

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA
#1 COURT SQUARE, SUITE 203
PARKERSBURG WV 26101

IN RE: MINUTES OF MEETING HELD
THURSDAY, OCTOBER 13, 2011

PRESENT: DAVID BLAIR COUCH, PRESIDENT
WAYNE DUNN, COMMISSIONER
STEPHEN GAINER, COMMISSIONER

At 9:30 A.M., the County Commission of Wood County met in regular session. They signed purchase orders, invoices, orders and other correspondence.

The County Commission, upon a motion duly made, seconded and passed, approved an Erroneous Assessment Application in regard to real property for Lois L. Arnold. (Copy attached.)

AGENDA AND DISCUSSION ITEMS

At 9:45 A.M., the County Commission met with Dave Page from David's Stone Company to update them on the Courthouse Step Replacement Project. The County Commission agreed to proceed with the project contingent on the West Virginia Courthouse Facilities Authority verifying that the funds will be available due to the time delay in the implementation of the project.

At 10:30 A.M., the County Commission held a hearing in regard to the Alice Snider estate. Williams B. Richardson Jr., Attorney for Cyrstal Ann Whaley and Renae Ann Neal Co-Administratrices, C.T.A.D.B.N. of the estate of Alice Snider and Paul Hicks, Attorney for Sam Bowen, Executor of the Estate of Rita M. Bowen requested that Justin Hardman, Fiduciary Commissioner, be removed from the estate of Alcie Snider and said estate be referred to Vance Golden, Fiduciary Commissioner. After testimony from both attorneys, the County Commission agreed to remove Mr. Hardman and

re-refer the estate to Vance Golden. Information in regard to this estate is on file in the Probate Office. (Probate Order attached.)

At 11:00 A.M., the County Commission met with Attorney Steve Hardman along with representatives from the Mineral Wells Public Service District to request a boundary adjustment to their service territory.

At 11:15 A.M., the County Commission met with Joann Sweeney regarding the need for water service in her area. Representatives from the Claywood Public Service District along with members from the Mid-Ohio Valley Regional Council were in attendance. Ms. Sweeney stated they have been attempting to get water for several years through Claywood PSD. Todd Grinstead, Manager of Claywood PSD stated they are putting together a new project that could potentially include the area in question.

At 11:30 A.M. Ed Hupp asked the County Commission to approve a grant application on behalf of the Wood County Local Emergency Planning Commission. The County Commission approved the request. (Order M/1680)

The County Commission called for a Special Session to be held Friday, October 14, 2011 to certify the results of the Special General Election held October 4, 2011. (Order A/special session for election)


ORDERS APPROVED AND ATTACHED TO THESE MINUTES

A/840, A/841, A/842, A/843, M/1678, M/1679, M/1680, A/special session for election and probate order.

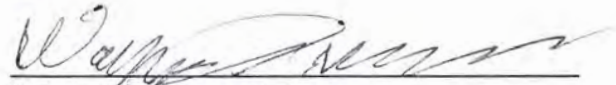
Having no further scheduled appointments or business to attend to, the County Commission adjourned.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

To listen to this meeting, please refer to DVD labeled October 13, 2011.

Wood County Commission Meeting
Held October 13, 2011

Please Print

1.	Russ Skogstad
2.	Michael E. Davis
3.	Danielle Fordyce
4.	Brady Carson
5.	Edward Boyd
6.	DANIEL C. DOAK
7.	Marum Joann Sweeney 11:15
8.	Crestal A. Whaley 10:30
9.	Bill Miller
10.	Paula Hill
11.	Logan Dalabawful MWASD
12.	Judd R. Anderson CMWPSD
13.	Steve P. Hardman BRMG+L
14.	Ed Harty
15.	
16.	
17.	
18.	
19.	
20.	

Wood County Commission



10/13/2011
1 Court Square, Suite 203
Parkersburg, WV 26101

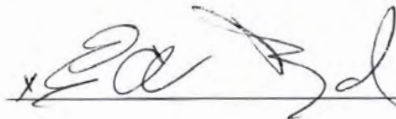
9:30 AM	APPROVE AND SIGN MINUTES, ORDERS, PURCHASE ORDERS, INVOICES, NEW ROAD NAMES AND ANY OTHER ADMINISTRATIVE DUTIES	MARTY SEUFER, COUNTY ADMINISTRATOR
10:30 AM	ALICE SNIDER ESTATE – OBJECTION TO PERCENTAGE OF ADMINISTRATOR’S FEE	
11:00 AM	PUBLIC HEARING ON MINERAL WELLS PSD BOUNDARY ADJUSTMENT (CONTINUED FROM SEPTEMBER 12)	
11:15 AM	DISCUSS REQUEST FOR WATER SERVICE	JOANN SWEENEY, RESIDENT AND TODD GRINSTEAD, CLAYWOOD PSD
11:30 AM	GRANT APPLICATION	DOUG HESS
Special notes:	<ol style="list-style-type: none">1. Vacancies on Boards and Commissions2. Building Enforcement Properties3. Contribution Requests4. County Facilities5. Discuss Change Orders for Justice Center6. Lifestyle Returns (Wellness Committee Program)7. Vendor Preference	

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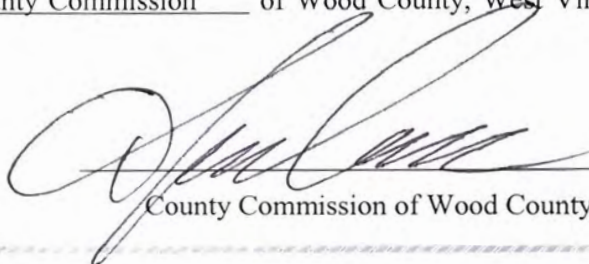
STATE OF WEST VIRGINIA
COUNTY OF WOOD }

TO -WIT:

I, Edward A. Boyd, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of West Virginia, and that I will faithfully and impartially discharge the duties of the office of the Wood County Court/Transport Officer for the Wood County Sheriff's Department in and for Wood County, West Virginia, to the best of my skill and judgment, during my continuance in the same; SO HELP ME GOD.



