The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, September 23rd, 2015. Present were Commissioner Garcia, Commissioner VanGilder and President Elliott.

The proceedings of Wednesday, September 23rd, 2015, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on September 24th, 25th, 28th, 29th, 30th, October 1st, 2nd, 5th and 6th, 2015 were approved as submitted and signed.

D. D. Meighen led the Court with a prayer. Jesse Corley led the Court with the Pledge of Allegiance. President Elliott called the meeting to order. Commissioner VanGilder moved to dispense with the reading of the minutes of Wednesday, September 23rd, 2015 and accept them as presented. Commissioner Garcia seconded. President Elliott concurred.

For the record, note James Priester, Assessor presented to the County Commission the following Exonerations for approval.

Dated October 7th, 2015
Nos. #2015-1014 through #2015-1039

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner VanGilder moved that the President sign Nos. #2015-1014 through #2015-1039. Commissioner Garcia seconded. President Elliott concurred.

The Commission received an Order of Probate of Wills from the County Clerk’s Office for the month of September, 2015. Charlie Reese 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 September 1, 2015 through September 30, 2015 pursuant to West Virginia Code §41-5-10, as amended.
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
September 1, 2015 to September 30, 2015, 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 ___ day of ________________, 2015.

Janice Cosco, Clerk

JANICE COSCO, CLERK by Thomas F. Antulov, deputy

DAVID A. GLANCE,
FIDUCIARY SUPERVISOR
<table>
<thead>
<tr>
<th>Estate</th>
<th>Representative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams, Johnny Lilburn</td>
<td>Rhonda L. Morris, Executrix</td>
</tr>
<tr>
<td>Anderson, Paul E.</td>
<td>Linda L. Anderson, Executrix</td>
</tr>
<tr>
<td>Bunner, Charles Kacy</td>
<td>Terril Mitchell Bunner, Executor</td>
</tr>
<tr>
<td>Bunner, Vera Lou</td>
<td>Terril Mitchell Bunner, Executor</td>
</tr>
<tr>
<td>Campbell, Leonard E.</td>
<td>Carla J. Campbell, Executrix</td>
</tr>
<tr>
<td>Davis, Mary Ann</td>
<td>Harry Wagner Davis, Jr., Executor</td>
</tr>
<tr>
<td>Grove, Pauline W.</td>
<td>Danny Bainbridge, Executor</td>
</tr>
<tr>
<td>Harding, Grethel L.</td>
<td>Willis Carl Harding, Executor</td>
</tr>
<tr>
<td>Hartzell, Ira Russell</td>
<td>Susan Lorraine Hartzell, Executrix</td>
</tr>
<tr>
<td>Hatch, Brenda Brown</td>
<td>William Warren Hatch, Ancillary Exr DBN</td>
</tr>
<tr>
<td>Henderson, Glenn</td>
<td>Marsha K. Hudkins, Executrix</td>
</tr>
<tr>
<td>Higgs, Victor C., Jr.</td>
<td>Michael L. Higgs, Executor</td>
</tr>
<tr>
<td>Holcomb, Samuel Eugene</td>
<td>Joyce Moore, Administratrix</td>
</tr>
<tr>
<td>Humphries, Judy L.</td>
<td>Elizabeth D. Grant, Executrix</td>
</tr>
<tr>
<td>Kovach, Irene</td>
<td>Stephen James Kovach, III, Executor</td>
</tr>
<tr>
<td>Kramer, Ellen A.</td>
<td>Gerald E. Kramer, Jr., Executor</td>
</tr>
<tr>
<td>Lambert, Brooks A., Sr.</td>
<td>Pamela S. Lambert, Executrix</td>
</tr>
<tr>
<td>Loeffelbein, Sheila Ann</td>
<td>Edward Lee Loeffelbein, Executrix</td>
</tr>
<tr>
<td>McClure, Donald Eugene</td>
<td>Mineko McClure, Executrix</td>
</tr>
<tr>
<td>Melton, Claudia Pearl</td>
<td>Thomas Lee Melton, Executor</td>
</tr>
<tr>
<td>Prahl, Wilda R.</td>
<td>Tina Marie Peterson, Executrix</td>
</tr>
<tr>
<td>Rexrode, Charles Eugene</td>
<td>Joyce Lynn Yost, Executrix</td>
</tr>
</tbody>
</table>
Commissioner VanGilder stated that hearing no objections moved that the Commission sign the Order. Commissioner Garcia seconded. President Elliott concurred.

