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Morgantown, West Virginia

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SUNDAY

Jan. 3, 2010

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Mostly cloudy with snow.
High **18** Low **16**
Your complete forecast
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COMING TOMORROW

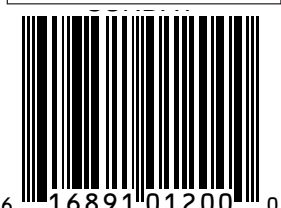
Clothes, shoes

Stores set to open at Suncrest Towne Centre.

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Magrath's wife dies

Vehicle struck Howell during couple's trip

BY **CASSIE SHANER**
The Dominion Post

Deborah Howell, the wife of former interim WVU President C. Peter Magrath, was killed Friday while the couple vacationed in New Zealand. A family member, who contacted the president's office, said a vehicle

struck Howell after she and Magrath stopped on a roadside to take photos, according to WVU spokeswoman Becky Lofstead.

Lofstead said Howell was killed instantly, but Magrath was not harmed.

"My understanding is that he was there, but he was not injured," Lofstead said. "They were having a wonderful time, and it was one of those tragic accidents."

In a statement released Saturday, WVU President James P. Clements said the university family

SEE **WIFE**, 2-A



Former WVU interim president C. Peter Magrath (from left) speaks to Pat and Jim Chase as his wife, Deborah Howell, listens, during the 24th black-tie gala for WVU's Mary Babb Randolph Cancer Center in April. Howell died Friday.

Jason DeProspero/
The Dominion Post
file photo



Year in review 2009

Clockwise, from top left: James Clements accepts a hat from WVU interim President C. Peter Magrath after being named the university's new president. Bill Byrne speaks in the Morgantown City Council chambers after being named the city's new mayor. Linda Bennett, a retired Monongalia County Health Department nurse, prepares an H1N1 vaccine during a clinic. Dead fish lie on the low-water bridge crossing Dunkard Creek on Buckeye Road.

A year of new faces, health and environmental woes

The Dominion Post

A new mayor. A new university president. Several new buildings. Those were among the changes in and around Morgantown in 2009.

After 18 years serving on Morgantown City Council — seven of them as mayor — Ron Justice decided to retire his gavel. In April's election, Marti Shamberger replaced Justice as the 5th Ward representative. Bill Byrne was selected mayor.

In March, James P. Clements was hired as WVU's 23rd president. Leaving his post as provost at Towson University, Clements took over at WVU on June 30, replacing interim President C. Peter Magrath.

Clements wasted no time putting key people in place. He's already hired a new chancellor for health sciences and a new provost.

New construction cropped up around the area, including a Northside Fire Station for the city and a Child Learning Center for WVU.

The area was also hit by swine flu and a major fish kill.

Officially called H1N1 by the U.S. Centers for Disease Control and Prevention, swine flu hit the area in September. In Mon County, six

people diagnosed with the disease died. Eighteen died statewide.

Special clinics were set up to vaccinate as many people as possible against the disease. Those clinics are expected to continue this month.

Also in September, people along Dunkard Creek, near Blacksville, began noticing hundreds of dead fish in the stream. Nearly all aquatic life died in the creek before biologists could determine the cause.

The U.S. Environmental Protection Agency said a golden algae released a toxin that killed gill-breathing organisms.

The algae bloomed because of increased total-dissolved-solids levels, according to the EPA. The elevated levels came from various sources including mine discharge into the stream.

Today and Monday, *The Dominion Post* recaps some of the most important local events from 2009 — in words and pictures.

FOR MORE ...

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- Murders and robberies make headlines in area.
- Mon County reviews some schools; gives others facelifts.
- Rocky year for Senior Mons.
- WVU hires James P. Clements as 23rd president.
- WVU secondary sports, football.

Obama cites al-Qaida link in bomb plot

OFFICIAL: Extremists seek new ways to attack U.S. **Page 2-A.**

Associated Press

HONOLULU — An al-Qaida affiliate in Yemen apparently ordered the Christmas Day plot against a U.S. airliner, training and arming the 23-year-old Nigerian man accused in the failed bombing, President Barack Obama said Saturday.

"This is not the first time this group has targeted us," Obama said, reporting on some of the findings of an administration review into how intelligence agencies failed to prevent

Umar Farouk Abdulmutallab from boarding Detroit-bound Northwest Flight 253.

In his most direct public language to date, Obama described the path through Yemen of Abdulmutallab. He also emphasized that the United States would continue its partnerships with friendly countries — citing Yemen, in particular — to fight terrorists and extremist groups.

Obama's homeland security team has been piecing together just how Abdulmutallab was able to get on the plane. Officials have described flaws in the system and by those executing

the strategy and have delivered a preliminary assessment.

A senior administration official said the United States was increasingly confident there was a link between Abdulmutallab and an al-Qaida affiliate, but Obama's statement was the strongest connection between the two.

"We know that he traveled to Yemen, a country grappling with crushing poverty and deadly insurgencies. It appears that he joined an affiliate of al-Qaida, and that this

SEE **BOMB**, 2-A

Company conducting PEIA audit

Finding ineligible dependents could save state \$10M

BY **DAVID BEARD**
The Dominion Post

West Virginia could save as much as \$10 million by removing ineligible dependents from Public Employees Insurance Agency (PEIA) coverage, said Diane Holley-Brown, Department of Administration spokeswoman.

And employees who try to fudge or dodge an eligibility audit now under way could face repaying up to two years' worth of back benefits — and possible prosecution — for ineligible dependents.

PEIA discovered ineligible dependents through the regular course of business, Holley-Brown said, and decided to undertake this audit, which "is becoming a standard operating procedure" for public agencies and private companies across the country.

Through a competitive bid process, PEIA chose King of Prussia, Pa.-based Healthcare Data Management (HDM) to conduct the audit for all of its 62,000 policyholders and their dependents. The project will cost \$2.87 per enrolled member and should amount to about \$500,000, Holley-Brown said.