Subscribed and sworn to, before _____ County Commission _____ of Wood County, West Virginia, this 13th day of October, 2011.

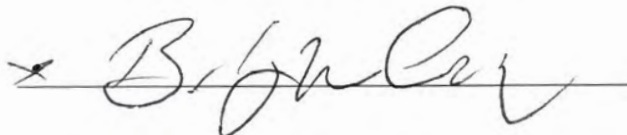

_____ County Commission of Wood County

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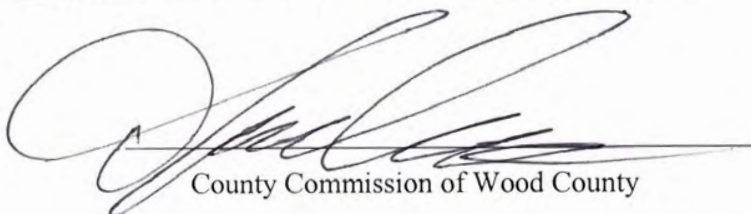
STATE OF WEST VIRGINIA
COUNTY OF WOOD

} TO -WIT:

I, Brady W. Carson, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of West Virginia, and that I will faithfully and impartially discharge the duties of the office of the Wood County Court/Transport Officer for the Wood County Sheriff's Department in and for Wood County, West Virginia, to the best of my skill and judgment, during my continuance in the same; SO HELP ME GOD.



Subscribed and sworn to, before County Commission of Wood County, West Virginia, this 13th day of October, 2011.



County Commission of Wood County

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STATE OF WEST VIRGINIA
COUNTY OF WOOD

} TO-WIT:

I, Michael E. Davis, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of West Virginia, and that I will faithfully and impartially discharge the duties of the office of the Wood County Court/Transport Officer for the Wood County Sheriff's Department in and for Wood County, West Virginia, to the best of my skill and judgment, during my continuance in the same; SO HELP ME GOD.



Subscribed and sworn to, before County Commission of Wood County, West Virginia, this 13th day of October, 2011.



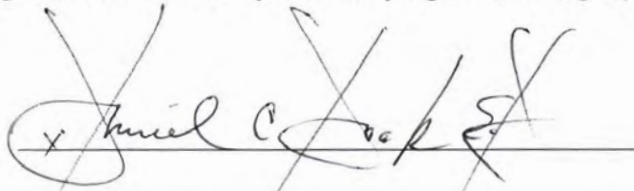
County Commission of Wood County

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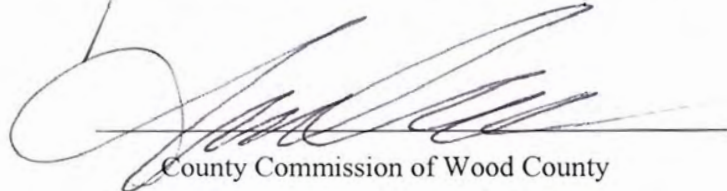
STATE OF WEST VIRGINIA
COUNTY OF WOOD }

TO -WIT:

I, Daniel C. Doak, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of West Virginia, and that I will faithfully and impartially discharge the duties of the office of the Wood County Court/Transport Officer for the Wood County Sheriff's Department in and for Wood County, West Virginia, to the best of my skill and judgment, during my continuance in the same; SO HELP ME GOD.



Subscribed and sworn to, before County Commission of Wood County, West Virginia, this 13th day of October, 2011.



County Commission of Wood County

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STATE OF WEST VIRGINIA
COUNTY OF WOOD

} TO-WIT:

I, Danielle Fordyce, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of West Virginia, and that I will faithfully and impartially discharge the duties of the office of Court/Transport Officer – Wood County Sheriff's Department in and for Wood County, West Virginia, to the best of my skill and judgment, during my continuance in the same; SO HELP ME GOD.

Danielle Fordyce

Subscribed and sworn to, before County Commission of Wood County, West Virginia, this 13th day of October, 2011.

[Signature]
County Commission of Wood County

WOOD COUNTY COMMISSION

ERRONEOUS ASSESSMENT APPLICATION

RECEIVED

OCT 07 '11

County Administrator

10/07/2011

Property

Date Entered

Year 2011
Number 12880

Reference No 4674

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69/554

the application of ARNOLD LOIS L whose address is 738 HAPPY VALLEY RD PARKERSBURG, WV
 eved by an erroneous assessment in Parkersburg City 5 District, in the County of Wood, for the year 2011.
 Commission therefore, Orders that the said applicant be and is hereby exonerated from the said erroneous
 sment and from the payment of the taxes so assessed in and for the year 2011
 has been paid the Sheriff shall refund the same to them; or if more than a year from the time the property
 is were delivered to the Sheriff for the affected tax year, the Sheriff shall allow a credit on future taxes payable.
 erty Described as #44 & #43 MAXWELL & PEARCY ADN in class 4 with value of 51480 and taxes of 749.43 per half.
 Arnold is using home for personal storage. She is not deriving any income from property.

