

MARION COUNTY COMMISSION
NOVEMBER 19, 2014

The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, November 12th, 2014. Present were Commissioner Elliott, Commissioner VanGilder and President Tennant.

The proceedings of Wednesday, November 12th, 2014, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on November 13th, 14th, 17th and 18th, 2014 were approved as submitted and signed.

*D. D. Meighen led the Court with a prayer. County Clerk Janice Cosco 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, November 12th, 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 November 19, 2014
Nos. #2014-1005 through #2014-1015

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner Elliott moved that the President sign Nos. #2014-1005 through #2014-1015. 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 October, 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 October 1, 2014 through October 31, 2014 pursuant to West Virginia Code §41-5-10, as amended.***

**MARION COUNTY COMMISSION
NOVEMBER 19, 2014**

Instrument Book Page
201400013734 68 564

BEFORE THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA

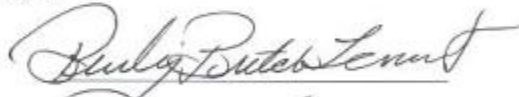


IN RE: CONFIRMATION OF PROBATE OF
WILLS, BY CLERK IN VACATION

ORDER CONFIRMING PROBATE OF WILLS

On this day came Janice Cosco, Clerk of the Commission, and presented a list of Estates in which wills have been admitted to Probate by her office, in vacation, from October 1, 2014, to October 31 2014, pursuant to W. Va. Code 41-5-10, as amended.

The Commission, having received no objections to the actions of the Clerk, and perceiving no objections thereto, does ratify and confirm the probate of wills in all the Estates attached hereto. The list attached hereto is made a part of this Order by this expressed reference thereto, as if all such Estates are fully set forth herein.

Dated this 19th day of November, 2014.


JANICE COSCO, CLERK


DAVID A. GLANCE,
FIDUCIARY SUPERVISOR

MARION COUNTY COMMISSION
NOVEMBER 19, 2014

Instrument Book Page
201400013734 68 565

WILLS PROBATED FROM OCTOBER 1, 2014, TO OCTOBER 31, 2014

<u>Estate</u>	<u>Representative</u>
Baker, Steven W., Sr.	Julia E. Baker, Administratrix CTA
Brady, Roger T.	James Benjamin Brady, Executor
Christenburg, Charolotte	Gary M. Cox, Executor
Cogar, Dorothy M.	Donald Huffman, Executor
Dailey, Gwendolyn Hannah	Judy Ferrell, Executrix
Domico, Mary	Cindy Chism, Executrix
Domico, Nick	Ellen June Domico, Executrix
Dunigan, Dennis M.	Shirley M. Dunigan, Executrix
Garcia, Agnes A.	Constance Cameon, Executrix
Haldeman, James H.	Nancy L. Haldeman, Executrix
Hardway, Martha Lee	Evelyn Denise Cress, Executrix
Heckel, Joseph James, Sr.	Donna Sue Heckel, Executrix
Justice, Gayle Dean	Mildred Ann Justice, Executrix
Karpis, Joseph, Jr.	Rev. Robert A. Perriello, Executor
Keffer, Jimmy Joe	John Clinton Keffer, Executor
Kronjaeger, Norman	Tina B. Kronjaeger, Executrix
Layman, Jody C.	Sherman Sapp, executor
Lester, Alice Virginia	Sherry McKenzie, Executrix
Morgan, Paul William	Jerry T. Morgan, Administrator CTA DBN
Noble, Lenzy Edgar	Mark Allen Noble, Executor
Powell, Robert Lee	Robert Riffle Executor

MARION COUNTY COMMISSION
NOVEMBER 19, 2014

Instrument Book Page
201400013734 68 566

<u>Estate</u>	<u>Representative</u>
Pyles, Beverly Ann	Linda Dorene Wright, Executrix
Snyder, Emma Jane	Robin A. Snyder, Executor
Snyder, Virgil	Robin A. Snyder, Executor
Stewart, Gene Evelyn	Walter Alan Stewart, Executor
Stout, Paul J.	Genevieve M. Stout, Executrix
Talerico, Lucy M.	Trina Talerico Brown, Executrix
Tennant, Larry B.	Janet M. Tennant, Executrix
Underwood, Freddie M.	Lola E. Underwood, Executrix

201400013734
Filed for Record in
MARION COUNTY, WV
JANICE COSCO, COUNTY CLERK
11-19-2014 At 11:35 am.
ORDER .00
Book 68 Page 564 - 566

3

Commissioner Elliott moved that the Commission sign the Order Confirming the Probate of Wills. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received an Order Confirming and Ratifying Fiduciary Supervisor's Report of Claims and Settlement Reports, Order #356.

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 19th, day of November, 2014.

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.

