The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, August 19th, 2015. Present were Commissioner Garcia, Commissioner VanGilder and President Elliott.

The proceedings of Wednesday, August 19th, 2015, together with those had and done under the supervision of Janice Cosco, Clerk and Recorder for the Marion County Commission on August 20th, 21st, 24th, 25th, 26th, 27th, 28th, 31st and September 1st, 2015 were approved as submitted and signed.

D. D. Meighen led the Court with a prayer. Cecily Enos 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, August 19th, 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 September 2nd, 2015
Nos. #2015-871 through #2015-954

Pursuant to the recommendation of James Priester, Assessor and approval of Patrick Wilson, Prosecuting Attorney; Commissioner VanGilder moved that the President sign Nos. #2015-871 through #2015-954. Commissioner Garcia seconded. President Elliott concurred.

The Commission received the Order Confirming and Ratifying Fiduciary Supervisor’s Report of Claims and Settlement Report; Order #365.

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 26th, day of August, 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

RIGGS, VICTOR RODNEY (2nd & Final)
SEDERA, JOHN (2nd & Final)
WILEY, AUSTIN DALE (2nd & Final)
KNIGHT, VIVIAN I.
CLARK, RUTH IRENE
OBRINGER, NELLIE
SPRIGG, MORGAN LEE III
RAKOCKY, ELIZABETH
SOLE, DONALD J.

ALLEN, CHARLES LEE
OWENS, FREDERICK E.
WILSON, DOLORES J.

PRICE, BEVERLY ANN
MULLENAX, ROGER JACOB
HANNE, LILLIAN
BROWN, ZELDA MARIE
OLIVERIO, TERRY WYN
ASHCRAFT, ERNEST GAY
UNDERWOOD, BERNICE FRANCES
HECKLE, JOSEPH JAMES
UNDERWOOD, FREDDIE M.
WELLS, JERRY PAUL
NEASE, WILDA L.
WILLIAMS, DAWN RENAE
EDWARDS, CARL E.
CARPENTER, WILLIAM J.
GORSKI, JOHN JOSEPH
GORSKI, VEDA M.
CHICKERELL, BERNICE G.
JORDAN, DORIS LEE

Representative

Lois Ann Mercer Garrett and
David Allen Riggs, Co-Executors DBN
John R. Seder, Executor DBN
Debra Jones, Executrix DBN
Sharon Clelland, Executrix DBN
Melanie Devericks, Administratrix DBN
Lewie Alex Laska, Executor
Patrick Knight, Executor
Mark Lehoist, Executorg
Carolyn Ann Whitecotton Boyers, Extrx.

Bertha S. Allen, Administratrix
Sandra G. Owens, Executrix
Deborah L. Wilson and Deanna L.
Wilson-Ayers, Co-Executrices
Susan Bush Reese, Executrix
Stephanie Rose Williams, Administratrix
John A. Hanne, Administrator
David Sawyer, Executor
John A. Oliverio, Administrator
Robert Carpenter, Administrator
Timothy T. Underwood, Administrator
Donna Sue Heckel, Executrix
Lola E. Underwood, Executrix
Jerry P. Wells, Jr., Administrator
William Scott Nease, Executor
Marilyn Ruth Hendershot, Administratrix
Charlene D. Reckart, Executrix
Amy L. Carpenter, Administratrix
Norma J. Bock, Administratrix
Norma J. Bock, Executrix
William T. Chickerell, Executor
Sherry Henline, Executrix
Commissioner VanGilder stated hearing no objections moved that the Commission sign the Order; Order # 365. 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 July, 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 July 1, 2015 through July 31, 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 July 1, 2015 to July 31, 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 2nd day of September, 2015

[Signature]