HDM is sending "dependent eligibility verification" (DEV) letters to policyholders in four rounds. The first two rounds have gone out and the last two should be out by March.

These audits are one of HDM's specialties, according to company information. It has contracts with North Carolina, Wyoming and Fort Worth, Texas, among others.

In its bid, Holley-Brown said, HDM

SEE **PEIA**, 2-A

Police: Driver passes out; meth lab in back seat

Associated Press

MURFREESBORO, Tenn. — Police said a driver passed out in his car at a Tennessee gas station while a batch of methamphetamine was cooking in the back seat.

An employee at the gas station in Murfreesboro, about 30 miles southeast of Nashville, called police because the car was sitting at the pump for about an hour on New Year's Day.

Police said a chemical process to make the drug was in progress. Some meth-making ingredients can be explosive.

Murfreesboro Assistant Fire Chief Allen Swader told *The Daily News Journal* that gas pumps were shut off as a precaution.

Nathan E. Beasley, 31, is being held on a \$15,000 bond on charges of driving under the influence, driving on a suspended license, reckless endangerment and manufacturing meth. No attorney was listed in police records.

Macy's parade magic



After endless hours of marching maneuvers and song rehearsals, 257 members of the Morgantown High School Red and Blue Marching Band hit the road for the 2009 Macy's Thanksgiving Day Parade in New York City. The band marched down the streets of the Big Apple with a performance in front of the Macy's store, playing WVU's arrangement of 'Country Roads' for the millions watching on the streets and on TV. The last time the MHS band marched in the Macy's Thanksgiving Day parade was 1963, and many former band members got swept up in the excitement of the current band's performance. Here, the marching band perform their Herald Square routine as part of an NBC camera test at 3:45 a.m., before the start of the parade.

Jason DeProspero/The Dominion Post

In Morgantown, Justice steps down, Byrne steps up

TRACY EDDY

The Dominion Post

Mayor retires

After serving 18 years on the Morgantown City Council, Ron Justice's last term ended June 30.

And he gave the final tap of his gavel during the City Council's June 16 meeting.

Justice is the longest-serving councilman in the city's history.

He was first elected to the City Council in 1991. He served as mayor for seven years and spent six years serving as deputy mayor.

Justice announced he would not be running for another term in November 2008.

Council members said they would remember Justice for serving during of the city's most progressive periods — he spearheaded projects, such as reviving Dorsey's Knob, continuing to develop the riverfront or restoring the Metropolitan Theatre; he represented Morgantown nationally when it was dubbed "recession-resistant"; and he was always accessible to the public, whether it was an appearance at an event or taking a phone call to listen to a resident's concerns.

Justice works for WVU, as the university's director of Student Organization Services and is a member of BOPARC's board of directors.

Also, City Council selected Justice to chair the city's 2010 Census Complete Count Committee — a committee that will promote the upcoming census and encourage everyone to participate in it.

Downtown service fee

The city dropped a proposed downtown service fee in April, about a month after the idea was brought up to the businesses.

The fee was proposed so the city could cover the cost of improving late-night public services in the downtown area.

Businesses between University Avenue and Spruce Street, and Willey and Foundry streets, that are open between 10 p.m. and 4 a.m. Wednesday through Sunday would have been affected by the fee —



Jason DeProspero/The Dominion Post

Ron Justice hammers the gavel to start his final Morgantown City Council meeting as mayor. After 18 years on council, Justice decided to step down.

about 45 businesses total.

The fee each business would have paid was based on its occupancy.

City Manager Dan Boroff said the city estimated it would cost about \$250,699 a year to hire five additional police officers, hire two additional fire inspectors and purchase street cleaning equipment to serve downtown Morgantown late at night.

The city figured a cost per occupant would be about \$52.35. Each business would have paid the per occupant cost for 50 percent of its total occupancy.

Several downtown businesses were against the fee — 21 of the 45 businesses hired an attorney to represent them at a public meeting with the city.

Downtown business owners said it was unfair of the city to ask them to pay for public services that would benefit everyone in the area. Some said they would have to cut down on staff in order to be able to afford to pay the fee.

But, at the public meeting, Boroff announced the city would no longer be pursuing the fee because it had an opportunity to receive federal funds to pay for salaries, benefits and training for additional police officers over a three-year period.

Morgantown received a \$167,408 grant from the U.S. Justice Department's Community Oriented Policing Services Hiring Recovery Program in July.

The money was enough to cover the cost of one additional police officer.

Boroff said, even though the city originally hoped to receive enough funds for three additional police officers, it was not planning to propose the downtown service fee again.

City Council elections

The Morgantown City Council saw one new face — and six familiar ones — after its April election.

And, after the election, when Morgantown needed a new mayor, council members unanimously elected Bill Byrne to the



Jason DeProspero/The Dominion Post

Morgantown Fire Department's Engine Three, new Engine One and new Ladder Three sit in the driveway of the new Northside Fire Station.

position.

Marti Shamberger was elected to represent the city's 5th Ward. She and fellow newcomer Mike Shuman vied for the seat, after former Mayor Ron Justice decided not to run for re-election.

Incumbents Ron Bane, Jenny Selin, Don Spencer and Byrne had opposition in their races, but voters re-elected them.

Councilmen John Gaddis and Charlie Byrer were unopposed.

About 1,220 voters — out of the 16,106 that are registered within city limits — turned out for the election. Less than 8 percent of the registered voters cast their ballots, but it was still five times as many as voted during the 2007 municipal elections.

During the 2007 municipal elections, 1.55 percent of voters — or about 250 voters — cast ballots. During the 2007 election, each race was unopposed.

Some speculated that the increase in voter turnout could be contributed to the fact that the majority of the races were opposed.

