The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, May 23rd, 2018. Present were Commissioner Elliott, Commissioner Garcia and Commissioner VanGilder.

D. D. Meighen led the Court with a prayer. President VanGilder led the Court with the Pledge of Allegiance.

President VanGilder called the meeting to order.

The proceedings of Wednesday, May 23rd, 2018 together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission May 24th, 25th, 29th, 30th, 31st, June 1st, 4th and 5th, 2018 were approved as submitted and signed.

Commissioner Elliott moved to dispense with the reading of the minutes of Wednesday, May 23rd, 2018 and accept them as presented. Commissioner Garcia seconded. President VanGilder concurred.

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

Dated June 6th, 2018
Nos. #2018-193 through #2018-198

Pursuant to the recommendation of Mark Trach, Assessor and approval of Jeffery Freeman, Prosecuting Attorney; Commissioner Elliott moved that the President sign Nos. #2018-193 through #2018-198. Commissioner Garcia seconded. President VanGilder concurred.

The Commission received Order Confirming and Ratifying Fiduciary Supervisor’s Report of Claims and Settlement Reports; Order # 398.

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 30th, day of May, 2018.

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
JUNE 6th, 2018

Estate of
POLINO, VICTOR CARMEN, (ward)
LISTER, ROSEMARY
SANDERS, GEORGE A.
CIAGETT, CATHERINE G.
POWELL, GARY L.
RIEGER, FRANCIS HANK
FACERI, ANTHONY THOMAS
WALLS, IDA MAE RYAN
STEWART, CONNIE MAE
VANDERGRIFT, TIMOTHY JOSEPH
WATSON, SARA
RUSH, HAROLD M.

Estate of
OSBORNE, BARBARA JEAN
VANFOSSON, BONNIE LEE
DUCKWORTH, ELTON ALLEN
BOSLEY, NORMA
HILL, RONDAL E.
HAWKIBERRY, PAMELA JEAN
ROBEY, MARVIN CHESTER
DIAMOND, PHILIP J.
SATTERFIELD, LUCY LOU
KINTY, MILDRED M.
KINTY, CARL F.
FREELAND, GEORGE R.
ALKIRE, CHARLES B., JR.
WHEELER, DONALD EDWARD, SR.
POWELL, BETTY JANE
BYARD, ENCIL RAY, JR.
BOLTON, JERRY R.
UNDERWOOD, SAMUEL F.

Representative
Kathleen Polino, Committee
Roy J. Lister, Administrator
Billie May Sanders, Executrix
Michael G. Ciagett, Executor
Glenn A. Harman, Executor
Jessica A. Riefer, Executrix
Norma Jean Yost, Administratrix
Bernard L. Ryan, Jr., Executor
Rodney S. Stewart, Administrator
Alibeth Vandergrift, Administratrix
Amy Pittman Metz, Administratrix
Ginger Biddle and Debra Kay Huddleston Co-Executrices
Lorea Dawn Osborne, Executrix
Marvin E. Vanfooson, Administrator
Brenda Joyce Duckworth, Executrix
Timothy R. Bosley, Executor
Terry Christine Hill, Administratrix CTA
Robert A. Hawkinberry, Administrator
Kristin B. Taylor, Anc. Admx. CTA DBN
Bernice C. Diamond, Executrix
Daniel Satterfield, Administrator
Sheila Kinty, Administratrix CTA
Sheila Kinty, Administratrix CTA
Theresa Freeland, Ancillary Administratrix
Kevin Douglas Alkire, Executor
Delia Ann Wheeler, Executrix
Sara L. Summers, Executrix
Sharon Eloise Byard, Executrix
John D. Bolton, Executor
Sarah L. Summers, Executrix

ENTER: 11/20/18

President
Commissioner
Commissioner

ATTEST:
Janice Cosco, County Clerk by Thomas F. Antulov, deputy
David A. Glance, Fiduciary Supervisor

2
Commissioner Elliott stated that hearing no objection moved that the Commission sign the Order. Commissioner Garcia seconded. President VanGilder concurred.

The Commission presented the Ordinance Authorizing Volunteer Fire Companies to Charge Reasonable Reimbursement Fees. County Administrator Kris Cinalli stated that with the passage of the State of West Virginia Senate bill 625 which allows reasonable compensation of fire fees to fire departments ranging from $500.00 to $1,500.00; our ordinance matches the Senate Bill without any further action by the County.

BEFORE THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA

ORDINANCE AUTHORIZING VOLUNTEER FIRE COMPANIES TO CHARGE REASONABLE REIMBURSEMENT FEES

BY THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA, A PUBLIC BODY CORPORATE OF MARION COUNTY, WEST VIRGINIA, AS FOLLOWS:

WHEREAS, Pursuant to the provisions of §7-1-3d of the West Virginia Code as amended, the West Virginia Legislature has granted county commissions the authority to set reasonable reimbursement fees which volunteer fire departments may charge for personnel and equipment used in performing fire-fighting services, victim rescue or cleanup of debris or cleanup of hazardous materials and hazardous waste by department personnel; and

WHEREAS, The County Commission of Marion County, West Virginia recognizes the need for such fees in Marion County for the support of Volunteer Fire Departments.

NOW THEREFORE, BE IT ORDAINED AND ORDERED AS FOLLOWS:

SECTION 1. AUTHORIZATION FOR VOLUNTEER FIRE DEPARTMENTS TO CHARGE FEES.

