The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, October 18th, 2017. Present were Commissioner Elliott, Commissioner Garcia were in attendance. Commissioner VanGilder was excused.

D. D. Meighen led the Court with a prayer. Sheriff James Riffe led the Court with the Pledge of Allegiance.

President Pro Tempore Elliott called the meeting to order.

The proceedings of Wednesday, October 18th, 2017, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission October 19th, 20th, 23rd, 24th, 25th, 26th, 27th, 30th and 31st, 2017 were approved as submitted and signed.

Commissioner Garcia moved to dispense with the reading of the minutes of Wednesday, October 18th, 2017 and accept them as presented. President Pro Tempore Elliott seconded. Motion passed.

For the record, notes Mark Trach, Assessor presented to the County Commission the following Exonerations for approval.

Dated November 1st, 2017
Nos. #2017-694 through #2017-723

Pursuant to the recommendation of Mark Trach, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Garcia moved that the President sign Nos. #2017-694 through #2017-723. President Pro Tempore Elliott seconded. Motion passed.

The Commission received Order Confirming and Ratifying Fiduciary Supervisor’s Report of Claims and Settlement Reports; Order # 391.

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 October, 2017.

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.
Estate of

HOLBERT, MADOLINE R.
REED, KATHRYN JEAN
SHARON KAY GAINES
PAKNIK, THOMAS
WRIGHT, JAMES RAY
HUFFMAN, LUTHER
MORGAN, BILLIE LEE, SR.
MATTHEWIS, DALE WILLARD
FANCHER, ROBERT J.
SKORMISLEY, JUDITH ANN
LARATTA, LEO PHILLIPS
WILSON, MARY ANN
Saban, Kathryn T.
RIGGS, ELIZABETH A.
WESTFALL, JOAN
MOORE, FLEDA REID
CHIVERS, FRANK RICHARD
MAZUREK, ALFRED
LUTON, JACK ALTON
STANLEY, WILMA D.
ALLEVATO, JOHN A.
RAGER, LEOTA I.
CLAYTON, RAYMOND B.
MOOREHEAD, NORMA
Koch, Frances A.
TAYLOR, JAMES SCOTT
MORGAN, LILLIAN M.
TRAVIS, JONATHAN

Representative

Nancy L. MacDonald, Executrix DBN
Kenneth Reed, Executor DBN
Columbus Carpenter, Executor
Linda Paknik, Executrix
Mary D. Johnson, Administratrix CTA
David Huffman, Administrator
Belinda Joyce Sheppard, Executrix
Sally Sue Anderson, Executrix
Ellen Louise Fancher Nestor, Executrix
Linda Lou Nease, Executrix
Therese M. Laratta, Administratrix
Lance L. Wilson, Administrator
Dianna L. Thompson, Executrix
Margaret Cowgier and Barbara Carpenter, Co-Executrices
Jonnett D. Bragg, Executrix
J. Scott Tharp, Executor
Frank Herbert Chivers, Executor
Nancy Laughlin, Executrix
Lorena Luton, Administratrix
Daryl Sturm, Executrix
Anthony James Allevato, Executor
Timothy A. Rager, Executor
Giovanna E. Clayton, Executrix
Donna L. Davis, Executrix
John Koch, Jr., Executor
Robin K. Taylor, Administratrix
Richard L. Morgan, Executor
Mary Sue Travis, Executrix

Estate of

MIKLICH, DANNY
STEVENSKI, ANDY J.
ICE, BERT LEE
NATERNICOLA, NANCY

Representative

Judith Ann Miklich, Executrix
Linda L. Stevenski, Executrix
Kathy Alice Locke, Executrix
Joseph L. Maternicola, Executor

ENTER: 11-1-17

President

Commissioner

ATTEST:

Janice Cosco, County Clerk
by Thomas P. Antulov, deputy

David A. Glance, Fiduciary Supervisor
by: Lynne A. Duskey, deputy
Commissioner Garcia stated that hearing no objection moved that the Commission sign the Order. President Pro Tempore Elliott seconded. Motion passed.

The Commission presented the Order Authorizing Levy Election under Provisions of West Virginia Code §11-8-16 to Provide for the Continued Operation of the Marion County Parks and Recreation System.