JANICE COSCO, CLERK by Thomas F. Antulov, deputy

DAVID A. GLANCE, FIDUCIARY SUPERVISOR
### WILLS PROBATED FROM JULY 1, 2015, TO JULY 31, 2015

<table>
<thead>
<tr>
<th>Estate</th>
<th>Representative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cain, Virginia Irene</td>
<td>Barbara Day, Executrix</td>
</tr>
<tr>
<td>DellaMea, Albert E.</td>
<td>Louis Emery DellaMea, Executor</td>
</tr>
<tr>
<td>DellaMea, Margaret L.</td>
<td>Louis Emery DellaMea, Executor</td>
</tr>
<tr>
<td>Jacquez, Ellsworth</td>
<td>Anita Kolar, Executrix</td>
</tr>
<tr>
<td>Markley, Harry, Jr.</td>
<td>Carolyn Sue Markley, Executrix</td>
</tr>
<tr>
<td>Miller, Helen L.</td>
<td>Walter Osborne, Executor</td>
</tr>
<tr>
<td>Moon, T. Elwood</td>
<td>Reva M. Moon, Executrix</td>
</tr>
<tr>
<td>Mowrey, Thomas L.</td>
<td>Linda Diane Barnes, Executrix</td>
</tr>
<tr>
<td>Muth, James C., Sr.</td>
<td>Claude D. Manning, Jr., Executor DBN</td>
</tr>
<tr>
<td>Owens, Sandra G.</td>
<td>Darin R. Kinne, Executor</td>
</tr>
<tr>
<td>Prahl, Charles K.</td>
<td>Frederic Robert Steels, II, Executor</td>
</tr>
<tr>
<td>Resetar, Anita Antionette</td>
<td>Michael Resetar, Executor</td>
</tr>
<tr>
<td>Sealey, Cathy L.</td>
<td>Edward Wayne Baumgartner, Admr. CTA</td>
</tr>
<tr>
<td>Sivak, William C.</td>
<td>Carolyn A. Sivak, Executrix</td>
</tr>
<tr>
<td>Skotniski, Bernard B.</td>
<td>Cheyenne Carr, Executrix</td>
</tr>
<tr>
<td>Snider, Billy Joe</td>
<td>Katherine Ann Snider, Executrix</td>
</tr>
<tr>
<td>Stillings, Lucy Banks</td>
<td>Samuel Law Stillings, II, Executor</td>
</tr>
<tr>
<td>Tapp, Alfred F.</td>
<td>Stanley Rittenhouse, Executor</td>
</tr>
<tr>
<td>Tekieli, Genevieve Florence</td>
<td>Mary Ellen Tekieli Koay, Executrix</td>
</tr>
<tr>
<td>Thorne, Richard G.</td>
<td>Thomas L. Cook, Executor</td>
</tr>
</tbody>
</table>
Commissioner VanGilder stated hearing no objections moved that the Commission sign the Order. Commissioner Garcia seconded. President Elliott concurred.
The Commission received a Resolution to Accept Conditions of the Contract for West Virginian Community Participation Program Funds and to Authorize Signature on Behalf of the WV Police Reserves. County Administrator Kris Cinalli stated that this grant is in the amount of $1,000.00 for equipment.

Commissioner VanGilder moved that the Commission sign the Resolution and the Commission President sign the Contract. Commissioner Garcia seconded. President Elliott concurred.
The Commission received a Resolution to Accept Conditions of the Contract for West Virginian Community Participation Program Funds and to Authorize Signature on Behalf of the Disability Action Center. County Administrator Kris Cinalli stated that this grant is in the amount of $6,000.00 for renovation of their facility.

Commissioner VanGilder moved that the Commission sign the Resolution and the Commission President sign the Contract. Commissioner Garcia seconded. President Elliott concurred.
The Commission received a Resolution to Accept Conditions of the Contract for West Virginian Community Participation Program Funds and to Authorize Signature on Behalf of the Bunner Ridge Community. County Administrator Kris Cinalli stated that this grant is in the amount of $2,000.00 to install kitchen and bathroom countertops.

Commissioner VanGilder moved that the Commission sign the Resolution and the Commission President sign the Contract. Commissioner Garcia seconded. President Elliott concurred.
The Commission received an Order of Notice of Intent to Change the Location of the Polling Place for Precinct 62 West Augusta Magisterial District, Marion County, West Virginia. Deputy County Clerk Thomas Antulov thanked the County Attorney Chuck Shields for the work he performed in the completion of the Order. He added that he would post the order at the United Methodist Church that evening. He continued that the Class II Legal Advertisement would run in the Times West Virginian Friday, September the 4th and 11th, 2015.

ORDER OF NOTICE OF INTENT TO CHANGE THE LOCATION OF THE POLLING PLACE FOR PRECINCT 62 WEST AUGUSTA MAGISTERIAL DISTRICT, MARION COUNTY, WEST VIRGINIA

WHEREAS, the Marion County Commission pursuant to WV Code Chapter 3, Article 1, Section 5, shall utilize precincts for the basic territorial election unit; and

WHEREAS, the County Commission shall divide each Magisterial District of the County into election precincts, shall number the precincts, shall determine and establish the boundaries thereof, and

shall designate one voting place in each precinct which shall be established as nearly as possible at the point most convenient for the voters of the precinct; and

WHEREAS, pursuant to West Virginia Code Chapter 3, Article 1, Section 7, the County Commission of any county may change the boundaries of any precinct into two or more precincts or consolidate two or more precincts into one or change the location of any polling place whenever the public convenience may require it; and

WHEREAS, the Plum Run Community Building which has been used as the polling place for precinct 62 in the West Augusta Magisterial District is no longer available for use, and accordingly, the County Commission therefore finds it necessary to establish a new polling place for all future elections.

It is therefore now ORDERED that it is the intent of the County Commission of Marion County, West Virginia to change to change the polling place for Precinct 62 from Plum Run Community Building to the Plum Run United Methodist Church, Fairgrounds Rd, Mannington, West Virginia, and that same shall be utilized as the new polling place for precinct 62 for all future elections or until further Order of this Commission.

It is further ORDERED that notice of this Order of Intent shall be given at least one month prior to such change by publishing NOTICE of the change as a class II-O Legal Advertisement in compliance with the provisions of Article 3 Chapter 59 of the West Virginia Code, as amended and by posting at the site of the previous polling place and at the site of the new polling place.

It is further Ordered that a copy of this Order shall be placed in the Election Precinct Record Book by the Clerk of the County Commission.