MARION COUNTY COMMISSION
NOVEMBER 19, 2014

<u>Estate of</u>	<u>Representative</u>
BONDY, MIDLRED H. (Interim)	Harold E. Bondy, Administrator
LINN, GEORGE BENJAMIN	Jenny Snyder, Administratrix CTA
THOMPSON, ORVILLE EUGENE	Terry L. Sutphin, Executrix
HOUSTON, LEILA STEMPLE	Paul Samuel Houston, Executor
BLOOM, JOHN W.	Ellen R. Bloom, Executrix
GUREMAN, DONALD LESLIE 	Tye Ann Phillips and Donald Leslie
	Gurmann, II, Co-Executors
DONLIN, EDITH M.	Robert R. Donlin, Executor
BOGARD, LELA MAE	Bonnie Sue Carrier, Executrix
SHELOSKY, GEORGE BERNARD	Linda Lee Shelosky, Executrix
KIRK, SILAS H.	Mary Jane Forquer, Executrix
NOBLE, JOHN T.	Deborah M. Prezioso, Executrix
DECARLO, THOMAS	Patricia Ann Rice, Executrix
MICHNA, ETHEL M.	Adam F. Michna, II, Executor
HALL, MARTHA BROWN	Steven Hall, Executor
HUFFMAN, ROSALIE E.	Barbara White, Executrix
KONOPKO, JOHN	Vanessa L. Underwood, Executrix
MANZO, HELEN C.	Debra Ann Vandetta, Executrix
CALDWELL, VIRGINIA E.	Jennifer Taylor Allen, Executrix
DEAK, MIKE J.	Stephen M. Larry, Executor
FROWEN, MARTHA BERLINE (BURLINE)	Margaret Ann Frowen Dumire, Executrix
MULLINE, FRANCES CAROLYN	Richard P. Szabo, Ancillary Executor DBN
FRALEY, MARY ZELMA	Gypsy L. Conaway, Administratrix
BASNETT, RAYMOND KENNETH	Wendy J. Douty, Administratrix CTA
HELMAN, IRENE B. (AKA Mary Irene)	Karen S. Morris, Executrix
DELANEY, HOLLAND LEO	Elva M. Delaney, Executrix
OTT, NORMA L.	Lea Ann Cimaglia, Executrix
DUMIRE, BETTY J.	Terry Wayne Dumire, Executor
GUIDO, JOSEPH P., II	Elizabeth A. Guido, Executrix
SHAFFER, SHANE CAMDEN	John C. Shaffer, Administrator
TURNER, MILDRED SARAH	Carol L. Pheasant, Executrix
BALDERSON, BARBARA J.	Joyce S. Kurczak and Terri J. Morrison, Co-Executors

MARION COUNTY COMMISSION
NOVEMBER 19, 2014

Estate of

Representative

PEARL, JAMES E.
BOOTH, NORMA
COOL, SARA MELVINA
MOORE, MARY GIBSON GRAHAM
CORLEY, SANDRA JO
NICHOLSON, FREDA MAE
WORCESTER, ROSE MARIE
DONALDSON, THOMAS E.

Carol Ann Hilling, Executrix
Durwin Lynn Booth, Executor
Ronald Lee Weekly, Executor
J. Scott Tharp, Executor
George Jack Corley, Executor
Gary A. Nicholson, Ancillary Admr. DBN
L. Robert Worcester, Administrator
Sally A. Donaldson, Executrix

ENTER: November 19, 2014


Rudy Bates Tennant
President


Randall J. Elliott
Commissioner


Ernest VanGilder
Commissioner

ATTEST:


Janice Cosco, County Clerk


David A. Glance, Fiduciary Supervisor

Commissioner Elliott moved that the Commission sign the Order Confirming and Ratifying Fiduciary Supervisor's Report of Claims and Settlement Reports; Order #356. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received the Resolution to Apply for the West Virginia Community Participation Program Funds by the Marion County Commission on behalf of the Baxter VFD. County Administrator Kris Cinalli stated that this grant is in the mount of \$5,000.00 for equipment. Kris added that this grant award came through Senator Roman Prezioso's Office.

**MARION COUNTY COMMISSION
NOVEMBER 19, 2014**

Marion County Commission

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



Address Correspondence to:
200 JACKSON STREET • ROOM 403
FAIRMONT, WEST VIRGINIA 26554
(304) 367-5400
FAX (304) 367-5431

RESOLUTION

TO APPLY FOR WEST VIRGINIA
COMMUNITY PARTICIPATION PROGRAM FUNDS

WHEREAS, Five thousand dollars, (\$5,000.00) in Community Participation Program Funding is requested by the Marion County Commission on behalf of the Baxter VFD,

WHEREAS, an application for these funds must be made to the West Virginia Development Office; and,

WHEREAS, the Community Participation Program requires that a local government unit sponsor said application.