IN THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA

ORDER AUTHORIZING LEVY ELECTION UNDER PROVISIONS OF WV CODE § 11-8-16 TO PROVIDE FOR THE CONTINUED OPERATION OF THE MARION COUNTY PARKS AND RECREATION SYSTEM

WHEREAS, Pursuant to the provisions of West Virginia Code Chapter 11, Article 8, the County Commission of Marion County, West Virginia is authorized to provide for a levy election for the purpose of general county current expenses; and

WHEREAS, on the 1st day of November, 2017 came the Marion County Parks and Recreation Commission in public meeting and presented to the County Commission of Marion County, West Virginia a request to authorize a levy election for the purpose of continued operation of the parks and recreation system in Marion County; and

WHEREAS, the County Commission is authorized by the provisions of West Virginia Code Chapter 11, Article 8, Section 16 to continue its levies by entering on its record of proceedings an order setting forth:

(1). The purpose for which additional funds are needed
(2). The amount for each purpose
(3). The total amount needed
(4). The separate and aggregate assessed valuation of each class of taxable property within its jurisdiction.
(5). The proposed additional rate of levy in cents on each class of property.
(6). The proposed number of years of levy, not exceeding five.
(7). The fact that the levying body will not issue bonds as provided by this section, if on approval of the proposed levy; and

WHEREAS, the existing parks and recreation system in Marion County as operated by the Marion County Parks and recreation Commission is funded partially from funds generated by an excess levy currently in effect in the county; and;

WHEREAS, the levy is essential to the continued operation of the parks and recreation system in Marion County and services provided to the citizens of the county would be greatly reduced without the levy funds; and

WHEREAS, for the existing parks and recreation system to continue beyond June 30, 2013 additional funds are required; and
WHEREAS, the Commission is of the opinion that for the good of the public welfare, it is necessary that the levy continue to fund the operation of the parks and recreation system in Marion County.

It is accordingly ORDERED that pursuant to the provisions of Chapter 11, Article 8 of the West Virginia Code, as election shall be held to place before the voters of Marion County the question of a continued levy for the purpose of continued operation of the Parks and Recreation system in Marion County, West Virginia. It is further ordered that:

1. The purpose of the continued levy funds shall be to continue the operation of the parks and recreation system in Marion County, West Virginia.
2. All funds received pursuant to the excess levy shall be utilized for the continued operation of the parks and recreation system in Marion County, West Virginia. Any surplus funds received shall be utilized for the same purpose during the fiscal year so received. In the event that any funds may be obtained from the United States of America, State of West Virginia, or any other legal source, by gift, grant or otherwise, in aid of furtherance of the aforesaid purposes, the Marion County Parks and Recreation Commission is hereby authorized to match such funds, if required by the granting authority, from the proceeds of the levy.
3. The proposed additional rate of levy in cents on each one hundred dollars ($100.00) assessed valuation of taxable property in Marion County, West Virginia shall be as follows:
   - Upon Class I properties 2.0 cents
   - Upon Class II properties 4.0 cents
   - Upon Class III properties 8.0 cents
   - Upon Class IV properties 8.0 cents
4. The proposed years to which the additional levy shall apply shall be the fiscal years beginning July 1, 2018, July 1, 2019, July 1, 2020, July 1, 2021
5. The Marion County Commission shall not issue bonds upon approval of the proposed increased levy.
6. The question of laying such additional levy shall be submitted to the voters of Marion County, West Virginia in a Primary Election to be held in said County on the 8th day of May 2018 in accordance with the election laws of the State of West Virginia.
7. The registration of voters and the use of registration books shall be governed by the permanent registration laws of the State of West Virginia. The registration lists of Marion County, West Virginia, as amended and corrected according to law, shall be the official registration list for such Primary Election.
8. The notice calling such election shall be given by the publication of this Order as a Class II legal advertisement in the Times West Virginian, a newspaper of general circulation in the territory in which the election is held and as such shall be published once a week for two successive weeks within a period of fourteen consecutive days with at least an interval of six full days within the period between the date of the first publication and the date of the second publication.