All of which is ordered to be certified to the Auditor of the State and the Sheriff of the County.

	Class 1	Class 2	Class 3/4	Net Chg
Old Value	0	0	51,480	51,480
New Value	0	51,480	0	51,480.00
Value Adjusted	0	51,480	-51,480	0.00
Old Taxes	\$0.00	\$0.00	\$1,498.86	1,498.86
New Taxes	\$0.00	\$749.39	\$0.00	749.39
Taxes Adjusted	\$0.00	\$749.39	-\$1,498.86	-749.47
Penalty Adjusted	0.00			
Credit Applied				

Rich Shaffer
Assessor

KL

Lois L Arnold
Taxpayer's Signature

[Signature]
Prosecutor

[Signature]
Wood County Commissioners

the regular term of the County Commission of Wood County, West Virginia, held at the Courthouse of said
 ty, the County Commission did approve this exoneration on October 13, 2011

Personal Representative, after first being duly sworn, shall make a true and accurate appraisalment of the Estate of DELMAS FRANKLIN SPROUSE, deceased, both real and personal, and will make their return thereof as required by law.

No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF FLEET W. ARGABRITE, DECEASED

This day came ROBERT J. FIELDER, JR., declining by power of attorney for L. MAXINE ARGABRITE, who was, by the last Will and Testament of FLEET W. ARGABRITE, deceased, named therein to qualify as EXECUTRIX, without bond, of said Will, and moved the appointments and qualifications of MARY E. WILSON and ROBERT FIELDER, JR., who were, by the last Will and Testament of FLEET W. ARGABRITE, deceased, named therein to qualify as CO-EXECUTORS, without bond, of said Will.

It appearing to this Commission that MARY E. WILSON and ROBERT FIELDER, JR., be and they are hereby qualified as such CO-EXECUTORS, and entered upon the discharge of said trust, without bond, as provided by said Will.

Letters testamentary are hereby granted the said MARY E. WILSON and ROBERT FIELDER, JR., upon the Estate of FLEET W. ARGABRITE, deceased, in due form.

In accordance with Chapter 44, Article 1, Section 14 of the West Virginia Code, of 1931, as amended, effective July 9, 1993, the Personal Representative, after first being duly sworn, shall make a true and accurate appraisalment of the Estate of FLEET W. ARGABRITE, deceased, both real and personal, and will make their return thereof as required by law.

No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF ROBERT ARNOLD MERRILL, DECEASED

This day came TIMOTHY WAYNE MERRILL and ROBERT NATHAN MERRILL, who were, by the last Will and Testament of ROBERT ARNOLD MERRILL, deceased, named therein to qualify as CO-EXECUTORS, without bond, of said Will.

It appearing to this Commission that TIMOTHY WAYNE MERRILL and ROBERT NATHAN MERRILL, be and they are hereby qualified as such CO-EXECUTORS, and entered upon the discharge of said trust, without bond, as provided by said Will.

Letters testamentary are hereby granted the said TIMOTHY WAYNE MERRILL and ROBERT NATHAN MERRILL, upon the Estate of ROBERT ARNOLD MERRILL, deceased, in due form.

In accordance with Chapter 44, Article 1, Section 14 of the West Virginia Code, of 1931, as amended, effective July 9, 1993, the Personal Representative, after first being duly sworn, shall make a true and accurate appraisalment of the Estate of ROBERT ARNOLD MERRILL, deceased, both real and personal, and will make their return thereof as required by law.

No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF PAUL G. DAVIS, DECEASED

This day came ELSIE P. DAVIS, who was, by the last Will and Testament of PAUL G. DAVIS, deceased, named therein to qualify as EXECUTRIX, without bond, of said Will.

It appearing to this Commission that ELSIE P. DAVIS, be and she is hereby qualified as such EXECUTRIX, and entered upon the discharge of said trust, without bond, as provided by said Will.

Letters testamentary are hereby granted the said ELSIE P. DAVIS, upon the Estate of PAUL G. DAVIS, deceased, in due form.

In accordance with Chapter 44, Article 1, Section 14 of the West Virginia Code, of 1931, as amended, effective July 9, 1993, the Personal Representative, after first being duly sworn, shall make a true and accurate appraisalment of the Estate of PAUL G. DAVIS, deceased, both real and personal, and will make their return thereof as required by law.

No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF ALICE A. SNIDER, DECEASED. (ORDER COUNTY COMMISSION-REMOVE JUSTIN L. HARDMAN, FIDUCIARY COMMISSIONER—RE-REFER TO R. VANCE GOLDEN, III, FIDUCIARY COMMISSIONER)

This day came WILLIAM B. RICHARDSON, JR., Attorney for Crystal Ann Whaley and Renae Ann Neal, Co-Administratrices C.T.A.D.B.N. of the Estate of ALICE A. SNIDER, deceased, and PAUL L. HICKS, Attorney for Sam Bowen, Executor of the Estate of RITA M. BOWEN, deceased, before the County Commission, in a hearing requesting that Justin L. Hardman, Fiduciary Commissioner for the Estate of ALICE A. SNIDER, deceased, be removed and the Estate of ALICE A. SNIDER, deceased, be re-referred to R. VANCE GOLDEN, III, Fiduciary Commissioner. The County Commission after hearing the information from both Attorneys, agreed to remove JUSTINE L. HARDMAN, Fiduciary Commissioner and re-refer the Estate to R. Vance Golden, III, Fiduciary Commissioner.