New fire station opens

The Morgantown Fire Department celebrated the grand opening of the Northside Fire Station in August.

Firefighters, community members and city, county and WVU officials were treated to a cookout and tours of the facility.

In his first official act of business at the new fire station, Morgantown Fire Chief David Fetty handed out seven medals of valor to five firefighters and two civilians for saving a life during a fire.

The fire station was built near WVU's Robert C. Byrd Health Sciences Center and the Monongalia County Health Department, on 30,000 square feet of land donated by the Monongalia County Commission and WVU.

Changes at the airport

The Morgantown Municipal Airport welcomed a new director, started work on an expansion project in its South Terminal and leveled ground to make room for the neighboring light industrial park.

Retired U.S. Army Col. Glen Kelly started work as the airport's director in September.

Former director Bob Hammel resigned July 31, citing personal and professional reasons.

Kelly said his accomplishments at the airport have been small so far — he repaired the blower for the heating system and replaced the old, uncomfortable chairs in the North Terminal — but there are some larger projects in the works, such as upgrading the airport's heating and air-conditioning systems, installing energy efficient lighting and repainting lines on the runways.

Work began on the expansion project in late October.

As part of the project, the pilot's lounge is being renovated and office space in the terminal will be expanded, adding 1,100 square feet of space to the airport.

The project will cost about \$320,000. The state Department of Transportation Aeronautics Commission gave the Morgantown airport more than \$23,000 to help cover the cost. The rest of the money is coming from the Federal Aviation Administration.

Laid to rest

Brig. Gen. William T. Wolf presents the American flag to 10-year-old Carson Cole, son of Chief Warrant Officer (4) Brent S. Cole. Vanessa Cole, Brent Cole's widow, sits next to her son. She also received a flag. Chief Warrant Officer (4) Brent Cole, a U.S. Army pilot died in May in a crash in Afghanistan. He was laid to rest with a full military funeral honors ceremony in Masontown, near his hometown of Reedsville. Cole was assigned to the 1st Battalion, 82nd Combat Aviation Brigade, 82nd Airborne Division at Fort Bragg, N.C. Among Cole's survivors are his wife, Vanessa Commodore Cole, whom he married on April, 25, 1992; his son, Carson, 10; his parents, Jack and Helen Cole, all of Linden, N.C.; father-in-law Don Commodore, sister-in-law Maria and Tony Mancuso, brother-in-law Vince and Sheneen Commodore, all of Kingwood.

Ron Rittenhouse/The Dominion Post



2009 DEATHS

Centenarians

EMMA EVELYN KELLY, 101, of Bruceton Mills, died Feb. 6, 2009. She was a retired elementary schoolteacher.

JESSIE MASTERS, 101, of Smithfield, Pa., and formerly of the Point Marion, Pa., area, died Feb. 18, 2009.

GLENN G. HERRING, 103, of Bruceton Mills (Salem-Five Forks community), died March 7, 2009.

JOSEPHINE MARY NETCHI, 100, of Morgantown, and formerly of Masontown, Pa., died April 30, 2009.

FRANK STABENE, 101, longtime Star City resident, died Aug. 10, 2009. He served in the Civilian Conservation Corps, was an honorary lifetime member of the Star City Volunteer Fire Department, and was a Star City Town Council member.

MARY LOJEWSKI, 100, of Morgantown, died Oct. 13, 2009.

January

ROBERT WAYNE DUNN, 76, of Fairmont, died Jan. 4. He was a former jeweler and gemologist known for his casting and design work. He served in the U.S. Army during the Berlin airlift.

LEON BUTTERWORTH, 44, of Morgantown, died Jan. 5, in Charleston, S.C. He was a research biologist at the National Institute for Occupational Safety and Health.

THOMAS S. ISAACK, 90, of Heritage Point, Morgantown, died Jan. 9. He was a retired WVU professor, chairing the Department of Administration. After retirement in 1983, he remained an active volunteer in the community.

RUSSELL J. HART, 82, of Morgantown, died Jan. 14. He was a former fire chief for Cool Springs Volunteer Fire Department.

JOSEPH "JOE" BARTOLO, 71, of Westover, died Jan. 14, at home after a battle with lung cancer. He had stepped down Dec. 31, 2008, as sheriff, a post he held 16 of his 41 years in law enforcement in Monongalia County. He was a former Westover mayor.

KAREN B. KELLY SPIKER, 60, of Terra Alta, died Jan. 14. She was a Preston County magistrate assistant for 11 years.

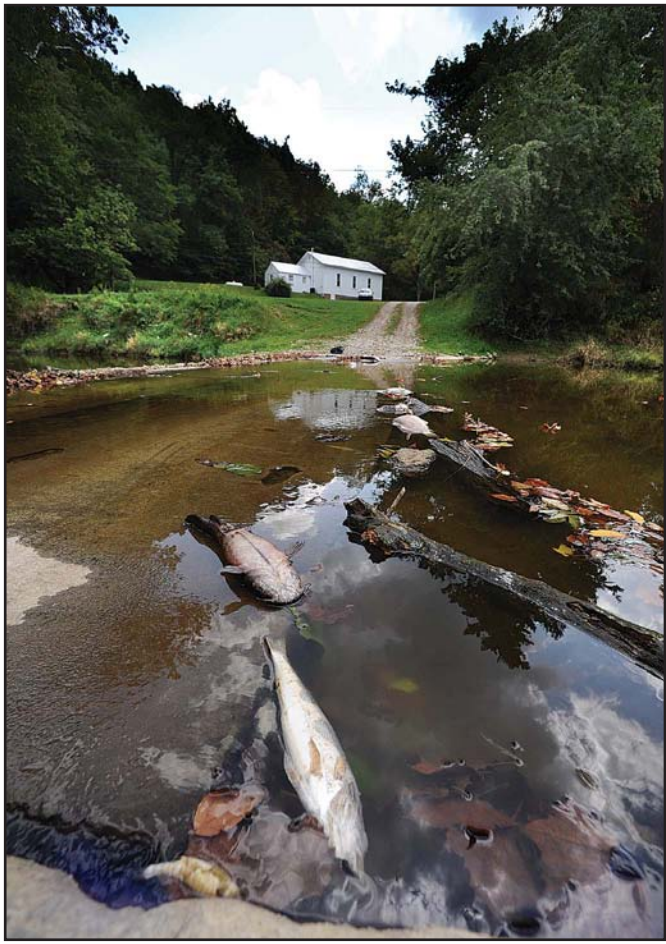
DOROTHY O. BEEGHLY CALE, 94, of Bruceton Mills, died Jan. 20. She was the last surviving member of the 1934 graduating class at Bruceton High School.

