

MARION COUNTY COMMISSION

January 8th, 2025

The Marion County Commission sat in regular session pursuant to its adjournment on Wednesday, December 18th, 2024, 2024. Present were Commissioner VanGilder and Commissioner DeVaul. Commissioner Longstreth was excused.

The Sheriff's Chief Deputy, Joe Carpenter led the Court with a prayer. President VanGilder led the Court with the Pledge of Allegiance.

Election of Commission President and Appointment of President Pro Tempore.

Commissioner DeVaul moved to elect Ernie VanGilder as Commission President. Commissioner VanGilder seconded. Motion passed.

President VanGilder moved to appoint Commissioner Bobby DeVaul as President Pro Tempore. Commissioner DeVaul seconded. Motion passed.

The proceedings of Wednesday December 18th, 2024, and together with those had and done under the supervision of Julie Kincaid, Clerk and Recorder for the Marion County Commission December 19th, 20th, 23rd, 26th, 27th and 30th, 2024 and January 2nd and 3rd, 2025.

Commissioner DeVaul moved to dispense with the reading of the Minutes of Wednesday, December 18th, 2024, and accept them as presented. President VanGilder seconded. Motion passed.

For the record, notes Jason Smith, Assessor, presented to the County Commission the following Exonerations for approval.

***Date: January 8th, 2025**
Nos. 2025 – 1 thru 2025 - 17*

Pursuant to the recommendation of Jason Smith, Assessor and approval of Jeffery Freeman, Prosecuting Attorney; Commissioner DeVaul moved that the President sign Nos. #2025-1 thru 2025 - 17. President VanGilder seconded. Motion passed.

MARION COUNTY COMMISSION
January 8th, 2025

Order Confirming and Ratifying Waivers and Short Form Settlement Reports.

Commissioner DeVaul moved that the Commission sign the Order Confirming and Ratifying Waivers and Short Form Settlement Reports. President VanGilder seconded. Motion passed.

ORDER NUMBER 37

ORDER CONFIRMING AND RATIFYING

WAIVERS AND SHORT FORM SETTLEMENT REPORTS

At a regular Session of the County Commission of Marion County, West Virginia, continued and held for the County in the J. Harper Meredith Building on the 8th day of January, 2025.

This day came Blaire Nuzum-Wise, Fiduciary Supervisor for Marion County, West Virginia, and presented to the Commission Waivers and Short Form Settlements for the following estates which reports she has filed in the Office of the Clerk of the County Commission, according to West Virginia Code 44-3A-4(a), effective June 5, 2023, pending confirmation. There being no objections received to these Settlements and no errors appearing, the Waivers and Short Form Settlements are hereby ratified, confirmed and approved and the Estates are hereby closed.

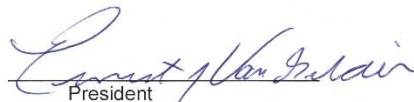
Estate of

Spurr, Harry
Morris, Tilford Geraldine
Sleeth, Luzetta G. Pratt
Willard, Linda Lou
Willard, Alan Lee
Griffin, Glen David
Gardner, Ted
Toothman, Charles Ross
Wilfong, Margaret Alberta
Musgrove, Donna Jo
Osborne, Paul
Coddington, Lorraine

Representative

Kris Dixon, Executrix
Kevin D. Morris, Executor
Roger N. Pratt, Executor
Suzanna Barr, Administratrix
Suzanna Barr, Admr. DBN
Wendy Griffin, Executrix
Barbara Ann Gardner, Executrix
Thelma Toothman, Executrix
Linda Bramer, Executrix
Sharletta Stevenski, Executrix
Kimberly J. Osborne, Executrix
Lisa Coddington, Administratrix

ENTER: 1-8-2025

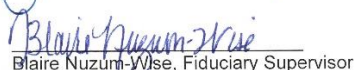

President


Commissioner

Commissioner

ATTEST:


Julie Kincaid, County Clerk


Blaire Nuzum-Wise, Fiduciary Supervisor

MARION COUNTY COMMISSION

January 8th, 2025

Order Confirming and Ratifying Fiduciary Supervisor's Report of Claims and Settlement Reports.