9. The form of the ballot for such election shall be as follows:

Levy For Funds to Continue Operation of the Parks and Recreation System in Marion County West Virginia

A Special election to authorize levies for fiscal years beginning July 1, 2018, July 1, 2019, July 1, 2020, July 1, 2021 for the purpose of funding the continued operation of the Parks and Recreation system in Marion County, West Virginia according to the Order of the Marion County Commission entered on the 1st day of November 2017. The Continued levy in cents per one hundred dollars of assessed valuation on each class of property within Marion County shall be as follows:

Class I 2.0 cents
Class II 4.0 cents
Class III 8.0 cents
Class IV 8.0 cents

( ) Yes for the levy
( ) No against the levy

Given under our hand and the Seal of the County of Marion on the 1st day of November, 2017

ENTERED: 11-1-17

MARION COUNTY COMMISSION

ERNIE VANGILDER, PRESIDENT

MARION COUNTY COMMISSION

ERNIE J. VANGILDER, PRESIDENT

RANDY J. ELLIOTT, COMMISSIONER

RICK GARCIA, COMMISSIONER

ATTEST:

JANICE COSCO, COUNTY CLERK
101 Reasons to vote for the MCPARC levy

<table>
<thead>
<tr>
<th>Number</th>
<th>MCPARC Program/Event</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>MCPARC Playground Program</td>
<td>Free six-week summer camp for children</td>
</tr>
<tr>
<td>2</td>
<td>east of Marion – A Veteran’s Memorial Park</td>
<td>Park area</td>
</tr>
<tr>
<td>3</td>
<td>Mary Lou Retton Youth Park</td>
<td>Youth sports and recreation</td>
</tr>
<tr>
<td>4</td>
<td>For the Kids Soccer Complex</td>
<td>Youth soccer league</td>
</tr>
<tr>
<td>5</td>
<td>Worthington Park</td>
<td>Recreational activities</td>
</tr>
<tr>
<td>6</td>
<td>Hutchinson Park</td>
<td>Park amenities</td>
</tr>
<tr>
<td>7</td>
<td>Guyes Run Fishing Park</td>
<td>Fishing opportunities</td>
</tr>
<tr>
<td>8</td>
<td>Curtisville Lake and Campground</td>
<td>Camping and fishing</td>
</tr>
<tr>
<td>9</td>
<td>West Fork River / Ralph S. Larue Trail</td>
<td>Hiking and nature trails</td>
</tr>
<tr>
<td>10</td>
<td>McT trail</td>
<td>Nature trail for hiking and jogging</td>
</tr>
<tr>
<td>11</td>
<td>Palatine Park</td>
<td>Park amenities</td>
</tr>
</tbody>
</table>

Your Pools

<table>
<thead>
<tr>
<th>Number</th>
<th>MCPARC Pool/Activity</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>MCPARC Wave Pool</td>
<td>Pool activities</td>
</tr>
<tr>
<td>13</td>
<td>12th St. Pool</td>
<td>Pool activities</td>
</tr>
<tr>
<td>14</td>
<td>Sprayground at Palatine Park</td>
<td>Sprayground activities</td>
</tr>
</tbody>
</table>