Given under our hand and seal of the County of Marion, this 2nd day of September 2015.
Commissioner VanGilder moved that the Commission sign the Order. Commissioner Garcia seconded. President Elliott concurred.

The Commission received a request for a budget revision in the Housekeeping Custodial Materials and Supply line.

Commissioner VanGilder moved that the Commission sign the revision. Commissioner Garcia seconded. President Elliott concurred.
The Commission received a request for Advice and Consent of the Commission from Patrick Wilson, Prosecuting Attorney, regarding the hiring of Dennis Kittle as full time Assistant Prosecuting Attorney, with benefits, to be effective September 23, 2015. Pat Wilson stated that Mr. Kittle will be a felony prosecutor and that a portion of his salary will be paid by the STOP Grant; approximately 40%.

Commissioner VanGilder moved that the Commission grant its advice and consent to hire Dennis Kittle as full time Assistant Prosecuting Attorney, with benefits, to be effective September 23, 2015. Commissioner Garcia seconded. President Elliott concurred.
The Commission received a request for funding from America’s Best Communities. Rocco Fucillo made a brief comment once again about the scope of this process and what it entails to the court.

Commissioner VanGilder moved that the Commission allocate $2,500.00 from the Coal Severance Fund for the America’s Best Communities. Commissioner Garcia seconded. President Elliott concurred.

The Commission received a request for funding from the Town of Fairview. Heather Tuttle, the City Clerk came before the Commission to request funds for the purchase of a new water department pick-up truck. She did present some information for review. President Elliott asked that the Commission be allowed to review these quotes and make a decision at the next commission meeting.
Commissioner VanGilder moved that the Commission table this agenda item for further information to be provided by the Town of Fairview. Commissioner Garcia seconded. President Elliott concurred.

The Commission received a request for funding from Bunner Ridge Community; for a new welcome sign.

Sherry Carr  
On behalf of the Bunner Ridge community  
75 Aviator Way,  
Fairmont, WV 26554  
304-290-0195  
August 17, 2015

Marion County Board of Commissioners  
Commissioner Randy Elliott  
Commissioner Ernie VanGilder  
Commissioner Rick Garcia

Re: Tourism funding for new Bunner Ridge sign

Dear County Commissioners,

As a taxpayer in Marion County, I thank you, Commissioners, for your hard work and dedication in representing our local county government and maintaining our communities in the region!

On behalf of the Bunner Ridge community, I am requesting assistance in funding a new 8’ x 12’ sign to welcome visitors to Bunner Ridge. I’ve attached photos of the old 8’ x 8’ signage and the new proposed sign superimposed on the existing sign.

A local business, Ridge Runner, will create the new sign for $2100 and we will install it. Our community folks will help dismantle the “roof”, sand & paint the poles, and make repairs to the structure which is not included in the price.

The non-profit organizations and churches that are listed on the sign are willing to fund this project although most are with a very limited budget. However, I understand that there are monies available for helping to promote tourism in Marion County.

If at all possible, we respectfully request the Commissions consideration for help in funding this project to help make our community of Bunner Ridge welcome visitors with pride before the October 3rd Fall Festival.

Thank you,

Sincerely,
Sherry Carr

Commissioner VanGilder moved that the Commission pay invoices up to $2,100.00 for the new sign and that those funds be allocated from the Coal Severance Fund. Commissioner Garcia seconded. President Elliott concurred.

For the record, note the Commission received the Valley Falls Public Service District Reconciliation Summary for Period Ending July 31, 2015.

The Commission was asked by Amy Dobkin from XTO to make presentation. County Administrator Kris Cinalli stated that Amy Dobkin contacted Central Communications and informed them that she would be unable to attend today’s meeting. Mr. Cinalli stated that she would be placed on the agenda at a later date when she would be able to attend.
Cecily Enos came before the Commission to inform them that the YWCA is in dire needs of new HVAC units. She added that they have two bids 1-$17,000.00 and the other at $15,000.00. President Elliott informed her that the Commission could not make a decision on this matter at this time without it being on the agenda. They will take the matter under advisement and make a decision at the next meeting. Cecily Enos also thanked the Commission for Palatine Park; she added that there was an ecumenical prayer service at the park last evening and it was just wonderful, both the park and service.

Jesse Corley from the Marion County Solid Waste Authority gave an update on the e-recycling and tire pickup. He wanted to thank all of those who worked at both venues.

Chris McIntire stated that they have filed a Notice of Intent to participate in the Federal Program to purchase homes that are located in the Flood Plain in Marion County. He continued that they have purchased 6 to 8 homes in the past and hope that we will be able to receive grant funding again this upcoming year. He added that the home owners are given the appraise value of their home. He added that the funds are through FEMA and the State of West Virginia acts as a pass through.

Charlie Reese presented his update on the second phase of Palatine Park in that we received three bids for the walkway: from G A Brown; Veritas; and Huffman: He added that Huffman Construction was the lowest bidder at $397,940.00. He added that Thrasher Engineering will review the bids to ensure all meets our requirements; and then the bid will be awarded.

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until, Wednesday, September 16th, 2015 at 10:00 a.m. for the next scheduled County Commission Meeting.

Randy Elliott, President