NOW, THEREFORE, BE IT RESOLVED BY THE MARION COUNTY COMMISSION OF WEST VIRGINIA that the Commission President be authorized to make application for five thousand dollars, (\$5,000.00) in Community Participation Program funds for the Marion County Commission on behalf of the Baxter VFD and that he be empowered to sign the application and any agreement necessary to obtain these funds.

DATE: November 19, 2014,


Burly "Butch" Tennant, President


Randy J. Elliott, Commissioner


Ernie VanGilder, Commissioner

ATTEST:


Janice Cosco, County Clerk

Commissioner Elliott moved that the Commission sign the Resolution and the President sign the Grant. Commissioner VanGilder seconded. President Tennant concurred.

MARION COUNTY COMMISSION
NOVEMBER 19, 2014

The Commission received the Statement of Completion from the State Tax Department of Revenue certifying that James P. Priester, Assessor, has complied with the "assessor's additional duties" as delineated in WV Code §7-7-6a.



Earl Ray Tomblin
Governor

STATE OF WEST VIRGINIA
Department of Revenue
State Tax Department

Mark W. Matkovich
State Tax Commissioner

November 6, 2014

President, Marion County Commission
Marion County Courthouse
200 Jackson Street, Room 403
Fairmont, West Virginia 26554

Dear Commission President:

This letter and attachment certify that James P. Priester, Assessor of Marion County, has substantially complied with the "assessor's additional duties" as delineated in West Virginia Code § 7-7-6a. Substantial completion of the additional duties entitles Mr. Priester to the additional compensation of \$15,000 as provided in West Virginia Code § 7-7-6b.

Sincerely,



Mark W. Matkovich
State Tax Commissioner

MWM/jaj

Attachment

cc: Assessor of Marion County
Clerk of Marion County

Property Tax Division
P. O. Box 2389
Charleston, WV 25328 - 2389
Phone 304-558-1940 FAX 304-558-1843

Commissioner Elliott moved that the Commission accept the Statement of Completion. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received a request for advice and consent from Joseph Carpenter, Sheriff, to hire Douglas Joseph Smith as Deputy Sheriff, starting salary of \$35,303.42, with benefits, to be effective November 17, 2014. County Administrator stated that this is a replacement employee.

**MARION COUNTY COMMISSION
NOVEMBER 19, 2014**

OFFICE OF THE SHERIFF



State of West Virginia
SHERIFF OF MARION COUNTY
PO Box 1348
Fairmont, West Virginia 26555-1348
(304) 367-5300 Law Enforcement Division
(304) 367-5310 Tax Office
(304) 367-5307 Record Division

Joseph N. Carpenter
Sheriff

Ralph L. Wright
Chief Deputy

To: Marion County Commission
From: Sheriff Joseph N. Carpenter
Date: November 10, 2014
Ref: Hiring of Deputy Sheriff

Dear Honorable Commissioners:

I am respectfully requesting the advice and consent to hire Douglas Joseph Smith as a Deputy Sheriff; his starting salary will be \$35,303.42; plus benefits. His starting date will be November 17, 2014 and he will be replacing Deputy Shawn Davis whom has resigned.

Mr. Smith was one of the top candidates of the names that were submitted from the eligible list of the Marion County Deputies Civil Service test. He has successfully completed his physical agility test, background check, complete physical examinations and physiological evaluation.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph N. Carpenter", written over a horizontal line.

Sheriff Joseph N. Carpenter

Cc: File

Commissioner Elliott moved that the Commission grant its advice and consent to the Sheriff to hire Douglas Joseph Smith as Deputy Sheriff, starting salary of \$35,303.42, with benefits, to be effective November 17, 2014. Commissioner VanGilder seconded. President Tennant concurred.

The Commission received a request for advice and consent from Tina Cowger, Extension Office, to hire Diana Marple as Administrative Assistant with starting salary of \$20,000.00, with benefits, with start date of December 1, 2014 or as soon thereafter as practical. County Administrator stated that this is a replacement employee.

**MARION COUNTY COMMISSION
NOVEMBER 19, 2014**

Extension Service
West Virginia University

314 Monroe Street, Room 202
Fairmont, WV 26554

Tel. 304-367-2772 ext. 103
Email: TACowger@mail.wvu.edu

DATE: November 13, 2014

TO: Marion County Commissioners
Randy Elliott
Butch Tennant
Ernie VanGilder

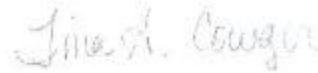
RE: New Employee

Dear Commissioners:

I ask your advice and consent to hire Diana Marple, as the Administrative Assistant to fill this vacancy in the WVU Extension Service. The annual salary will be \$20,000.00 with full benefits with a start date of December 1, 2014 or as soon thereafter as practical.

Thank you for your time and consideration with regards to this request.