MCPARC Programs

<table>
<thead>
<tr>
<th>Number</th>
<th>MCPARC Program/Activity</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>MCPARC Day Camp</td>
<td>Day camp program</td>
</tr>
<tr>
<td>16</td>
<td>Windmill Park</td>
<td>Park amenities</td>
</tr>
<tr>
<td>17</td>
<td>5th Street Park</td>
<td>Park amenities</td>
</tr>
<tr>
<td>18</td>
<td>Montana Mines</td>
<td>Park amenities</td>
</tr>
<tr>
<td>19</td>
<td>Barrackville</td>
<td>Park amenities</td>
</tr>
<tr>
<td>20</td>
<td>Farmington</td>
<td>Park amenities</td>
</tr>
<tr>
<td>21</td>
<td>Grant Town</td>
<td>Park amenities</td>
</tr>
<tr>
<td>22</td>
<td>Manningtown</td>
<td>Park amenities</td>
</tr>
<tr>
<td>23</td>
<td>Fairview</td>
<td>Park amenities</td>
</tr>
<tr>
<td>24</td>
<td>MCPARC K-3 Basketball League</td>
<td>Youth basketball league</td>
</tr>
<tr>
<td>25</td>
<td>MCPARC Pickle Ball League</td>
<td>Pickle ball league</td>
</tr>
<tr>
<td>26</td>
<td>MCPARC Horseshoe Pitchers Assoc.</td>
<td>Horseshoe league</td>
</tr>
<tr>
<td>27</td>
<td>MCPARC Tennis Leagues / Camps</td>
<td>Tennis programs and camps</td>
</tr>
<tr>
<td>28</td>
<td>MCPARC Movie Nights at Palatine Park</td>
<td>Movie nights</td>
</tr>
<tr>
<td>29</td>
<td>MCPARC Bounce House Events</td>
<td>Bounce house rentals</td>
</tr>
<tr>
<td>30</td>
<td>MCPARC Synthetic Ice Skating Rink</td>
<td>Ice skating rink</td>
</tr>
<tr>
<td>31</td>
<td>MCPARC Trip Program</td>
<td>Trip program</td>
</tr>
<tr>
<td>32</td>
<td>MCPARC Swim Lessons</td>
<td>Swimming lessons</td>
</tr>
<tr>
<td>33</td>
<td>MCPARC Special Olympic Pool Parties</td>
<td>Special events for Special Olympics</td>
</tr>
<tr>
<td>34</td>
<td>MCPARC Family Fishing Day</td>
<td>Family fishing day</td>
</tr>
<tr>
<td>35</td>
<td>MCPARC Easter Celebration</td>
<td>Easter celebrations</td>
</tr>
<tr>
<td>36</td>
<td>Halloween Tailgate Trick or Treat</td>
<td>Halloween event</td>
</tr>
<tr>
<td>37</td>
<td>MCPARC Sr. Softball</td>
<td>Senior softball league</td>
</tr>
<tr>
<td>38</td>
<td>Free Summer Concert Series at Palatine Park</td>
<td>Concert series</td>
</tr>
<tr>
<td>39</td>
<td>MCPARC Synthetic Ice Skating Rink</td>
<td>Ice skating rink</td>
</tr>
<tr>
<td>40</td>
<td>MCPARC Christmas Tree Program</td>
<td>Christmas tree program</td>
</tr>
</tbody>
</table>

MCPARC assists with many community events.

<table>
<thead>
<tr>
<th>Number</th>
<th>Event</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>41</td>
<td>Feast of the Seven Fishes</td>
<td>Religious event</td>
</tr>
<tr>
<td>42</td>
<td>Riverville School Fall / Spring Celebrations</td>
<td>School event</td>
</tr>
<tr>
<td>43</td>
<td>Movie Night for Barrackville Little League</td>
<td>Movie night event</td>
</tr>
<tr>
<td>44</td>
<td>Fairmont Christmas Parade</td>
<td>Christmas parade</td>
</tr>
<tr>
<td>45</td>
<td>Fairview Christmas Parade</td>
<td>Christmas parade</td>
</tr>
<tr>
<td>46</td>
<td>Barrackville Christmas Parade</td>
<td>Christmas parade</td>
</tr>
<tr>
<td>47</td>
<td>Farmington Christmas Parade</td>
<td>Christmas parade</td>
</tr>
<tr>
<td>48</td>
<td>Marion County Project Graduation</td>
<td>Graduation event</td>
</tr>
<tr>
<td>49</td>
<td>Lights on Afterschool Event</td>
<td>Event for afterschool programs</td>
</tr>
<tr>
<td>50</td>
<td>Fairview Movie Nights</td>
<td>Movie nights event</td>
</tr>
<tr>
<td>51</td>
<td>Downtown Fairmont Movie Nights</td>
<td>Movie nights event</td>
</tr>
<tr>
<td>52</td>
<td>Moonwalkfest</td>
<td>Festival event</td>
</tr>
<tr>
<td>53</td>
<td>LVA Half-Marathon</td>
<td>Half-marathon race</td>
</tr>
<tr>
<td>54</td>
<td>LVA Run to Read 5K</td>
<td>Run to read event</td>
</tr>
<tr>
<td>55</td>
<td>602 MAC Community Events</td>
<td>Community events</td>
</tr>
<tr>
<td>56</td>
<td>Fairview 4th of July Celebration</td>
<td>Independence Day celebration</td>
</tr>
<tr>
<td>57</td>
<td>Riverville 4th of July Celebration</td>
<td>Independence Day celebration</td>
</tr>
<tr>
<td>58</td>
<td>Palatine Park 4th of July Celebration</td>
<td>Independence Day celebration</td>
</tr>
<tr>
<td>59</td>
<td>Celebration of Lights at Morris Park</td>
<td>Festival event</td>
</tr>
<tr>
<td>60</td>
<td>Disc Golf Tournaments at Morris Park</td>
<td>Golf tournament</td>
</tr>
</tbody>
</table>

MCPARC’s annual community grant program has contributed over $800,000 to assist local organizations, municipalities and schools with recreational-based facility or program upgrades since 1989.