Commissioner DeVaul moved that the Commission sign the Order Confirming and Ratifying Fiduciary Supervisor's Report of Claims and Settlement Reports. President VanGilder seconded. Motion passed.

ORDER NUMBER 478

ORDER CONFIRMING AND RATIFYING FIDUCIARY SUPERVISOR'S
REPORT OF CLAIMS AND SETTLEMENT REPORTS

At a regular Session of the County Commission of Marion County, West Virginia, continued and held for the County in the J. Harper Meredith Building on the 8th day of January, 2025

This day came Blaire Nuzum-Wise, 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

Cloud, Gail M.
Cloud, Norman Jr.
Sanders, Patricia
Tennant, Chad Daniel
Vangilder, James Frederick

Representative

Frederick Edwards, Administrator CTA
Frederick Edwards, Administrator CTA
Levi Sanders, Administrator CTA DBN
Sherrie Rice, Administratrix
Paul Vangilder, Administrator

ENTER: 1-8-2025

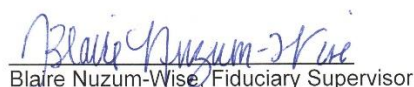

President


Commissioner

Commissioner

ATTEST:


Julie Kincaid, County Clerk


Blaire Nuzum-Wise, Fiduciary Supervisor

MARION COUNTY COMMISSION
January 8th, 2025

Order to Show Cause Regarding Delinquent Estate Filings.

Commissioner DeVaul moved that the Commission sign the Order to Show Cause Regarding Delinquent Estate Filings. President VanGilder seconded. Motion passed.

BEFORE THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA
IN THE MATTER OF:
FIDUCIARY SUPERVISOR'S REPORT OF DELINQUENT ESTATE FILINGS

ORDER TO SHOW CAUSE



On this day came Blaire Nuzum-Wise, Fiduciary Supervisor of Marion County, and pursuant to WV Code 44-3A-24 as amended, and effective May 30, 2019, presented to the Commission, a list of Estates that may be considered delinquent in that no appraisal has been filed, or in that no progress has been made, or no final settlement has been filed from the effective date from the beginning date of the estate, and ending January 5, 2025. The delinquent list of the Fiduciary Supervisor is made a part of this Order by this expressed reference thereto and all such delinquent Estates are fully incorporated herein by such reference.

In accordance with WV Code 44-3A-24, as amended, the County Commission does hereby ORDER that the Personal Representatives, Executors, and Administrators for said Estates file the delinquent documents or file a verified statement to Show Cause why the County Commission should not find the Personal Representatives delinquent and remove them from office, administratively close the Estate, or take other such action as may be proper. The delinquent documents or the verified statement shall be filed within thirty (30) days after the date of the mailing of this Order.

Copies of this Order shall be sent to all of the Estates' heirs, beneficiaries, creditors and bonds persons as provided under WV Code 44-3A-24, as amended.

ENTER: **1-8-2025**


Blaire Nuzum-Wise, Fiduciary Supervisor

Attest:

Julie Kincaid, County Clerk

MARION COUNTY COMMISSION
January 8th, 2025

REPORT OF DELINQUENT FILINGS
OF FIDUCIARY SUPERVISOR

Pursuant to 44-3A-24, as amended, passed February 28, 2019, and effective May 30, 2019, the following estates may be considered delinquent in that no appraisalment has been filed, or in that no progress has been made, or no final settlement has been filed from the effective date of August, 1982, and ending January 5, 2025.