Any volunteer fire department organized in Marion County shall have the authority to charge reasonable reimbursement fees up to the maximum allowable under state law for personnel and equipment used in performing fire-fighting services, victim rescue or cleanup of debris or hazardous materials by department personnel. The rate for any such fees to be charged to property owners or other persons responsible or liable for payment for such services must be reasonable. Provided, however, that no fee for any single incident or accident, including incidents or accidents involving hazardous materials and/or hazardous waste clean-up or control, shall exceed the maximum allowable rate under the laws of the State of West Virginia.

Said fees may be charged to insurance companies responsible or liable for payment for such service, or private individuals/businesses who are property owners or other persons responsible or liable for payment for such services; provided that said fees may not be charged to private individuals/businesses who reside or are located in Marion County and pay a local Municipal Fire Service Fee, for any such services rendered within the boundaries of the Marion County Municipality in which the individual or business either resides or is located as the case may be; provided, however,
Commissioner Elliott moved that the Commission approve and sign the Ordinance. Commissioner Garcia seconded. President VanGilder concurred.
The Commission presented the establishment of and appointments to the Marion County Fire Levy Oversight Committee. County Administrator Kris Cinalli stated that this committee is working to establish a Fire Levy that will be on the 2018 General Election ballot this fall that if passed will generate $62,761.00 per each department in the County that will allow them to continue to operate and to protect our citizens. This panel will also be involved in the dispersing of those funds to each department. The members the Commission will appoint today will oversee this process.

**Proposed Members of Levy Over-site Board**

1. Lloyd White (Chairman Local Emergency Planning Committee)
2. Chuck Ledsome (Pleasant Valley Council Member-Citizen-at-Large)
3. John Drinnen (Citizen-At-Large, former 911 Director, chair of previous levy committee)
4. Brad Shahan (Grant Town Mayor)
5. Citizen-At-Large
   a. Charlie Kolb
   b. Dave Fox
   c. Ed Burley
6. Barry Bledsoe (non-voting Fire Association President)
7. Paul Tennant (non-voting Mannington Fire Department)
8. Jim Toothman (non-voting Farmington Fire Department)

Commissioner Elliott moved that the Commission appoint Lloyd White, Chuck Ledsome, Brad Shahan, Barry Bledsoe, Jim Toothman, Ed Burley, Charlie Kolb and Dave Fox to the Marion County Fire Levy Oversight Committee. Commissioner Garcia seconded. President VanGilder concurred.
The Commission received various Budget Revisions from various departments; they are as follows:

Marion County Commission

ERNEST J. VANGILDER
President
RANDY J. ELLIOTT
Commissioner
RICK GARCIA
Commissioner

Commissioners,

The following budget revision is necessary in the Sheriff’s budget:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-700-343-00</td>
<td>Law Enf Auto Supplies</td>
<td>Increase $15,000.00</td>
</tr>
<tr>
<td>001-698-566-00</td>
<td>Trans/Reimburse</td>
<td>Decrease $15,000.00</td>
</tr>
</tbody>
</table>

Marion County Commission

ERNEST J. VANGILDER
President
RANDY J. ELLIOTT
Commissioner
RICK GARCIA
Commissioner

Commissioners,

The following budget revisions are necessary in the Commission budget:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-401-222-00</td>
<td>Dues and subscriptions</td>
<td>Increase $8,500.00</td>
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<tr>
<td>001-401-226-00</td>
<td>Co Comm Ins, Wk Comp</td>
<td>Increase $15,500.00</td>
</tr>
<tr>
<td>001-698-566-00</td>
<td>Transfers/Reimbursements</td>
<td>Decrease $24,000.00</td>
</tr>
</tbody>
</table>

Entered: June 6, 2018
Commissioner Elliott moved that the Commission approve the budget revisions. Commissioner Garcia seconded. President VanGilder concurred.

The County Clerk’s Office has submitted to the West Virginia State Auditor’s Office the Delinquent 2018 Real Estate Tax List for approval.
Commissioner Elliott moved that the Commission approve the Delinquent 2018 Real Estate Tax List. Commissioner Garcia seconded. President VanGilder concurred.

For the record, note the Commission received the request for reimbursement from West Virginia Division of Justice and Community Services.

The Commission presented the reappointment of Victor Vandegrift to the Board of Directors of the Valley Falls Public Service District. (term expires 7-1-2018)

Commissioner Elliott moved that the Commission reappoint Victor Vandegrift to the Board of Directors of the Valley Falls Public Service District. Commissioner Garcia seconded. President VanGilder concurred.

For the record, note the Commission received the audit reports of the Municipality of Rivesville for the fiscal years ended June 30, 2016, and June 30, 2017.

Margie Gotses came before the Commission to ask if they have any jurisdiction in a right-of-way issue located outside the city limits on Diana Drive. After a brief discussion the Commissioners informed Mrs. Gotses that they do not in her case have any jurisdiction and that she would more than likely need legal advice in this matter.

Elizabeth Kennedy returned to see if the Commission had done any work on the HIDTA Federal Grant application to assist the outside area with drug enforcement. Belinda Biafore responded that she had and that the cycle to apply was in the fall and those applications that will be approved will be done by late December of 2018 for the upcoming year.
Jada Gale from Make-A-Wish came before the Commission to seek funding for this year’s granting of a wish. She added that the Commission approved $1,500.00 last year for this project. She hopes for their continued support in granting wishes to those who are ill and less fortunate. The Commission replied that they will review and place this item on the next agenda in order to fund their project.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, June 27th, 2018 at 10:00 a.m. for the next scheduled County Commission Meeting.

__________________________________
Ernest J. VanGilder, President