The following is a list of organizations that received assistance from the MCPARC community grant program in the past two years.

<table>
<thead>
<tr>
<th>Number</th>
<th>Organization</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>61</td>
<td>Arts in the Parks</td>
<td>Arts program</td>
</tr>
<tr>
<td>62</td>
<td>Barrackville School PTO</td>
<td>School program</td>
</tr>
</tbody>
</table>
Commissioner Garcia moved that the Commission sign the Order. President Pro Tempore Elliott seconded. Motion passed.

The Commission presented the Order Authorizing Levy Election Under Provisions of West Virginia Code §11-8-16 to Provide for the Continued Operation of the Marion County Public Library.
IN THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA

ORDER AUTHORIZING LEVY ELECTION UNDER PROVISIONS OF WV CODE § 11-8-16 TO PROVIDE FOR THE CONTINUED OPERATION OF THE MARION COUNTY PUBLIC LIBRARY

WHEREAS, Pursuant to the provisions of West Virginia Code Chapter 11, Article 8, the County Commission of Marion County, West Virginia is authorized to provide for a levy election for the purpose of general county current expenses; and

WHEREAS, on the 1st day of November 2017 came the Marion County Public Library Board of Trustees in public meeting and presented to the County Commission of Marion County, West Virginia a request to authorize a levy election for the purpose of continued operation of the Marion County Public Library; and

WHEREAS, the County Commission is authorized by the provisions of West Virginia Code Chapter 11, Article 8, Section 16 to continue it’s levies by entering on its record of proceedings an order setting forth:

(1). The purpose for which additional funds are needed
(2). The amount for each purpose
(3). The total amount needed
(4). The separate and aggregate assessed valuation of each class of taxable property within its jurisdiction.
(5). The proposed additional rate of levy in cents on each class of property.
(6). The proposed number of years of levy, not exceeding five.
(7). The fact that the levying body will not issue bonds as provided by this section, if on approval of the proposed levy; and

WHEREAS, the Public Library in Marion County as operated by the Marion County Public Library Board of Trustees is funded partially from funds generated by an excess levy currently in effect in the county; and

WHEREAS, the levy is essential to the continued operation of the Marion County Public Library and services provided to the citizens of the county would be greatly reduced without the levy fund; and

WHEREAS, for the Marion County Public Library to continue operation beyond June 30, 2018 additional funds are required; and
WHEREAS, the Commission is of the opinion that for the good of the public welfare, it is necessary that the levy continue to fund the operation of the Marion County Public Library;

It is accordingly ORDERED that pursuant to the provisions of Chapter 11, Article 8 of the West Virginia Code, as election shall be held to place before the voters of Marion County the question of a continued levy for the purpose of continued operation of the Marion County Public Library in Marion County, West Virginia. It is further ordered that:

1. The purpose of the continued levy funds shall be to continue the operation of the Marion County Public Library in Marion County, West Virginia.

2. The total of the needed funds is approximately six hundred twenty seven thousand twenty-five dollars and seventy-three cents ($627,025.73) per fiscal year for the next four years.

3. All funds received pursuant to the excess levy shall be utilized for the continued operation of the Marion County Public Library in Marion County, West Virginia. Any surplus funds received shall be utilized for the same purpose during the fiscal year so received. In the event that any funds may be obtained from the United States of America, State of West Virginia, or any other legal source, by gift, grant or otherwise, in aid of furtherance of the aforesaid purposes, the Marion County Public Library Board of Trustees is hereby authorized to match such funds, if required by the granting authority, from the proceeds of the levy.