The Commission received the Order Confirming and Ratifying Fiduciary Supervisor’s Report of Claims and Settlement Report; Order #366.

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 September, 2015.

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

HOSTUTLER, WILLIAM D. (2nd & Final)
MOORE, CHESTER ARLIE (2nd & Final)
SELBY, MARIETTA
ICE, BERT LEE
HAMAD, PEARL MARIE
SPRINGER, KENNETH F.
KINES, PHILIP LEE
DANDOLO, EUGENE
SHAVER, BOBBIE JOE
THOMPSON, CHRISTINE K.
GRAY, JOHN A.
STEWART, CARL LEE
STATLER, WILLIAM DAYTON, JR.
HARDWAY, MARTHA LEE
SINISI, NORMA JEAN
MICK, JAMES RONALD
KEENER, SUE L.
JACQUES, FERNANDO
GREATHOUSE, LEONA
BAVELY, JOHN PAUL, SR.
PULICE, LARRY PAUL
NORTON, RITA IRENE
ROBERTSON, RUTH E.
MERCOGLIANO, EVELYN R.
BARNES, THOMAS H.
STOUT, WILLARD E.
VAN HORN, MAXINE P.
ROGERS, HATTIE MARIE
CUTLIP, ADALINE LEA
FREELAND, BETTY J.
BRUMAGE, RONALD EARL
VINCENT, JOYCE DARLENE

Representative

William R. Hostutler, Executor DBN
Mary F. Garlow, Admr. CTA DBN
Hilda B. Pharos, Executrix
Alice Jean Ice, Executrix
Sunny A. Schmidt, Administratrix
Norman Springer, Executor
Jerry E. Faulkner, Administrator
Charles E. Marstiller, Administrator
Thomas Brian Shaver and
Candy L. Shaver, Co-Executors
H. Stephen Thompson, Executor
Mabel V. Gray, Executrix
Patty Booth, Administratrix
Vanessa Johnson Statler, Administratrix
Evelyn Denise Cress, Executrix
Mary Margaret Sinisi, Executrix
Steven Bryan Mick, Ancillary Extr DBN
Denver R. Barnett, Executor
Marie Garcia, Executrix
Bill Greathouse, Executor
John R. Funshouser, Admr. CTA
Judi A. Kralay, Administratrix
Rita Doreen Ice, Executrix
Tamia J. Core, Executrix
Ruth E. Braun, Executrix
Karen A. Barnes, Executrix
Penelope J. Efaw, Executrix
Suanne Young, Executrix
Gloria Rogers, Executrix
Donald Ray Cutlip, Executor
Joseph R. Freeland, Executor
Adelheid A. M. L. Brumage, Executrix
Kenneth Blaine Vincent, Administrator
Commissioner VanGilder stated that hearing no objections moved that the Commission sign the Order. Commissioner Garcia seconded. President Elliott concurred.
The Commission presented the Proclamation on “Breast Cancer Awareness.”

Commissioner VanGilder moved that the Commission sign the Proclamation. Commissioner Garcia seconded. President Elliott concurred.
The Commission presented the Proclamation on “Domestic Violence Awareness.”

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

The Commission received the Marion County Vital Services Levy Call to be placed on the Tuesday, May 10th, 2016 Primary election Ballot for consideration by the Commission.
Gino Guerrieri presented the Levy order along with Chris McIntire and Debbie Harvey, Director of Marion County Senior Citizens all made comments in support of this Levy being placed on the 2016 Primary Election Ballot for consideration of the public. Lloyd White of the Marion County Health Department also commented on the necessity of this being passed to further support the citizens of the County with emergency services.