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OCTOBER 13, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA


IN RE: THE COUNTY COMMISSION CALLED FOR A SPECIAL SESSION TO BE HELD FRIDAY, OCTOBER 14, 2011, FOR THE PURPOSE OF CERTIFYING THE RESULTS OF THE SPECIAL GENERAL ELECTION HELD OCTOBER 4, 2011.

ORDER

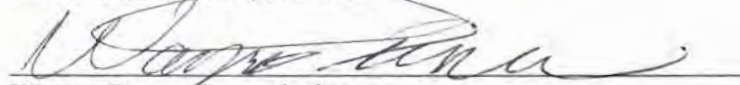
On this date, the County Commission of Wood County, announced to all concerned, upon a motion made, seconded and passed, that they, as a Commission, are calling for a SPECIAL SESSION to be held on Friday, October 14, 2011 at 3:05 P.M. The County Commission will be sitting Ex-Officio as the Board of Canvassers for the purpose of certifying the results of the Special General Election held on October 4, 2011.

Approved:

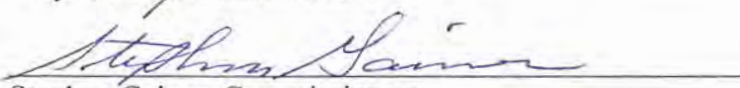
THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

A/special session for election

1174 731

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OCTOBER 13, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION ORDERED THAT THE NEW ROAD NAME REQUEST FORM FROM RONNIE FLEMING II BE APPROVED. THE NEW ROAD NAME WILL BE BLUE CREEK ROAD.

ORDER

The County Commission of Wood County was in receipt of a New Road Name Request Form from Ronnie Fleming II, to name the road to his residence BLUE CREEK ROAD. The said Request does not interfere with the scheduled readdressing and mapping for the E-9-1-1 Master Street Addressing Guide. The road to be known as BLUE CREEK ROAD is located off of Route 47E, turn left on Walker Road, 2.7 miles turn right onto Blaze Run Road, go .3 mile, turn left onto drive and is located in Walker District, Tax Map 670, Parcel G. The request by Ronnie Fleming II is in accordance with Chapter 7, Article 1, Section 3 of the Code of West Virginia, 1931, as amended, which deals, in part, with the County Commission naming or renaming thereof of roads, ways, streets, avenues, drives and the like to assure uniform, nonduplicative conversion of all rural routes to city-type addressing on a permanent basis.

The County Commission does hereby find that the said request, made in writing, by Ronnie Fleming II, and the approval from the Wood County E-9-1-1, is in proper form and is hereby ORDERED to be filed.

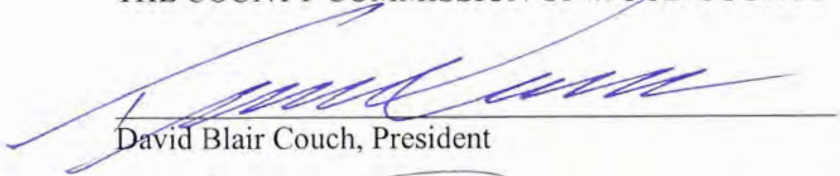
NOW, THEREFORE, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Stephen Gainer, does hereby ORDER that the aforementioned road be named BLUE CREEK ROAD. The County Commission does further ORDER that a copy of this ORDER, along with the New Road Name

Return: County Commission

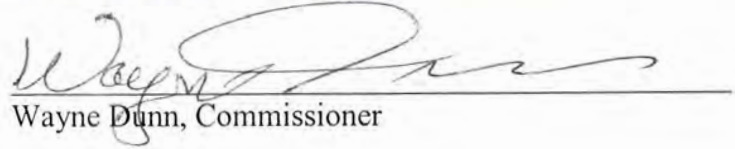
Request Form, be certified by the Clerk of the County Commission for entry in the Office of the Clerk of the County Commission.

APPROVED:

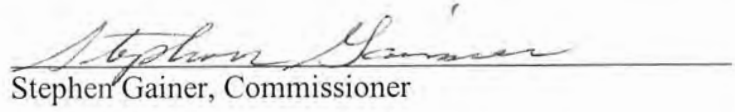
THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

A/840

Please complete the upper portion of this request form. Return it to: Central Telecommunications Center, 911 Core Road, Parkersburg, WV 26104.

fax 472-6270

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69/553

WOOD COUNTY 9-1-1

NEW ROAD NAME REQUEST FORM

Applicant Name: Ronnie P. Fleming II

Applicant Phone #: 304-482-5198

Property Owner Name: Ronnie P. Fleming II

Current Road Name or Highway Number, if any: Driveway

Tax District: WOOD

Tax Map #: 670

Parcel #: 6

Describe Physical Location: Rt. 47E Turn left on Walker Rd. Go 2.7 miles turn right onto Blaze Run Rd. go .3 mile turn left onto driveway house location 1/2 mile to top of hill. call in advance for locked gates

- List Three Road Name Suggestions:
- 1st ~~Bear Cave Rd.~~ 2nd
 - 2nd ~~Stampede Rd.~~ 3rd
 - 3rd Blue Creek Rd. 1st *

Please prioritize.