DELINQUENT SETTLEMENTS:

<u>#</u>	<u>Estate of:</u>	<u>Personal Representative</u>	<u>Date of Death</u>
1524	Cosco, Patsy A.	Domenick Cosco & Patsy Cosco, Jr. Co-Extrs.	04-30-1985
1847	Satterfield, Henry	Antonia Jean Gardner,Extrx.DBN	11-09-2008
7052	Meighen, Helen	Donald D. Meighen, Extr. DBN	01-21-1995
7482	Balderson, Lewis	Joyce Kurczak, Extrx.DBN	10-13-1995
7616	Banken, Joseph, Sr.	Joan B. Schroering, Extrx.	01-20-1996
7666	Dublin, John M.	William Dublin, Admr CTA	12-30-1995
8424	Tennant, A. Lucille	Marilesa W. Yost, Extrx	06-23-1997
8444	Valentine, William	Tammy Valentine,Extrx.	06-11-1997
8609	Arnold, Phoebe	S. Miles Cunningham, Extr	10-08-1997
8740	Scott, Billie	Charles Evans, Jr. & Linda Meek sCo-Extrs.	01-18-1998
9144	Wade, Iris	Sharon W. Kisner, Extrx.	10-04-1998
9409	Michael Newton	Leroy Dent, Extr.	03-03-1999
9529	Knoll, Fred	Hazel Knoll, Admrx	11-20-1994
9890	Coss, Francis	Pamela Zaledzieski, Admrx	08-17-1999
10134	DeVault, Charles D.	Charles L. DeVault Admr. DBN	02-29-2000
10420	LaRosa, Dayton	Jennifer Wilson, Extrx.	01-04-2001
10819	Mason, John	Lori Mason, Admrx. CTA	02-06-2000
13092	Smith, Barbara	Stephen Smith, Admr. DBN	07-08-2005
13333	Davis, Nellie Mae	Leslie Davis, Extrx.	04-03-2005
13343	Davis, Albert	Ritchie Davis, Extr.	01-24-2006
14153	Bondy, Harold	Harold Bondy, Admr.	02-06-2006
15407	Calvert, James	Helen Calvert, Extrx.	01-18-2010
15582	Morgan, Jay L.	Cindy Woodward & Martin Morgan Co-Extrs.	08-19-2010
16198	Cerisano,David	Mary Cerisano, Extrx.	12-22-2011
16471	Green, Jane	Terri DeMicco, Extrx.	08-08-2012
16583	Boord, Harry	Karen Cyrankowski, Extrx.	10-31-2012
16837	White, Roy Eugene	Marjorie Oprey, Admrx.	04-25-2013
17688	Adkins, Harriet	Sabrina Chadwell, Extrx.	04-15-2015
18070	Carpenter, Robert Sr.	Robert Carpenter, Jr., Extr.	02-09-2016
18105	Goll, Gary	Larry Goll, Extr.	01-14-2016
18637	Ridenour, Imogene	Billie Volek, Extrx.	01-03-2017
19299	Spaulding, Theresa	Matthew Spaulding, Extr.	08-05-2018
19889	Javosky, James	Brian Cole, Admr.	09-14-2019
19892	Ailstock, Mary Lou	Bonita Hadox, Extrx.	10-01-2019
19872	Moore, Brenda	Ronald Moore, Admr.	09-28-2019
19880	Abel, Margaret Mae	Brian Abel, Admr.	10-07-2019
19884	Moses, Christopher W.	Christopher A. Moses, Admr.	10-17-2019
19894	Carson, Geraldine A.	John Charles Carson, Extr.	10-3-2019
19898	Pownell, John R.	Eliene R. Pownell, Extrx.	08-16-2019
19903	Dicken, David L.	Robin Sawitski-Dicken, Extrx.	10-2-2019
19907	Kelly, Gerald Lynn II	Rachel M. Carnal, Admrx.	11-6-2019
19912	Manchin, Stephanie T.	Mark Anthony Manchin, Extr.	10-5-2019
19913	Chicarelli, Edward K.	Shelia Caroline Chicarelli,& Edward K. Chicarelli, II, Co-Extrs	08-12-2019
19922	Dukich, Debora	Samantha Dukich, Admrx.	11-2-2019
19942	Kerns, Jester C.	Kimberly A. Kerns Moore, Extrx.	02-13-2019
19944	Paugh, James C.	Diane K. Paugh, Extrx.	09-23-2019
19945	Vandegrift, Mary Jane	Glenn Vandegrift, Extr.	12-3-2019
19947	Wiles, Carmel Lea	Carl Dion Wiles, Admr.	11-17-2018