WHEREAS, the Commission is of the opinion that for the good of the public welfare, it is necessary to provide for a levy to fund the operation of the vital services 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 the levy for the purpose of the operation of the vital services 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 vital services program in Marion County, West Virginia.
2. The total of the needed funds is approximately two million one hundred fifteen thousand twenty seven dollars and no cents ($2,115,027.00) per fiscal year for the next four years.

3. All funds received pursuant to the excess levy shall be utilized for the operation of the vital services 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 Vital Services is hereby authorized to match such funds, if required by the granting authority, from the proceeds of the levy.

4. The separate and aggregate assessed valuation of each class of taxable property within Marion County, West Virginia, as shown by the last assessment thereof for State, County and City taxation is as follows:

<table>
<thead>
<tr>
<th>Class</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class I</td>
<td>$0.00</td>
</tr>
<tr>
<td>Class II</td>
<td>$1,099,116,084.00</td>
</tr>
<tr>
<td>Class III</td>
<td>$908,066,225.00</td>
</tr>
<tr>
<td>Class IV</td>
<td>$607,629,863.00</td>
</tr>
<tr>
<td>Total</td>
<td>$2,614,812,172.00</td>
</tr>
</tbody>
</table>

5. 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:

<table>
<thead>
<tr>
<th>Class</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upon Class I</td>
<td>2.75 cents</td>
</tr>
<tr>
<td>Upon Class II</td>
<td>5.50 cents</td>
</tr>
<tr>
<td>Upon Class III</td>
<td>11.00 cents</td>
</tr>
<tr>
<td>Upon Class IV</td>
<td>11.00 cents</td>
</tr>
</tbody>
</table>

6. The proposed years to which the additional levy shall apply shall be the fiscal years beginning July 1, 2016, July 1, 2017, July 1, 2018, July 1, 2019.

7. The Marion County Commission may immediately issue bonds in an amount not exceeding the amount of the increased levy plus the total interest thereon, but the term of the bonds shall not extend beyond the period of the increased levy.

8. 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 10th day of May 2016 in accordance with the election laws of the State of West Virginia.

9. The registration of voter’s ad 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.

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

Levy For Funds to Continue Operation of the Vital Services Sustainability Program in Marion County, West Virginia

A Special election to authorize levies for fiscal years beginning July 1, 2016, July 1, 2017, July 1, 2018, July 1, 2019 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 7th day of October 2015.

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>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>2.75</td>
</tr>
<tr>
<td>II</td>
<td>5.50</td>
</tr>
<tr>
<td>III</td>
<td>11.00</td>
</tr>
<tr>
<td>IV</td>
<td>11.00</td>
</tr>
</tbody>
</table>

( ) Yes for the levy

( ) No against the levy

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

The Commission received the notice that the Assessor of Marion County, James P. Priester; has completed the Farm Census of 2015 and has satisfactorily complied with the requirements of the Farm Statistics law.
Commissioner VanGilder moved that the Commission accept the Certification of Compliance and approve the compensation according to West Virginia Code 7-7-6C. Commissioner Garcia seconded. President Elliott concurred.
The Commission presented the Marion County 911 Towing Policy and Regulations. County Administrator Kris Cinalli stated that the document was reviewed page by page by all parties along with Chris McIntire and County attorney Chuck Shields. It is believed to be a comprehensive document for the Commission to approve and sign.

MARION COUNTY PROMULGATION STATEMENT

WHEREAS no person, firm, corporation or other entity shall tow for the Marion County 9-1-1 Center or provide services such as towing, removal, recovery or storage of a wrecked, abandoned, disabled or other vehicle, pursuant to a lawful order of Marion County 9-1-1, unless they comply with the rules and regulations promulgated by the Director of Marion County 9-1-1.

WHEREAS all parties involved need to know that the safety of all our citizens is the primary concern in all towing calls, from dispatch to pickup. Common sense and safety must prevail.

Upon promulgation of the rules and regulations by the Director of Marion County 9-1-1 Center, the said rules and regulations shall be filed and shall be in effect from the date of the filing until such time that, in cooperation with the Marion County Commission, revisions are made to the agreement.

NOW THEREFORE IT IS RESOLVED, ORDERED AND DETERMINED that the Marion County Commission does hereby approve and adopt the Marion County Towing Policy and Regulations, which is filed in the Office of the Marion County Commission 200 Jackson Street, Fairmont, West Virginia, and which is incorporated herein by this reference.