Signature of Applicant: Ronnie P. Fleming II

OFFICIAL USE ONLY

Coordinated with the Map Processor: _____

Processor Signature: Dwaine E. Jones Process Date: 10/6/11

Granted Street Name: _____

Place signature, address and telephone number all of the homeowners agreeing to the road name changes. This must be 100% of the residents if less than 10 and 75% if more than 10.

Signature	Existing Address	Phone #

BL-w-5

New Road - Sole Owner

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO WIT:

I JAMIE SIX, Clerk of the County Commission in and for the County of Wood and State of West Virginia, having a Seal, and the Officer in whose custody of files, books and records of said Office are required by laws of said State to be kept, do hereby certify that the attached and foregoing writing is a full, true and complete transcript and copy of

IN RE: THE COUNTY COMMISSION ORDERED THAT THE NEW ROAD NAME REQUEST FORM
FROM RONNIE FLEMING II BE APPROVED. THE NEW ROAD NAME WILL BE
BLUE CREEK ROAD.

and the same appears of record in my said Office in ORDER BOOK 69, Page 553

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of said Office, at the City of Parkersburg, County of Wood and State of West Virginia, this the 21st day of OCTOBER, 20 11.



JAMIE SIX, CLERK
WOOD COUNTY COMMISSION
By: Ruth A. McKeever
Deputy

Jamie Six
WOOD County 03:19:39 PM
Instrument No 705299
Date Recorded 10/21/2011
Document Type ORDER/D
Pages Recorded 4
Book-P-898 1174-731

10/13/11
69/554

OCTOBER 13, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: TEST CERTIFICATION NUMBER 2 - TABULATING
EQUIPMENT TO BE USED IN THE OCTOBER 4, 2011 SPECIAL
COUNTY GENERAL ELECTION WAS FOUND TO BE FREE
FROM ERROR.


ORDER

On October 4, 2011, the County Commission, sitting ex-officio as the Board of Canvassers, upon a motion duly made, seconded and passed, did hereby CERTIFY that the test of the Tabulating Equipment to be used for vote tabulation in the October 4, 2011, Special General Election, was tested immediately before the election counting and it was found to be free from error.


A copy of Test Certification Number 2 is attached to this Order and shall be made thereof.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

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69/554

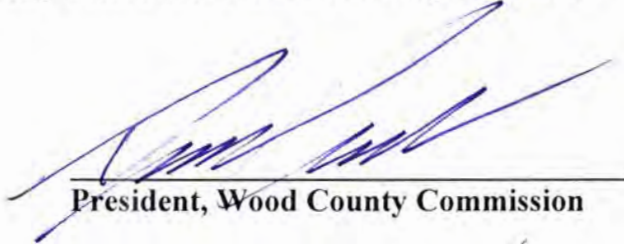
TEST CERTIFICATION NUMBER 2

WOOD COUNTY

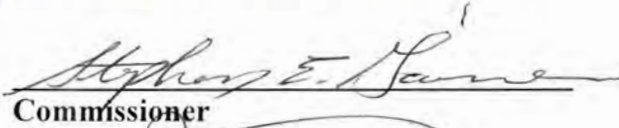
Immediately Before the Start of The Official Count

SPECIAL GENERAL ELECTION

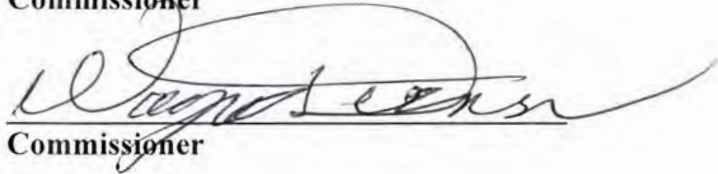
We, the undersigned, of Wood County, do hereby certify that the test of the Tabulating Equipment to be used for vote tabulation in the October 4, 2011, Special General Election, was tested immediately before the election counting and it was found to be free from error.



President, Wood County Commission



Commissioner



Commissioner

Clerk of the Wood County Commission

Dated this 4th day of October, 2011.

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OCTOBER 13, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: TEST CERTIFICATION NUMBER 3 - TABULATING
EQUIPMENT USED IN THE OCTOBER 4, 2011 SPECIAL
GENERAL ELECTION WAS FOUND TO BE FREE FROM
ERROR.

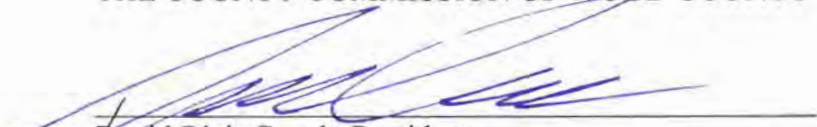
ORDER

On October 4, 2011, the County Commission, sitting ex-officio as the Board of Canvassers, upon a motion made by Wayne Dunn, seconded by David Blair Couch and made unanimous by Stephen Gainer, did hereby CERTIFY that the test of the Tabulating Equipment used for vote tabulation in the October 4, 2011, Special General Election, was tested immediately after the election count and it was found to be free from error.

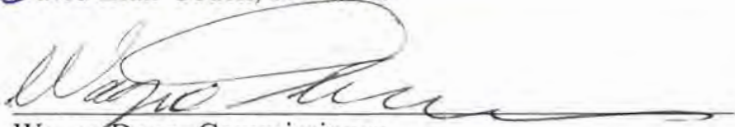
A copy of Test Certification Number 3 is attached to this Order and shall be made thereof.