MARION COUNTY COMMISSION
January 8th, 2025

<u>#</u>	<u>Estate of:</u>	<u>Personal Representative</u>	<u>Date of Death</u>
19954	Crane, Deborah Lynn	Glenn Lee Crane, Admr.	08-31-2019
19955	Robinson, Cornelia	Deborah Hinton, Extrx.	12-11-2019
19956	Stewart, Nancy Josephine	Thomas M. Stewart, Admr.	11-4-2019
19958	Manzo, Mary O.	James R. Manzo, Extr.	12-4-2019
19960	Ice, Dorothy E.	James S. Ice, Extr.	12-20-2019
19966	Fahey, John Albert	John C. Fahey, Admr.	11-23-2008
19967	Fahey, Mary Rita	John C. Fahey, Admr.	12-25-2019
19968	Butcher, Norma J.	Leslie L. Butcher, Extrx.	10-23-2019
19971	Neff, Ethel L.	Delmas A. Thorne, Extr.	12-16-2019
19972	Cameon, Frances Anna	Angela Maria Viney, Extrx.	12-26-2019
19975	McNemar, Norma Jean	Dawn Hensil, Admrx.	02-6-2018
19976	Scarbro, Inez	Gregory Scarbro, Admr.	12-2-2019
19979	Bruno, Richard A.	Michael Rusciano, Extr.	01-7-2020
19984	Penland, Roger Franklin	Jonathan Penland, Admr.	12-25-2019
19988	Russell, Rosalynn Vivian	Sean D. Russell, Admr.	12-29-2019
19990	Tarley, Phillip	Phillis Ann Tarley, Admrx.	01-03-2020
19996	White, Charles William	Sheila Diana Costin, Extrx.	01-23-2020
20001	Frye, Garon Lawrence	Gabriele Frye, Admrx.	12-25-2019
20004	Mugnano, Anillo Anthony	Amie L. Fluharty, Extrx.	01-25-2020
20005	Lynch, Betty Lou	Terry A. Bombard, Extrx.	12-5-2019
20007	Tennant, Raymond	Sarah E. Tennant, Admrx.	01-27-2020
20011	Evans, Donald L.	William R. Evans, Extr.	01-14-2019
20014	Shreves, Joe Cephas	Deborah A. Efaw, Admrx.	12-10-2019
20018	Hughes, Etta Mae	Peggy Swisher, Admrx.	01-1-2020
20019	Hess, Jackie J. Hibbs	Rebecca Ann Lawson, Extrx.	01-29-2020
20021	Price, Joseph L.	Jodie Schwankhart, Extrx.	01-10-2020
20027	Wycoff, Ralph E.	Ralph E. Wycoff, Jr., Extr.	02-03-2020
20035	Barr, Lula Jeanette	Ronnie K. Barr, Admr.	04-24-2016
20037	Yankie, Mary L.	Terry Michael Yankie, Extr.	02-4-2020
20039	Martin, Mary Elizabeth	Roger G. Martin, Jr., Admr.	12-10-2019
20041	Michael, Gary Nixon	Suzanne A. Michael, Admrx.	03-04-2020
20042	Ice, Philip L.	Michelle Rae Ice, Extrx.	01-13-2020
20046	Browning, James P., Jr.	Sharon L. Browning, Extrx.	02-5-2020
20049	Kuretza, Theresa L.	Charles Joseph Kuretza, Extr.	11-24-2019
20053	Summers, Chester Lee	Miranda J. Riggs, Extrx.	01-29-2020
20059	Vankirk, Roy Francis	Sharon Rose Nicholson, Admrx.	05-16-1998
20069	Bourne, Penelope Louise	Lionel W. Bourne, Admr.	02-14-2020
20070	Metz, Beatrice, Belle	James Lee Metz, Admr.	02-15-2020

MARION COUNTY COMMISSION
January 8th, 2025

Order Lodging Found Last Will and Testament of Mary K. Sarosi Without Recordation of Will.