Sincerely,



Tina A. Cowger
WVU Extension Agent
4-H Youth Development

Cc: Kris Cinalli
Office Manager

Commissioner Elliott moved that the Commission grant its advice and consent to hire Diana Marple as Administrative Assistant with starting salary of \$20,000.00, with benefits, with start date of December 1, 2014. Commissioner VanGilder seconded. President Tennant concurred.

For the record, note there was the Presentation of an Award to Telecommunicator Chris Halpenny. Chris McIntire made the presentation on behalf of the Commission to Mr. Halpenny, who when a 911 call came in from Betty Jo Wright informing the dispatcher that her grandson was choking, he immediately began to calm her down and then followed up with the procedure that would dislodge the object in Waylon's throat. When Mrs. Wright calmed down and performed the procedure she saved her grandson's life through the assistance of Mr. Halpenny. Chris McIntire stated that through training and our manuals they assist our dispatchers through various emergencies. Mr. Halpenny is the grandson of former County Commissioner Cody Starcher. The Commissioners presented Mr. Halpenny with an award. The Wright family was very grateful for Chris Halpenny assisting in saving their grandson's life.

MARION COUNTY COMMISSION
NOVEMBER 19, 2014

The Commission presented the Approval of the Marion County Land Use Master Plan (2014), for the West Virginia Office of Coalfield Community Development. Charlie Reese presented the program and informed the Commission that the program was previously approved by the Commission and needed to be once again approved for future funding.

Commissioner Elliott moved that the Commission take this Land Use Master Plan under advisement. Commissioner VanGilder seconded. President Tennant concurred.

For the record, note the Commission received the Statewide Transportation Improvement Program (STIP) FFY 2014-2019 Program Amendment.



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
Charleston, West Virginia 25305-0430 • (304) 558-3505

Earl Ray Tomblin
Governor

Paul A. Mattox, Jr., P. E.
Secretary of Transportation/
Commissioner of Highways

November 7, 2014

To Whom It May Concern:

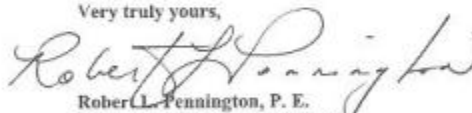
The Statewide Transportation Improvement Program (STIP) is a financially constrained document required to show planned Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) expenditures for federal fiscal years 2014 - 2019. One of the requirements to funding any project with FHWA or FTA funds is that each proposed project undergoes a public "review and comment period." Therefore, additions or deletions to the STIP and certain changes to projects currently in the STIP must meet this requirement before federal funds can be obtained. Accordingly, I am again requesting your assistance in making available (to anyone who wishes to review them) the attached listing of proposed amendments to the approved 2014 - 2019 STIP.

All written comments are to be received no later than November 19, 2014, and should be mailed to:

Mr. Robert L. Pennington, P. E.
Deputy State Highway Engineer -
Programming and Planning
West Virginia Division of Highways
Building 5, Room 148
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0430

Thank you for your consideration in this matter. Should you need additional information, please contact Mr. Ryland W. Musick, Jr., Director of our Programming Division, at (304) 558-7432.

Very truly yours,


Robert L. Pennington, P. E.
Deputy State Highway Engineer -
Programming and Planning

RLP:Cs

Attachment

cc: Mr. Kevin Burgess, Federal Highway Administration - w/o attachment
Ms. Michele DeAngelis, Federal Transit Administration - w/o attachment

E.E.O./AFFIRMATIVE ACTION EMPLOYER

MARION COUNTY COMMISSION
NOVEMBER 19, 2014

Butch Phillips informed that Commissioners and thanked them as well for their support of the Honor Flight for United States Veteran last year and he added that he will come back and make a formal request early next year to the Commission. He followed up that the ongoing funding is proceeding very well at this time and they have already obtained a commitment for the plane from US Air for their event on May 2, 2015.

Butch Phillips also told the Commission of the Celebration of Lights at Morris Park will be up and running on November 28th and be open on Friday, Saturday and Sunday's. He added that there are 203 displays this year. He added that this event is sponsored by the Rotary of South Fairmont and that all proceeds go to the United Way.

Charlie Reese stated that the Mayors on the Move are meeting tonight in the J. Harper Meredith's Building along with Brian Kalt who will informed them that his business is producing salt that can be used on the roads.

Cody Starcher thanked the Commissioners for the picture of all the 9 remaining Commissioners who attended a ceremony of thanking Norman Kronjaeger for his service.

Commissioner Elliott moved that the Commission cancel next week's meeting due to the thanksgiving Holidays and that the next meeting be on Wednesday, December 3, 2014 at 10:00 a.m. Commissioner VanGilder seconded. 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, December 3, 2014 at 10:00 a.m. for the next scheduled County Commission Meeting.

Burley "Butch" Tennant, President