APPROVED:

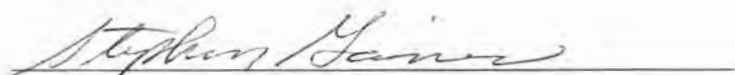
THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

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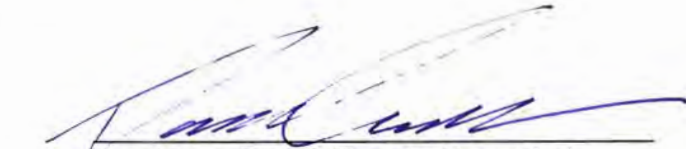
TEST CERTIFICATION NUMBER 3

WOOD COUNTY

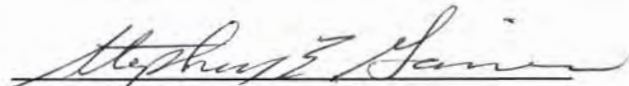
Conducted At the Conclusion of The Official Count

SPECIAL GENERAL ELECTION

We, the undersigned, of Wood County, do hereby certify that the test of the Tabulating Equipment used for vote tabulation in the October 4, 2011, Special General Election, was conducted immediately after the election count and was found to be free from error.



President, Wood County Commission



Commissioner



Commissioner

Clerk of the Wood County Commission

Dated this 4th day of October, 2011.

10/13/11
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OCTOBER 13, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

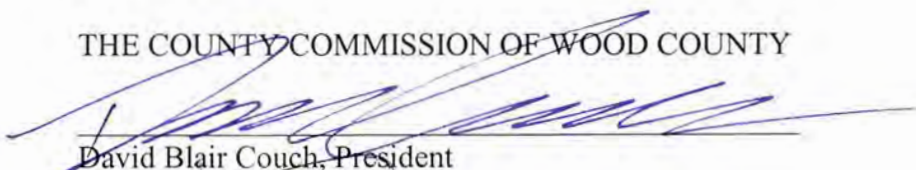
IN RE: THE COUNTY COMMISSION ANNOUNCED THAT A VACANCY EXISTS ON THE WOOD COUNTY PARKS AND RECREATION COMMISSION WASTE WATER FACILITY BOARD.

ORDER

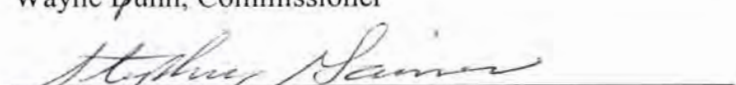
On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Stephen Gainer and made unanimous by Wayne Dunn, announced that a vacancy exists on the Wood County Parks and Recreation Commission Waste Water Facility Board. Said vacancy is due to the fact that Anthony Holmes resigned. Said vacancy is pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing with the procedure policy for appointments to Boards and Authorities. The term will expire May 1, 2012.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


David Blair Couch, President


Wayne Dunn, Commissioner


Stephen Gainer, Commissioner

10/13/11
69/533

OCTOBER 13, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK FROM THE STATE OF WV IN THE AMOUNT OF \$4,088.01 OF WHICH REPRESENTS REIMBURSEMENT IN REGARD TO THE GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT NUMBER F11-HS-03-2011

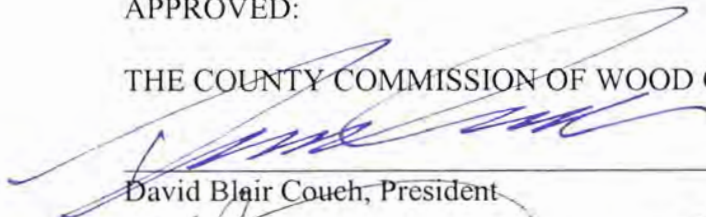
ORDER

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of four thousand eighty-eight dollars and one cent (\$4,088.01) which represents reimbursement to Wood County for expenses incurred during the month of August, 2011, in regard to the Governor's Highway Safety Program Grant Number F11-HS-03-2011. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 69, at Page 533 and bearing the date of September 8, 2011 at which time David Blair Couch, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

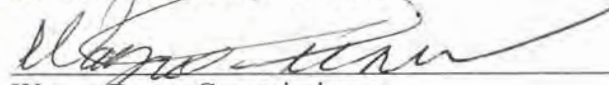
Documentation pertaining to the Governor's Highway Safety Program Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

M/1678

AGENCY: MOTOR VEHICLES DIVISION OF
TOTAL: \$4,088.01
TRANSACTION INVOICE
ID NUMBER & REFERENCE
I520901992 F11HS032011201010

PAYEE

PURCHASE ORDER

WARRANT #: 1010360155
DATE: 10/05/11

AMOUNT \$4,088.01

10/13/11
69/552

If you have questions concerning the above, please call 304-926-3805.

REMOVE DOCUMENT ALONG THIS PERFORATION

CTL # 28430415

THIS WARRANT HAS MULTIPLE SECURITY FEATURES TO DETER FRAUD AND COUNTERFEITING
VOID UNLESS PRESENTED FOR PAYMENT WITHIN SIX MONTHS

State of West Virginia

STATE WARRANT # 1010360155

Important remittance information on top panel
Remitter: MOTOR VEHICLES DIVISION OF
Questions? Contact: JAMES JORDAN at 304-926-3805

OCTOBER 05, 2011

PAYEE WOOD CO COMMISSION

*****\$4,088.01**

1010360155

WEST VIRGINIA TREASURY

John D. Fendler
STATE TREASURER

Blon B. Haines III
STATE AUDITOR

⑆1010360155⑆ ⑆051903322⑆ 000527053782⑆

10/13/11
69/559

OCTOBER 13, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE DAVID BLAIR COUCH, AS PRESIDENT, TO SIGN THE REQUEST FOR REIMBURSEMENT IN REGARD TO THE GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT NUMBER F11-HS-03-410-HV. SAID REQUEST IS IN THE AMOUNT OF \$28,130.87.