DR. EDDIE CLIFTON KENNEDY, 98, of Morgantown, died Jan. 25. After coming to WVU in 1953, he was director of elementary student teaching and founder-coordinator of the Reading Center. In July 2008 he was inducted into the West Virginia Voters Hall of Fame as the oldest Monongalia County citizen voting in every election for 50 years.

FRANK CHESTER "SCOOC" DECARLO, 82, of Morgantown, died Jan. 29. A World War II Navy combat veteran, he served in the assault and occupation of Okinawa. After retiring as machine shop foreman with the U.S. Department of Energy, he became a Monongalia County corrections officer, then court bailiff.

SEE DEATHS, 5-A

Dead fish, H1N1 outbreak mark 2009



Bob Gay/The Dominion Post file photo

In September, fish started dying in Dunkard Creek. It was later determined that golden algae in the creek released a toxin that killed the fish

ALEX LANG

The Dominion Post

A marine life wipeout

Nearly all aquatic life was killed in Dunkard Creek beginning in September after a golden algae released a toxin that kills gill-breathing organisms.

The algae was able to bloom because of increased total-dissolved-solid levels, according to the U.S. Environmental Protection Agency. The elevated levels came from various sources, including mine discharge into the stream.

When local resident Jeff Graham first saw the fish kill he said he had typical human emotions.

"Oh, yeah it disappoints me," he said at the time. "It angers me."

Graham said he has lived along the creek since 1970 and swam and fished in the waterway. The fish kill left fish rotting on the banks of Dunkard Creek.

Numerous agencies are investigating the cause and possible solutions to the fish kill. The West Virginia Department of Environmental Protection, West Virginia Division of Natural Resources, the Pennsylvania DEP and the U.S. EPA have all been monitoring the situation.

Officials said it will take years before the creek is restored to normal. The algae is not easy to remove and will likely be in the stream for years to come.

CONSOL Energy stopped dumping mine discharge into the creek after the fish kill. But, in December it began working with the state DEP on a plan to resume dumping. The energy company officials said they need to dump to keep water levels down in Blacksville No. 2 Mine and to protect the miners' safety.

H1N1 hits the area

Eighteen people in West Virginia, including six in Monongalia County, died in the last quarter of 2009. All had H1N1, commonly known as swine flu.

Thousands of others contracted the disease since it first hit the area in June.

Six people died at Ruby Memorial Hospital with the disease, WVU Hospitals spokeswoman Amy Johns said. Since late September, that hospital has treated 68 patients with confirmed H1N1.

For many patients, the disease is mild like a typical influenza, but because of its ability to spread, officials urged people to

stay home until their fever was gone for 24 hours.

For those with underlying health conditions, the disease can be much worse.

Three people died in November, and two died in December after contracting the virus.

Misty Cricks, a 17-year-old Morgantown High School student with cerebral palsy, contracted the disease in October. She died later that month after being put on a respirator.

To help slow the disease in schools, the school district teamed with the Monongalia County Health Department to set up flu clinics in early November. Students were able to receive the vaccine free of charge at their schools. Preston and Marion counties had similar clinics for their students.

Throughout the fall, health departments offered the vaccine at various clinics.

Monongalia County saw a peak in H1N1 cases the week of Oct. 18, when 1,451 cases were reported to the health department.

MUB construction and rate hike

Residents who get water from the Morgantown Utility Board (MUB) will see a combined

57 percent rate increase in their water and sewer rates in 2010 to help pay for \$68 million in construction projects.

MUB General Manager Jim Green said the construction is needed to meet the increased demand of the area and to upgrade an aging system.

"We don't want to get caught not ready to take care of our customers," Green said in May.

The work is divided into wastewater and water projects. The water projects include upgrading pump stations and odor control; the wastewater projects include water treatment plant expansion and new water tanks.

Because of the construction, two sections of the Caperton Trail will be closed for a year each to allow for work alongside the trail. After construction, MUB plans to widen the sections of the trail and install gardens along the pathway.

Bids for construction were slightly more than estimates. Green had previously told the council he hoped bids would come in low so the 57 percent proposed increase could be lowered.

The project is on schedule to begin construction in early March, Green said.

2009 DEATHS

February

HARRY EDGAR MURRAY

95, of Reedsville, died Feb. 5. He completed several terms as council member and mayor of Reedsville, and was a 70-year member of the International Order of Odd Fellows Monongalia Lodge No. 10. He was instrumental in planning and building the Preston County 4-H Camp near Brandonville.

JOHN H. JOHNSTON

88, of Morgantown, died Feb. 14. He taught at WVU for 35 years and was a noted scholar. During World War II, he was a member of the 551st Parachute Infantry Battalion and 504th Parachute Infantry Regiment of the 82nd Airborne Division, taking part in the Battle of the Bulge and occupation of Berlin. In 200, the 551st was awarded the Presidential Unit Citation for its efforts at the Battle of the Bulge, where 70 percent of his unit died.