President VanGilder asked Fiduciary Supervisor Blaire Nuzum-Wise to comment.

Ms. Nuzum-Wise responded that the Estate of Mary K. Sarosi was probated and settled without the benefit of a Will. Since that time, a Will has been found and the heirs have been notified; the directives of the Will will not change the outcome of the Estate, but it is being requested to have the Will recorded as a matter of record.

Commissioner DeVaul moved that the Commission sign the Order Lodging Found Last Will and Testament of Mary K. Sarosi Without Recordation of Will. President VanGilder seconded. Motion passed.

IN THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA

In Re: THE ESTATE OF MARY K. SAROSI

**ORDER LODGING FOUND LAST WILL AND TESTAMENT OF MARY K. SAROSI
WITHOUT RECORDATION OF WILL**

On this day came Blaire Nuzum-Wise, Fiduciary Supervisor, and notified the Commission of the following pursuant to receipt of the Last Will and Testament of Mary K. Sarosi, from the law firm of Cummings & Lockwood PLLC of Naples Florida, regarding this Estate:

1. Mary K. Sarosi died on December 7, 2022, and her Estate was opened on December 19, 2022. John R. Thomey was appointed as Administrator on said date.
2. John R. Thomey administered the Estate, in good faith, believing Mary K. Sarosi died without a will. The heirs at law were: John R. Thomey and Deborah Bennett, children of Mary K. Sarosi.
3. The Estate proceeded through probate, and by Final Order entered on the 31st day of July, 2023, this Commission approved the Final Settlement filed in the Estate of Mary K. Sarosi and closed the Estate.
4. On March 29, 2024, John R. Thomey filed to re-open the Estate of Mary K. Sarosi in order to process a lawsuit. The Estate is open at this time.
5. On November 6, 2024, a Last Will and Testament for Mary K. Sarosi was received in the office of the Fiduciary Supervisor, dated June 28, 2010, as per WV Code §41-5-1.

MARION COUNTY COMMISSION
January 8th, 2025

6. The Will devised all of Ms. Sarosi's property, of whatever kind and nature, to her children, John R. Thomey and Deborah Bennett.
7. Consultation with probate attorneys has determined: if the Will were to be probated, the heirs at law, John R. Thomey and Deborah Bennett, and the beneficiaries named in the Will, John R. Thomey and Deborah Bennett, are the same and probate of the Last Will and Testament of Mary K. Sarosi would not change the disposition of the Estate.
8. By letter dated November 14, 2024, the office of the Fiduciary Supervisor notified all heirs and interested parties regarding the matter and provided copies of the Will. The heirs were notified that it has been determined that the Will would not change the disposition of the Estate. The heirs were given until December 18, to file any objections to this finding. No objections were received. Therefore, upon mature consideration of all of which, the Commission makes the following findings of fact:
 1. Mary K. Sarosi died on December 7, 2022.
 2. Believing that Mary K. Sarosi died without a Will, John R. Thomas was appointed as Administrator on December 19, 2022. The heirs at law were: John R. Thomey and Deborah Bennett, children of Mary K. Sarosi.
 3. The estate proceeded through probate and the Final Settlement was approved and Confirmed by the Marion County Commission on July 31, 2023, and the Estate closed.
 4. On March 29, 2024, John R. Thomey filed to reopen the Estate in order to process a lawsuit.

MARION COUNTY COMMISSION
January 8th, 2025

5. A Last Will and Testament for Mary K. Sarosi, dated June 28, 2010, was delivered to the Fiduciary Supervisor after the Estate closed.

6. The Will devised all of Ms. Sarosi's estate, both real and personal, to her children, John R. Thomey and Deborah Bennett.

7. The Will does not change the heirs to this Estate, and therefore, it is believed that there is no need to record and probate the Will.