ORDER


On this date, the County Commission of Wood County, upon a motion made by Stephen Gainer, seconded by Wayne Dunn and made unanimous by David Blair Couch, did hereby AUTHORIZE David Blair Couch, in his official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Governor's Highway Safety Program Grant Number F11-HS-03-410-HV. The Request for Reimbursement is in the amount of twenty-eight thousand one hundred thirty dollars and eighty-seven cents (\$28,130.87) for the month of September, 2011. The Request for Reimbursement form, the Program Activity Report, the Project Financial Report, the time sheets for Tiano-Knopp Associates, the Vienna Police Department, the Parkersburg Police Department, and the Monthly Progress Report have been submitted.

A copy of the Request for Reimbursement is attached to this Order and should be made a part thereof.

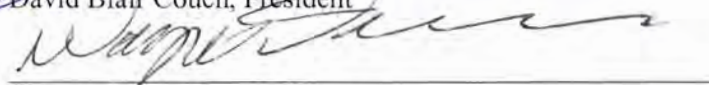
Documentation pertaining to the Governor's Highway Safety Program Grant is on file in the Office of the County Administrator.

APPROVED:

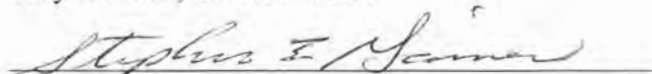
THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen E. Gainer, Commissioner

10/13/11
69/553

GOVERNOR'S HIGHWAY SAFETY PROGRAM

2 Hale Street, Suite 100
Charleston, WV 25301

TELEPHONE: (304) 558-6080

FAX: (304) 558-6083

REQUEST FOR REIMBURSEMENT


RECEIVED (For DCJS Use Only)	Subgrantee: Wood County Commission
	Address: One Court Square, Suite 203 Parkersburg, WV 26101
	Grant Number: F11-HS-03-410-HV
	FEIN#: 556 000 417
	Funds are hereby requested to cover expenditures FROM: 9/1/11 TO: 9/30/11

PROJECT CASH EXPENDITURES	Account #	Amount
	F11-HS-03-410-HV	\$28,130.87
	TOTAL	\$28,130.87

CERTIFICATION:

I certify that this report presents actual receipts and expenditures of funds for the period covered and for the total grant budget to date, made in accordance with the approved budget for this grant.

All documentation is available at our office.

David Blair Couch, President
 BY: Wood County Commission  10/13/11
TYPED NAME & TITLE SIGNATURE DATE
 (Authorized Official or Grant Financial Officer ONLY)

GOVERNOR'S HIGHWAY SAFETY USE ONLY

ADMINISTRATIVE APPROVAL:

This request is approved in the amount of \$ _____
Initials Date

Pursuant to the authority vested in me, I certify that this request is correct and proper for payment.

_____ Date

_____ Program Officer

10/13/11
69/553

OCTOBER 13, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE THE
LEPC TO APPLY FOR AN HMEP GRANT


ORDER

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Stephen Gainer and made unanimous by Wayne Dunn, did hereby AUTHORIZE the Wood County Local Emergency Planning Committee (LEPC) to apply for a Hazardous Materials Emergency Preparedness (HMEP) grant in the amount of five thousand dollars and zero cents (\$5,000.00).


A copy of said application is attached to this Order and shall be made a part thereof.

APPROVED:

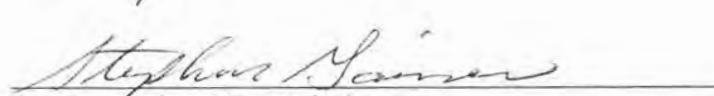
THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

M/1680

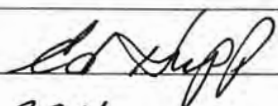
10/13/11
69/553

Planning Application Requirements

To be deemed an eligible applicant, the following criteria must be met and agreed to by the chairperson of the local emergency planning committee (LEPC)

- I certify that a copy of our LEPC By-Laws have been submitted to the WV SERC and approved
- I certify that I have attached a true and accurate LEPC membership list to this application
- I certify that I was appointed/elected as the chairperson of this LEPC. The LEPC minutes indicating my appointment/election are attached
- I certify that a copy of the last LEPC minutes are attached to this application
- I certify that the LEPC is complying with Section 324 of EPCRA – Public availability of plans, data sheets, forms and follow-up notices
- I certify that the LEPC has met twice in the prior twelve months and that copies of the minutes are attached
- I certify that the LEPC will meet at least quarterly during the grant period; and that copies of agendas and minutes from these meetings will be provided to the State Emergency Response Commission
- I certify that a LEPC hazardous materials plan has been previously submitted to the SERC
- I certify that the LEPC will conduct at least one hazardous materials emergency response exercise (table top, functional or full scale) during the grant period. Actual emergencies may be used to meet this requirement, provided the proper forms have been submitted to the SERC (USE AAR FORM)
- I certify that LEPC members were allowed to review this grant application prior to submittal
- I certify that the designated agency, which will receive grant funds, will be subject to audit by the West Virginia Division of Homeland Security and Emergency Management

LEPC Chairperson Signature:	
Date:	10/12/2011

OES Director Signature:	
Date:	10-12-2011



Local Emergency Planning Committee
A Symbol Of Community Safety

Wednesday, July 20, 2011

The meeting in the Parkersburg City building Executive Meeting Room was called to order by Chairman Doug Hess at 12:07 PM.