JOHN CHARLES SOLOMON

81, of Morgantown and Jupiter, Fla., died Feb. 15. He was a prominent Morgantown attorney, businessman and former U.S. prosecutor.

ROGER HALL BUNNER

77, of Smithtown, died Feb. 19. He was proprietor and co-owner of Bunner Brothers Grocery and Bunner Brothers Farm.

LAWRENCE L. "LARRY" CHRISTIAN

67, formerly of Morgantown. The WVU graduate sang the national anthem at home basketball games, and at his death, held the course record at Lakeview Country Club — a 68 shot in 1980.

March

BENJAMIN L. GLASS-COCK

93, of Heritage Point, Morgantown, died March 13. An attorney, he was a Morgantown Council member for one term, serving as mayor during that term, and served on the Morgantown Water Commission for 21 years.

MILDRED L. BELTNER TRISLER

88, of Thayer Avenue, Grafton, died March 14. She devoted 41 years of service to the Salvation Army in Grafton. She was the 2008 Centennial Mother of the Year.

JOHNNY ALAN TITUS

68, of Arthurdale, died March 14. He owned and

operated the Reedsville Dairy Queen for many years, retiring in 1997.

MARY ANNABELLE MAYOR

89, of Arthurdale, died March 15. She was a graduate of the first Arthurdale High School class, and secretary of Arthurdale Grade School for many years.

DR. WILLIAM C. "NICK" NICHOLAS

60, of Knottsville, died March 18. He had a dental practice in Grafton for 30 years, served as Memorial Day parade chair for 20 years, was a pyrotechnician who set off the fireworks displays, and in 1999 received the Distinguished West Virginian Award for Service to the Memorial Day Committee.

JOHN W. "BILL" BROWN III

62, of Morgantown, died March 26. He was CEO of Brown Equipment & Machine, a company founded 37 years earlier by him and his father.

HAZEL HARTLEY

86, of the Grafton Road, died March 29. She and her husband, the late John Hartley, owned and operated Mountainview Golf Course.

LINDA Y. YOST

59, of Morgantown, died March 30. She was a histology technician in the neuropathology lab at Ruby Memorial Hospital for more than 27 years.

April

PAMELA JO VAN IDERS-TINE

65, formerly of Kingwood, died April 4. She was an active member of the community, serving as an emergency medical technician with KAMP Ambulance.

BLAKE KELLEY

24, of Mount Morris, Pa., died April 5. He was team manager for the Celtic Racing Team, based out of Manhattan, N.Y.

HERBERT McDONALD SR.

88, of Kingwood, died April 7. A member of the Kingwood Volunteer Fire Department for more than 45 years, he served as honorary parade marshal for the 2000 Buckwheat Festival.

BARBARA ROMANO RITCHIE PISAPIA

70, formerly of Morgantown, died April 8. She was a former director of special education services and deputy superintendent of schools for Monongalia County.

SEE DEATHS, 6-A

In Preston County, state takes over schools

Blaze destroys Mary's Restaurant

BY MICHELLE WOLFORD

The Dominion Post

KINGWOOD — The state Board of Education took over Preston County Schools in March.

A downtown landmark burned.

An Aurora man killed his wife, her mother and himself in July.

Three banks in three Preston County communities were robbed.

Those were among the big stories to come out of Preston County in 2009.

State takes over

The state, acting on a recommendation from its Office of Education Performance Audits (OEPA), took control of the county's school system on March 10. Dr. Kenna Seal, OEPA director, said, "If I thought for a minute they were capable of turning around or changing — but I don't think so."

The report cited worsening conditions in facilities, lack of improvement in academic progress and financial irregularities. The board voted to limit the authority of the Preston County Board of Education.

State Superintendent of Schools Dr. Steve Paine appointed Gus Penix as interim superintendent. On July 1, Dr. Larry Parsons, left his post as superintendent of Mason County Schools to take over Preston County Schools. He immediately set to work to lead the county out of a situation that Seal characterized as "bleak" at the state board meeting in March. Among Parsons' goals: voter approval of another maintenance levy and, eventually, of a school bond.

Kingwood landmark burns

Mary's Restaurant, a downtown Kingwood landmark, was destroyed in an electrical fire on March 14. Nearly every fire company in the county and from Oakland, Md., fought the blaze for hours on a Saturday morning, including some firefighters who were in Kingwood for training.

Gail Anderson, who lives in and has an art studio in the building next to Mary's, said she was awake, making pots for the upcoming Empty Bowls Project luncheons, when she "heard crackling." Anderson called 911 and ran upstairs to alert her neighbors.

"Mary's is on fire!" she yelled.

The restaurant, owned by J and Claudia Atkinson, of Kingwood, was a total loss. Kingwood Volunteer Fire Department Assistant Chief Perry Barlow estimated damage to the building in 1888 to be from \$200,000 to \$250,000 "though I'm no appraiser," he said.



An electrical fire destroyed Mary's Restaurant in March.

Ron Rittenhouse/The Dominion Post file photo

State Fire Marshal Mark Lambert ruled the fire electrical.

There was one apartment above Mary's. Tenant Wilma Shroud escaped uninjured, but lost everything in the blaze.

"When we went up the stairs [to her apartment], she burst out of the door coughing from the smoke," KVFDF firefighter Ethan Rouzee said. Shroud's dog, Candy, also escaped unharmed.

Barlow said there was only minor damage to the adjacent buildings — the Masonic Lodge and a commercial-residential building where Anderson's studio and three apartments are located. Barlow said the cooperation of the firefighters on scene and the city's tower truck played a major role.

"If we hadn't had that truck," he said, "we'd have lost this block."

Bank robberies

On March 31, the county saw the first of three armed bank robberies. The first, at a WesBanco branch in Bruce-ton Mills, was followed by a second at WesBanco in Masontown on July 30, and the third when on Aug. 31, a masked gunman held up BB&T in Reedsville.