PASSED AND ADOPTED by the County Commission of Marion County, State of West Virginia, this 7th day of October, 2015.

SIGNATURES

/s/ Randy Elliott, Commission President

/s/ Ernie VanGilder, Commissioner

/s/ Rick Garcia, Commissioner

/s/ Chris McIntire, Marion County 9-1-1 Director

Commissioner VanGilder moved that the Commission approve and sign the Towing Policy and Regulations. Commissioner Garcia seconded. President Elliott concurred.

The Commission presented the request for advice and consent from Joseph Carpenter, Sheriff, to hire Melinda Parker as Tax Deputy full time with benefits, to be effective September 21, 2015. County Administrator Kris Cinalli stated that this is a replacement employee and no revision is needed.
Commissioner VanGilder moved that the Commission grant its advice and consent to hire Melinda Parker as Tax Deputy full time with benefits, to be effective September 21, 2015. Commissioner Garcia seconded. President Elliott concurred.

The Commission presented the request for advice and consent from Joseph Carpenter, Sheriff, to hire Lynette Murray as part time Tax Deputy, to be effective September 21, 2015. County Administrator Kris Cinalli stated that this is a replacement employee and no revision is needed.
Commissioner VanGilder moved that the Commission grant its advice and consent to hire Lynette Murray as part-time Tax Deputy, to be effective September 21, 2015. Commissioner Garcia seconded. President Elliott concurred.

For the record, note the Commission received the Valley Falls Public Service District Reconciliation Summary for period ending 8-31-2015.

The Commission presented the Presentation of Years of Service Award to Homeland Security Personnel. Belinda Biafore and the Commission presented the awards to Chris McIntire for his 19 years of service, Joe Masturzo for his 12 years of service, Dennis Knotts and his 13 years of service and Sabrina Haught and her 26 years of service. The Homeland Security presented an award to County Commissioner and President Randy Elliott for all his dedication and service to their department and emergency services as well.

Lloyd White, Director of the Marion County Health Department stated that the flu vaccine is available. That the Wise Woman program that is grant funded will be up and running at the end of October. He added that they are looking into doing multi phasic blood testing beginning in January of 2016 if they can manage the costs associated with the testing making it affordable to all those who would like their blood examined.
Mr. White added that they are looking into beginning a restaurant manager certification program to ensure that when restaurants are inspected that their violations will go down due to people in those establishments know how to maintain and keep up their cleanliness. Mr. White also informed that Commission that they were notified that there will be a $17,000.00 budget cut from the State of West Virginia and that he hopes to have only reductions in expenditures to cover that cut in funding.

**Jesse Corley of the Marion County Solid Waste** stated that they have been awarded the REAP Grant this year in the amount of $49,000.00. He added that he wanted to thank the Commission for all they have assisted with their Solid Waste Department.

**Jeff Biafore** stated that the painters will be finished this week with the Dome and Railing of the Courthouse. He added that there are no leaks which are what we wanted to achieve.

**Belinda Biafore added** that today at 11:00 a.m. we are having a ground breaking ceremony at Palatine Park.

**Ted Offutt Director of the Day Report Center** came before the Commission to make a request for assistance for a part-time person to assist in a new program through Drug Court. The request will be made formally at the next meeting. This person will assist in the Project Lazarus Pilot Program that will a medicine that will help heroin addicts come off those effects. Ted added that the cost will be minimal $15.00 to $20.00 per kit and can be given if the person is not capable of making that payment.

**Sherry Coogle Executive Director of the NACMA came** before the Commission to present a request for funds for their Annual SWAP MEET on Saturday, December 5th, 2015 at the Knights of Columbus Hall. She added that the Commission assisted them last year and they are hoping for support this year as well. **President Elliott stated** that we will take up your request at our next meeting since you were no the todays agenda. **D. D. Meighen added** that this will coincide with other events at that time such as the Town of Monongah Mine Disaster that occurred on December 6, 1907.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, October 21st, 2015 at 10:00 a.m. for the next scheduled County Commission Meeting.