4. The proposed additional rate of levy in cents on each one hundred dollars ($100.00) assessed valuation of taxable property in Marion County, West Virginia shall be as follows:

   - Upon Class I properties 1.5 cents
   - Upon Class II properties 3.0 cents
   - Upon Class III properties 6.0 cents
   - Upon Class IV properties 6.0 cents

5. The proposed years to which the additional levy shall apply shall be the fiscal years beginning July 1, 2018, July 1, 2019, July 1, 2020, July 1, 2021

6. The Marion County Commision shall not issue bonds upon approval of the proposed increased levy.

7. The question of laying such additional levy shall be submitted to the voters of Marion County, West Virginia in a Primary Election to be held in said County on the 8th day of May 2018 in accordance with the election laws of the State of West Virginia.
8. The registration of voters and the use of registration books shall be governed by the permanent registration laws of the State of West Virginia. The registration lists of Marion County, West Virginia, as amended and corrected according to law, shall be the official registration list for such Primary Election.

9. The notice calling such election shall be given by the publication of this Order as a Class II legal advertisement in the Times West Virginian, a newspaper of general circulation in the territory in which the election is held and as such shall be published once a week for two successive weeks within a period of fourteen consecutive days with at least an interval of six full days within the period between the date of the first publication and the date of the second publication.

10. The form of the ballot for such election shall be as follows:

Levy For Funds to Continue Operation of the Marion County Public Library in Marion County West Virginia

A Special election to authorize levies for fiscal years beginning July 1, 2018, July 1, 2019, July 1, 2020, July 1, 2021 for the purpose of funding the continued operation of the Marion County Public Library in Marion County, West Virginia according to the Order of the Marion County Commission entered on the 1st day of November 2017.

The Continued levy in cents per one hundred dollars of assessed valuation on each class of property within Marion County shall be as follows:

<table>
<thead>
<tr>
<th>Class</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>1.5 cts</td>
</tr>
<tr>
<td>II</td>
<td>3.0 cts</td>
</tr>
<tr>
<td>III</td>
<td>6.0 cts</td>
</tr>
<tr>
<td>IV</td>
<td>6.0 cts</td>
</tr>
</tbody>
</table>

( ) Yes for the levy

( ) No against the levy

Given under our hand and the Seal of the County of Marion on the 1st day of November, 2017.

ENTERED: November 1, 2017

MARION COUNTY COMMISSION

ERNIE VAN GILDER, PRESIDENT

RANAY J. ELLIOTT, COMMISSIONER

RICK GARCIA, COMMISSIONER

ATTEST:

JANICE COSCO, COUNTY CLERK

by Thomas F. Antulov, deputy

Commissioner Garcia moved that the Commission sign the Order. President Pro Tempore Elliott seconded. Motion passed.
The Commission presented the Order Authorizing Levy Election Under Provisions of West Virginia Code §11-8-16 to Provide for the Continued Operation of the Mass Transit Program in Marion County.

IN THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA

ORDER AUTHORIZING LEVY ELECTION UNDER PROVISIONS OF WV CODE §11-8-16 TO PROVIDE FOR THE CONTINUED OPERATION OF THE MASS TRANSIT PROGRAM IN MARION COUNTY

WHEREAS, Pursuant to the provisions of West Virginia Code Chapter 11, Article 8, the County Commission of Marion County, West Virginia is authorized to provide for a levy election for the purpose of general county current expenses; and

WHEREAS, on the 1st day of November, 2017 came the Fairmont-Marion County Transit Authority in public meeting and presented to the County Commission of Marion County, West Virginia a request to authorize a levy election for the purpose of continued operation of the Marion County Transit Authority (public transportation system); and

WHEREAS, the County Commission is authorized by the provisions of West Virginia Code Chapter 11, Article 8, Section 16 to continue it’s levies by entering on its record of proceedings an order setting forth:
(1). The purpose for which additional funds are needed
(2). The amount for each purpose
(3). The total amount needed
(4). The separate and aggregate assessed valuation of each class of taxable property within its jurisdiction.
(5). The proposed additional rate of levy in cents on each class of property.
(6). The proposed number of years of levy, not exceeding five.
(7). The fact that the levying body will not issue bonds as provided by this section, if on approval of the proposed levy; and

WHEREAS, the existing mass transportation program operated by the Fairmont-Marion County Transit Authority is almost solely dependent on fare box revenues to sustain its operation with some funding from the Federal Transit Administration and is funded partially from funds generated by an excess levy currently in effect in the county: and;