Eric Tirrell Hudson, 20, of Reedsville, confessed to the BB&T robbery and is awaiting trial. He told police he used a BB gun. Though no suspects have been detained in the other two robberies, police said they have reason to believe Hudson was involved in the Masontown robbery.

Lt. Joe Stiles, of the Preston County Sheriff's Department, testified at Hudson's preliminary hearing that police had received information that Hudson "had talked about robbing the WesBanco in Masontown."

Three dead near Aurora

Police found three people dead at a home near Aurora on July 7. The Preston County Sheriff's Department said evidence indicated the crime was a murder-suicide.

Police said Imogene K. "Kate" Shaffer, 72, and her daughter, Kathy A. Wise, 50, were found dead outside Wise's Shoemaker-Cole Road home, less than a mile off Cash Val-

ley Road in Eggon. The body of Charles R. Wise, 50, Kathy's husband, was found inside the home.

"Our initial investigation indicates that all three died of gunshot wounds," said Stiles. "We're investigating the scenario of a murder-suicide. We find no evidence to indicate that any other parties were involved."

Stiles said the department received a phone call around 8:02 p.m. July 7 about a note found at a site that was not the crime scene that "supports [the theory] that he killed both of them and then took his own life," Stiles said.

He said police were summoned to the home at about 12:30 a.m. Tuesday to check on Shaffer.

The Wises had a divorce hearing scheduled at 1 p.m. July 7 in Family Court.

"Their attorneys were there, but neither of them made it," Stiles said.

Charles Wise had been arrested for domestic violence in the past.

Numerous lawsuits

A Kingwood man filed more than 30 lawsuits against police, elected officials, a former and current Kingwood mayor, his former landlord, newspaper employees and his ex-wife.

Lawsuits filed by Michael A. Neel in Magistrate Court were eventually dismissed by state-appointed Magistrate Riley Barb, a Tucker County magistrate and in Circuit Court by court-appointed Judge James Matish, of Harrison County. A federal judge dismissed Neel's case against an FBI agent, which was deemed to actually be against the agent's employer, the federal government.

The suits, one attorney said, were "all meritless, all frivolous and perhaps vexatious."

Barb dismissed suits against Kingwood Mayor Jim Lobb and Police Chief Dale Davis; against former Mayor Sonny Pedicord and former city supervisor Nelson Corbin; against Prosecuting Attorney Mel Snyder, commissioners Vicki Cole, Dave Preece and Craig Jennings; and against former Sheriff Ron Crites, Chief Deputy J.A. Roberson, and

deputies Lt. Joe Stiles, Sgt. Ken Wotring, Josh Bolyard and Jeff Brown; and county administrator and Kingwood City Council member Kathy Mace.

Matish threw out cases against *The Dominion Post* editor Geri Ferrara and Preston County Bureau Chief Michelle Wolford, their attorney, Mo Rubenstein; and against State Supreme Court Justice Brent Benjamin, Judge Lawrance Miller, magistrates Lew Ault, Janice Snider and Eugene Jenkins, Family Court Judge Beth Longo; Preston County Board of Education members Mac McCrum, Jack Keim, Guy Cox, Kathy McNeill and Jane Crogan and former superintendent John Lofink; State Police troopers Sgt. Randy Monroe and Cpl. C.W. DeBerry, and William Elswick, executive director of the state Office of School Facilities.

Matish also restricted Neel's ability to file lawsuits, because he felt Neel filed suits to harass and with an intent to obstruct the administration of justice. The restrictions, Matish said, still allow Neel access to the courts but also protect the court from further abuse.

In July, more than a dozen county residents filed suit against Reedsville, its council members and police officer Timothy Daff. The suit alleged that Daff conducted illegal searches, fabricated police reports, violated residents' constitutional rights and threatened people with a loaded handgun.

Daff, who was placed on administrative leave with pay following the suit, died of cancer in November. Town officials and Mayor James Wagner said they had not heard any allegations against Daff until the suit was filed. Wagner said he believed FBI and State Police background checks had been conducted on Daff.

Plaintiffs asked for damages as well as an injunction to prevent Daff from harassing them.

In October, U.S. District Judge Irene Keeley ordered that the suit be heard in federal court, since Daff is accused of violating the plaintiffs' constitutional rights.

2009 brought pension disputes, trouble for Mollohan

DAVID BEARD

The Dominion Post

PMA GROUP and Rep. Alan Mollohan Feb. 19

Three federal lawmakers decided to return contributions from donors listed as employees of a Washington lobbying firm that was raided in November 2008 by the Department of Justice (DOJ) and has ties to Rep. Alan Mollohan, D-W.Va., and several companies with area headquarters or offices.

The DOJ is investigating The PMA Group founder Paul Magliochetti, amid allegations he funneled money to various lawmakers through donors who are listed in campaign documents as PMA Group employees but are not tied to the company. His lobbying firm disbanded and closed its doors at the end of March.

Mollohan, who is a member of the House Appropriations Committee, received \$69,620 tied to the lobbying firm, according to the nonpartisan Center for Responsive Politics (CRP). Mollohan stepped down from his seat on the House Ethics Committee in April 2006 in response to controversy surrounding his finances. Mollohan had been under scrutiny after the National Legal and Policy Center accused him of failing to report all of his assets on his congressional financial disclosure forms.

May 18

A report from the Sunlight Foundation says Fairmont-based software company ProLogic was one of 40 firms that used defunct defense lobbying firm the PMA Group as its only lobbying firm. It says the 40 firms spent a combined \$4.065 million and received a combined \$113.9 million in earmarks from lawmakers.

The report said ProLogic received \$10.4 million in earmarks in 2008.

While four watchdog groups sent a letter to House Ethics Chairwoman Zoe Lofgren, D-Calif. and ranking member Jo Bonner, R-Ala., asking that they open an investigation into PMA and its relationship to earmarks and campaign donations, the House tabled a resolution to launch such an investigation.