7. All parties have been notified that the Will has been found, and that the beneficiaries would not change.

8. No objections to the findings were received from any interested party.

It is therefore ORDERED:

1. The Last Will and Testament of Mary K. Sarosi shall be lodged in the office of the Marion County Clerk.
2. The reopening of the Estate of Mary K. Sarosi shall proceed intestate.
3. The Clerk of the Commission shall file this Order in the Estate records for Mary K. Sarosi.

ENTER: 1-8-2025


President


Commissioner

Commissioner

Submitted by:


Blaire Nuzum-Wise
Fiduciary Supervisor

ATTEST:


Julie Kincaid, County Clerk

Request for Advice and Consent to hire David Harris in the Maintenance Department (replacement).

Commissioner DeVaul moved that the Commission grant its Advice and Consent to hire David Harris in the Maintenance Department (replacement). President VanGilder seconded. Motion passed.

MARION COUNTY COMMISSION

January 8th, 2025

Request for Advice and Consent to hire Bruce Veltri as the Director of Security for the Marion County Sheriff's Office. Effective January 1, 2025.

President VanGilder asked Sheriff Cunningham to explain the duties for this position.

Sheriff Cunningham responded that the Director of Security would oversee the jail transport, court security, school security and would be involved with home confinement.

Commissioner DeVaul moved that the Commission grant its Advice and Consent to Sheriff Cunningham to hire Bruce Veltri as the Director of Security for the Marion County Sheriff's Office. Effective January 1, 2025. President VanGilder seconded. Motion passed.

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

Roger D. Cunningham

Sheriff

Joseph N. Carpenter

Chief Deputy

To: Marion County Commission
From: Sheriff Roger D. Cunningham
Date: January 02, 2025
Ref: Hiring of Director of Security

Dear Honorable Commissioners:

I am respectfully requesting to be placed on the next Commission's agenda. I am requesting the advice and consent of the Honorable Commissioners' for the hiring of Bruce Veltri for the Director of Security position, for the Marion County Sheriffs' Office. Because of the holiday breaks, and not being able to be on the Commission agenda any sooner, this position became effective Wednesday, January 01, 2025. His starting salary will be \$50,000.00 plus benefits.

Sincerely,

Sheriff Roger D. Cunningham

Cc: File

MARION COUNTY COMMISSION

January 8th, 2025

Request for Advice and Consent to hire Joseph N. Carpenter as the Chief Deputy for the Marion County Sheriff's Office. Effective January 1, 2025.

President VanGilder explained that there was no requirement to request advice and consent of the Commission for this position but extended his approval for the request. Commissioner DeVaul extended his approval as well.

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

Roger D. Cunningham
Sheriff

Joseph N. Carpenter
Chief Deputy

To: Marion County Commission
From: Sheriff Roger D. Cunningham
Date: January 02, 2025
Ref: Hiring of Law Enforcement Chief Deputy

Dear Honorable Commissioners:

I am respectfully requesting to be placed on the next Commission's agenda. I am requesting the advice and consent of the Honorable Commissioners' for the hiring of Joseph N. Carpenter for the Chief Deputy position, for the Marion County Sheriffs' Office. Because of the holiday breaks, and not being able to be on the Commission agenda any sooner, this position became effective Wednesday, January 01, 2025. His starting salary will be \$95,000.00 plus benefits.

Sincerely,

Sheriff Roger D. Cunningham

Cc: File

Appointment of Rodney Stewart to the Fairmont – Marion County Transit Authority.

Commissioner DeVaul moved that the Commission approve the Appointment of Rodney Stewart to the Fairmont – Marion County Transit Authority. President VanGilder seconded. Motion passed.

MARION COUNTY COMMISSION
January 8th, 2025

No Public Comment

There being no further business to come before the County Commission, it is ordered that this Commission do now recess until Wednesday, January 22nd, 2025 at 10:00 a.m. for the next County Commission Meeting scheduled.

Ernest J. VanGilder, President

Attest:

Julie Kincaid, County Clerk