WHEREAS, for the current mass transit program to continue operation beyond June 30, 2018 additional funds are required; and

WHEREAS, the Commission is of the opinion that for the good of the public welfare, it is necessary that the levy continue to fund the operation of the mass transit program in Marion County.
It is accordingly ORDERED that pursuant to the provisions of Chapter 11, Article 8 of the West Virginia Code, as election shall be held to place before the voters of Marion County the question of a continued levy for the purpose of continued operation of the mass transit program in Marion County, West Virginia. It is further ordered that:

1. The purpose of the continued levy funds shall be to continue the operation of the mass transit program in Marion County, West Virginia.
2. The total of the needed funds is approximately eight hundred thirty six thousand, thirty four dollars and thirty cents ($836,034.30) per fiscal year for the next four years.
3. All funds received pursuant to the excess levy shall be utilized for the continued operation of the Transit Authority in Marion County, West Virginia. Any surplus funds received shall be utilized for the same purpose during the fiscal year so received. In the event that any funds may be obtained from the United States of America, State of West Virginia, or any other legal source, by gift, grant or otherwise, in aid of furtherance of the aforesaid purposes, the Marion County Transit Authority is hereby authorized to match such funds, if required by the granting authority, from the proceeds of the levy.
4. The proposed additional rate of levy in cents on each one hundred dollars ($100.00) assessed valuation of taxable property in Marion County, West Virginia shall be as follows:

   - Upon Class I properties 2.0 cents
   - Upon Class II properties 4.0 cents
   - Upon Class III properties 8.0 cents
   - Upon Class IV properties 8.0 cents

5. The proposed years to which the additional levy shall apply shall be the fiscal years beginning July 1, 2018, July 1, 2019, July 1, 2020, July 1, 2021
6. The Marion County Commission shall not issue bonds upon approval of the proposed increased levy.
7. The question of laying such additional levy shall be submitted to the voters of Marion County, West Virginia in a Primary Election to be held in said County on the 8th day of May 2018 in accordance with the election laws of the State of West Virginia.
8. The registration of voters and the use of registration books shall be governed by the permanent registration laws of the State of West Virginia. The registration lists of Marion County, West Virginia, as amended and corrected according to law, shall be the official registration list for such Primary Election.
9. The notice calling such election shall be given by the publication of this Order as a Class II legal advertisement in the Times West Virginian, a newspaper of general circulation in the territory in which the election is held and as such shall be published once a week for two successive weeks within a period of fourteen consecutive days with at least an interval of six full days within the period between the date of the first publication and the date of the second publication.

10. The form of the ballot for such election shall be as follows:

Levy For Funds to Continue Operation of the Mass Transit (Bus) Program in Marion County, West Virginia

A Special election to authorize levies for fiscal years beginning July 1, 2018, July 1, 2019, July 1, 2020, July 1, 2021 for the purpose of funding the continued operation of the mass transit (bus) program in Marion County, West Virginia according to the Order of the Marion County Commission entered on the 1st day of November 2017.

The continued levy in cents per one hundred dollars of assessed valuation on each class of property within Marion County shall be as follows:

<table>
<thead>
<tr>
<th>Class</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class I</td>
<td>2.0 cents</td>
</tr>
<tr>
<td>Class II</td>
<td>4.0 cents</td>
</tr>
<tr>
<td>Class III</td>
<td>8.0 cents</td>
</tr>
<tr>
<td>Class IV</td>
<td>8.0 cents</td>
</tr>
</tbody>
</table>

( ) Yes for the levy

( ) No against the levy

Given under our hand and the Seal of the County of Marion on the 1st day of November, 2017

ENTERED: November 1, 2017

MARION COUNTY COMMISSION

ERNIE J. VANGILDER, PRESIDENT

RANDY J. ELLIOTT, COMMISSIONER

RICK GARCIA, COMMISSIONER

ATTEST:

JANICE COSCO, COUNTY CLERK
by Thomas F. Antulov, deputy
Commissioner Garcia moved that the Commission sign the Order. President Pro Tempore Elliott seconded. Motion passed.

All those present from each of the Levying Bodies were very thankful of the support of the Commission over the years and stated so in the open forum.

President Pro Tempore Elliott made the statement that all of these bodies perform a great service to the community and that they do very good job with the funds that they receive in maintaining their budgets. He thanked them for all of their effort.