June 11

The House issued a press release indicating it has begun an ethics probe into members with questionable ties to PMA — suspected of providing earmarks to PMA clients. The Committee on Standards of Official Conduct received the order to begin the probe June 3, in House Resolution 500.

Oct. 30

Wire reports said the Justice Department told the House ethics panel to suspend a probe of Mollohan. There has been no public action on that inquiry for several years. But the department's request in early July to the committee suggests that the case continues to draw the attention of federal investigators, who often ask that the House and Senate ethics panels refrain from taking action against members whom the department is already investigating.

Earmarks

May 10

U.S. Rep. Alan Mollohan, D-W.Va., submitted 69 earmark requests, totaling \$119,910,400, for projects and services in his district or affecting his district for Fiscal Year (FY) 2010, according to federal documents.

Sixteen of those requests — for \$32.3 million — are for projects and services in Monongalia, Preston and Marion counties. Seven of those 16 requests, and the majority of those funds — \$20.9 million — are for WVU.

May 17

Mollohan ranks third among West Virginia's three-member House delegation for federal FY 2010 appropriations earmark requests. Here's how they stack up: 1. Rep. Nick Rahall, D-3rd District (17 counties in the southern part of the state), 47 earmarks totaling \$404,175,750. 2. Rep. Shelley Moore Capito, R-2nd District (18 counties across the central part of the state and the Eastern Panhandle), 87 ear-



Bob Gay/The Dominion Post file photo

U.S. Secretary of Labor Hilda Solis (right) and Congressman Alan Mollohan (left) talk with John Palmer, president of United Mine Workers of America Local 1570, after he led them on an underground tour of the mine.

marks totaling \$220,664,913. Mollohan, D-1st District (20 northern counties), 69 earmarks totaling \$119,910,400.

State budget

May 27

The state Senate and House finance committees hashed over details of the \$200 million in cuts Gov. Joe Manchin wants to make in the \$4 billion general fund budget. The general fund is one portion of the state's entire \$10.9 billion budget. The cuts would bring the general fund to about \$3.78 billion, Senate Finance Committee members said.

About a quarter of the cuts, said Mike McKown, director of the State Budget Office, will come from not making the planned \$51 million payment toward the \$7.8 billion Other Post Employees Benefits (OPEB) debt — chiefly health insurance for retirees.

Senators used such phrases as “unsustainable” and “out of control” to refer to the debt during the meeting. Sen. Roman Prezioso, D-Marion, said, “We have a runaway train.”

May 29

Because the state has about \$167 million in federal stimulus funds available to “backfill” many of the cuts, it only had to trim about \$31 million from its various programs and services, said House Finance Chairman Harry K. White, D-Mingo, one of the budget conferees.

But looming ahead, and at the forefront of many legislators' minds, is what's coming two years from now, when federal funding won't be available to make up for possible revenue shortfalls.

June 1

The state Legislature passed the slimmed-down FY 2010 budget May 30.

The House voted 83-12 to approve the budget bill, HB 2010. The split came along party lines, with all 12 no votes from Republicans.

Campaign finance reports

June 21

The Dominion Post discovered clerical errors in all four Monongalia County delegates' campaign finance statements. Some of the reports were off by thousands of dollars.

After the newspaper contacted the delegates and/or their treasurers, all four said they will file amended reports.

Reviews were completed of reports by delegates Barbara Evans Fleischauer, Charlene Marshall, Bob Beach and Alex Shook, all D-Monongalia.

In Fleischauer's case, an error inadvertently overstated her campaign expenditures by \$874.15. Her actual primary-first expenses were \$14,491.19, but they were logged as \$15,365.34.

For Marshall, her treasurer in three cases inadvertently entered the same donation on two reports. In another instance, he reported a gift in the primary-first report, then noted that it was deposited in the post-primary report. The treasurer said this was only counted once, but it is included in the year-to-date total in both reports.



Gov. Joe Manchin (left) chats with Bob Duckwork at the Poling 76 service station on Main Street in Grafton, in July. Manchin spent part of the day visiting businesses in Grafton.

Ron Rittenhouse/The Dominion Post file photo

Similarly, a gift from a different group is logged in the general first report, then logged again on the subsequent pre-general report. This was only counted once, but it is included in the year-to-date total in both reports.

The errors caused the reports to overstate contributions by \$4,500.

Beach's treasurer also lifted an incorrect figure from a box, which produced a math error of just more than \$500 for year-to-date expenditures.

Shook's report included one transcription error for an available balance, and a complex math error that led him to overstate his expenditures figure for five of his six reports.

July 5

A review of campaign finance reports for the delegates from Preston and Marion counties revealed oversights on reports by two candidates. Both said they would correct the errors.

The other three candidates' forms — for Mike Caputo and Linda Longstreth, both D-Mairon, and Larry Williams, D-Preston — showed no errors.

On Delegate Tim Manchin's (D-Marion) pre-primary report, his secretary omitted the addresses of two political action committees (PACs) that gave him \$500. Both groups donated again in October, and the addresses of both were recorded on the respective reports.

The treasurer for Delegate Stan Shaver, D-Preston, made a simple math error in tallying his expenses for his pre-primary report. His expenses for that period were \$2,014.02, but the treasurer wrote \$2,044.02.

The error was carried through all his subsequent reports and overstated his final expenses by \$30. His expenses were \$15,698.19, but he reported \$15,728.19.

July 19

The Dominion Post's review of campaign finance reports for three of the area's state senators showed minor errors on two senators' reports.

Both said they would contact the secretary of state to rectify the errors.

A report for Sen. Mike Oliverio, D-Monongalia, showed one clerical error. The addresses of two donors — one giving \$1,000 and one giving \$300 — were inadvertently left off. State campaign finance law requires the name and address of any individual or group giving more than \$250.

Reports for Sen. Roman Prezioso, D-Marion, contained a number of clerical errors. He sent *The Dominion Post* copies of the corrections he will be sending to the secretary of state, and explained them by phone. Three entries were acci-

dentally misdated. The dates for four contributions on another report were accidentally left off. The cover sheet of a report notes \$325 in expenditures, but the page describing them was blank.

Another donation was deposited late, making it appear he and the donor violated election laws by giving too many gifts in one election cycle. Reports for Sen. Dave Sypolt, D-Marion, contained no errors.

Reports for Sen. Dave Sypolt, D-Marion, contained no errors.

Nov. 19

With a technical amendment from the House, Senate Bill 4007, passed through the Senate Finance Committee and the full Senate, on Nov. 18.

“This bill does what we've asked the Municipal League and the municipalities to do,” Sen. Robert Plymale, D-Wayne, told the Finance Committee.

Nov. 20

The police and firefighters pension bill completed its journey through the Legislature on Nov. 19 and awaits Gov. Joe Manchin's signature. The bill passed the House 93-3, with three absent. Three Republicans opposed it.

Nov. 24

The West Virginia School Boards Association is gearing up to file a lawsuit regarding its OPEB debt, while a select panel of seven state senators is gathering information to try to solve the problem.

The lawsuit is “highly likely,” said Richard Olcott, association president. A panel will bring the recommendation to sue to the association when it meets at the end of the month. The senators hope the schools will postpone their lawsuit while they prepare legislation for January's regular session.

They hope to determine who is liable for the debt and create a plan to pay it off.

Two area senators — Roman Prezioso and Dave Sypolt — are part of the panel. Senate President Earl Ray Tomblin, D-Logan, appointed the senators to study Senate Bill 4005, legislation that died during the special session and would have allowed municipalities to not include the OPEB debt on their books for a year.

State employee bonuses

Aug. 6

Gov. Joe Manchin would like to have the power to award bonuses to state employees. He'll seek legislative approval for a one-time \$500 “enhancement” for full-time workers. Manchin announced that he will ask the Legislature to dedicate half of the Fiscal Year 2009 state budget surplus to provide the \$500 enhancement to full-time state employees. Manchin requested the measure because there are two things he can't do. One, he can't award bonuses. Two, Manchin has committed the state to not expanding its base budget — meaning no permanent raises for state employees.

Manchin said in a release that West Virginia will end FY 2009 with a general revenue surplus of \$15 million to \$20 million and an excess lottery budget surplus of about \$57 million.

Aug. 13

Gov. Joe Manchin hit the brakes on the \$34.7 million pay enhancement bill for about 51,000 state employees, after the House of Delegates added another \$21.7 million to take in more state workers and all state retirees.

Manchin said the extra money made the bill unconstitutional.

The bill fizzled after a day-long debate over how many people should get the money, if enough had been allotted, and if the money should be spent that way at all. The full House and Senate met and recessed several times, as delegates raised questions and offered amendments that the House Finance Committee was forced to take up.

When Manchin received the amended, inflated House version, he sent letters to both chambers saying the House bill was unconstitutional because it exceeded the scope of his call to the Legislature.

2009 DEATHS

DR. CLARENCE KARR JR., 85, of Morgantown, died April 12. He was a retired research chemist from the U.S. Department of Energy and had been principal investigator for a team conducting research on lunar rock and dust samples brought from the moon by the Apollo missions.

RICHARD V. CONNELL SR., 82, of Morgantown, died April 24. He retired as controller for Consolidation Coal Company's Northern West Virginia Region after 43 years. He served on the Monongalia General Hospital and Monongalia Health System's board of directors.

NICHOLAS “NICK” GEORGE EVANS, 72, of Morgantown, died April 24. He was with WVU for more than 40 years, teaching in the WVU English Department, serving as student adviser, and as associate dean of Eberly College. He was chanter, choir director and board member for Assumption Greek Orthodox Church, and involved with In Touch and Concerned.

AARON LYNN RILEY, 21, of Reedsville, died April 26. He had the first cord blood transplant at WVU Hospital, on March 31, to treat his acute myeloid leukemia.

GLEN WARD CREED, 56, of Morgantown, died April 27. He was a member of various bands, including Snafu, Desperado and Reverend Creed.

May

VIRGIL J. CASINI SR., 82, of Dilliner, Pa., died May 22. He served as president of the Point Marion Borough Council, was on the Point Marion Police Department, was an active volunteer with the Point Marion Volunteer Fire Department for 45 years and started the Volunteer Ambulance Corps. An EMT, he became a certified paramedic at age 70, and was the oldest practicing paramedic in Pennsylvania.

CW4 BRENT S. COLE, 38, of Linden, N.C., and formerly of Kingwood, was killed in action in Afghanistan on May 22. A highly decorated U.S. Army aviator, he was an instructor pilot for the 82nd Airborne Division's Combat Aviation Brigade.

ARTHUR WILLIAM SELDERS, 78, of Morgantown, died May 23. A professor emeritus from the WVU College of Engineering, he designed many of the structures on the WVU Farms and was thrice honored nationally.

PATRICIA J. MAY, 75, of Star City, died May 25. She was the founding director of Mountain Harmony Sweet Adelines Chorus in Morgantown, and played the violin in the WVU Community Arts Orchestra.

MICHEL JOSEPH BEAU-CHEMIN, 90, of Morgantown, died May 31, 2009. He retired after 40 years as a professor with the WVU foreign language department. The students named him the Most Effective Teacher in the Foreign Language Department.

JAMES R. WILLIAMS, 88, of Kingwood, died May 31. He and his wife, Anna Jane, met at mortuary school and together became licensed funeral directors and embalmers. They owned an operated Kiger-Williams Funeral Home in Kingwood from 1948-1987.