The Commission presented the Resolution approving and authorizing the Marion County Parks and Recreation Commission to use East Marion Park as collateral.
County Administrator Kris Cinalli stated that this is to allow the Commission to still maintain the property and to allow the loan to take place in order to redo the wave tek pool and facilities in and around that area. Tony Michalski stated that all is going well at this tie and the building has been removed and all should be completed by May 1st, 2018.
Whereas, the land upon which East Marion Park is located is owned by the County Commission of Marion County, West Virginia; and

Whereas, the County Commission has determined that it is in the interest of the public good and welfare of the citizens of Marion County, West Virginia to allow the land at East Marion Park to be used as security for the indebtedness necessary for the improvement of the park.

Now, Therefore, Be It Hereto Resolved, that the County Commission of Marion County, West Virginia does approve and authorize Marion County Parks and Recreation Commission to use that certain real property of the County Commission of Marion County, West Virginia commonly referred to as East Marion Park located in Fairmont, Marion County, WV as collateral for a loan from the MVB Bank, Fairmont, West Virginia in an amount not to exceed five hundred thousand dollars ($500,000.00).

Dated this 1st day of November, 2017.

ENTER: November 1, 2017

President

[Signature]

Commissioner

[Signature]

Commissioner

Commissioner Garcia moved that the Commission sign the Resolution. President Pro Tempore Elliott seconded. Motion passed.

The Commission presented the Contract Agreement and Resolution for the Victims of Crime Act (VOCA) Grant. County Administrator Kris Cinalli stated that this grant award is in the amount of $44,378.00; 15-VA-132.
Marion County Commission

The Commission of the Marion County Commission met on November 1, 2017 with a quorum present and passed the following resolution.

Be it resolved that the Commission hereby authorizes Ernest VanGilder, President of the Marion County Commission to act on its behalf to enter into a contractual agreement with the Division of Justice and Community Services to receive and administer grant funds pursuant to provisions of the Victims of Crime Act (VOCA) grant program.

Signed:______________________________
County Clerk

by______________________________
Deputy
The Honorable Ernest Vangilder  
President  
Marion County Commission  
200 Jackson Street  
Fairmont, West Virginia 26554  

Re: Victims of Crime Act (VOCA)  
Approved Funding – $44,378.00  
Project Number: 15-VA-132  

Dear Commissioner Vangilder:  

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  
- EEOC 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  
- Standard, Special and Supplemental 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 a position was not funded, please revise your goals and objectives and submit a copy to DJCS.  

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 Wednesday, November 1, 2017.  

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 November 1, 2017.
Commissioner Garcia moved that the Acting President sign the Resolution. President Pro Tempore Elliott seconded. Motion passed.

The Commission presented the Re-appointment of Wilma Morgan to the Transit Authority’s Board of Directors, effective January 1, 2018, to replace Chris Smith, whose term expires December 31, 2017.

Commissioner Garcia moved that the Commission re-appoint of Wilma Morgan to the Transit Authority’s Board of Directors, effective January 1, 2018, to replace Chris Smith, whose term expires December 31, 2017. President Pro Tempore Elliott seconded. Motion passed.

The Commission presented the re-appointment of Robert J. Arnett, Robert C. Frame and Donald A. Tennant to the Paw Paw Public Service District.

Commissioner Garcia moved that the Commission re-appoint of Robert J. Arnett, Robert C. Frame and Donald A. Tennant to the Paw Paw Public Service District. President Pro Tempore Elliott seconded. Motion passed.

For the record, note the Commission received from American Bituminous Power Partners, LP, submitted Permit #O-0005-83 Permit Renewal #5, for public review.

For the record, note the Commission received from Harrison County Coal Company, submitted Permit #U-0104-83 Incidental Boundary Revision #87, for public review.

For the record, note the Commission received the Valley Falls Public Service District Reconciliation Summary for Period Ending 8/31/17.
For the record, note the Commission received the notification from COMCAST of channel changes to be effective November 6, 2017.

Belinda Biafore stated that she was going to cancel the ribbon cutting dedication ceremony for the handicap accessible fishing pier and kayak ramp due to the weather.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, November 15th, 2017 at 10:00 a.m. for the next scheduled County Commission Meeting.

Randall J. Elliott, President Pro Tempore