Also attending were: Annie Moore, Eric Griffiths, Ed Hupp, Steve Gainer, Steve Simonton, Zak Roberts, George Young, Rick Sawyer, Chris Pedersen, Jennifer Presley, Steve Johnk, Dot Harris, Kenny Harris, Michael Barrick, Carl Sizemore, Eric Bucklin, Terry Moore, and Della Lyons.

Treasury - \$975

This money is from the Health Department and has no restrictions on its use.

Grants

A decision must be made on the HMEP Grant which is due at the end of the month. Doug is scheduled to get approval from the County Commission on Monday so the application can be sent to Charleston.

Three options were presented:

1. A table top drill from JH Consultants to follow up on last year's drill – Quote for \$3500
2. A new web site – Ohio Web Pro Design cost as presented- \$4527
3. A new county Emergency Operations Plan – Quote from JH Consultants for \$7000

The cost for the EOP included meetings with all area responders as well as a total overhaul of the plan. The Commission would be asked to provide the additional \$2000 needed. The plan is a requirement of the state and has not been professionally done since 1999. Mike stated that there have been major updates on EOPs since hurricane Katrina. He also said there are new rules regarding drill requirements. The County Commission is responsible for maintaining the Emergency Operations Plan.

Ohio Web Pro Design gave a presentation regarding features they could provide for the redesign of the old website.

Following a lengthy discussion, Jennifer made a motion to apply for the \$5000 HMEP Grant to be used for a table top drill by JH Consultants with the remaining \$1500 to be used towards payment for an EOP. Belinda seconded the motion. There were seven for the motion and four against so the motion passed.

Old Business

Terry said that the Airport Drill date may change.

Steve Simonton presented his committee's After Action Report Position Paper.

New Business

The meeting was adjourned at 1:35 PM

The next meeting will be held at noon, Friday, September 16 in the City Council Chambers of the Parkersburg City Building.



Local Emergency Planning Committee
A Symbol Of Community Safety

Wednesday, May 18, 2011

The meeting in the Parkersburg City Council Chambers was called to order by Chairman Doug Hess at 12:05 PM.

Also attending were: Todd Wines, Steve Simonton, Ken Harris, Rick Sawyer, Kristine Green, Steve Barton, Marcel Rogoza, Capt. H.E. Shaver, Don Dougherty, George Young, Carl Sizemore, Michael Daley, Christina Smith, John Rockhold, Steve Gainer and Jennifer Presley.

Treasury - \$975

Grants

Doug suggested that the HMEP Grant be used for public relations. He feels that the LEPC has been lax on public relations in recent years. A request for proposals could be distributed. Included in the proposal would be website updating and maintenance. Christina's organization does some public relations but cannot maintain websites. The last HMEP grant was used for a Commodity Flow Study. The HMEP application is due July 30.

John made a motion to apply the SERC Grant to support the Airport Drill this fall. Jennifer seconded the motion. No one opposed and the motion passed.

Old Business

The LEPC will have a booth at the Fair. Christina will handle staffing the booth.

New Business

Mr. Barton from the Coast Guard discussed the upcoming Transportation Security Administration Visible Intermodal Prevention and Response team Operation on June 15. He advised contacting Todd Childers at the Coast Guard if anyone wished to participate. These drills are mandated by Congress and are on a three year cycle

Other Business

Kristine said that CERT received \$10,000 in grant money and also received their badges.

The meeting was adjourned at 12:35

The next meeting will be held at noon, Wednesday, July 20, 2011



Local Emergency Planning Committee
A Symbol Of Community Safety

Wednesday, November 17, 2010

The meeting in the Parkersburg City Council Executive Meeting Room was called to order by Chairman Doug Hess at 12:10 PM. Also attending were: Steve Johnk, Steve Simonton, Ken Harris, Dot Harris, Rick Sawyer, Tom Joyce, Rod Shuman, Eric Bucklin, Carl Sizemore, Randy Lowe, John Young, Sherri Christopher, Terry Moore, John Rockhold, Vernon Dolby, Roberta Cox, Lisa Morgan, Vicki Ullom, Tim Miller, Wayne Dunn, Blaine Auville, Joyce Mather.

John made a motion to accept the minutes as mailed . Tom seconded the motion which passed.

Nominating Committee

Steve Johnk represented the nominating committee since Jim was unable to attend. No names were brought to the committee as nominees for chairperson or co-chair. Doug asked for nominations from the floor. John Rockhold nominated Doug Hess for chairman and Steve Simonton for co-chair. Tom Joyce seconded the motion which passed unanimously.

Strategic Planning Committee/Drill Committee

Two sub committees were formed. Steve Simonton will chair a committee to deal with items pertaining to the Strategic Plan and Jim Rose will chair a committee on items from the drill After Action Report. These committees will meet in January.

New Business

Information regarding a supplemental SERC Grant of \$600 has been received. No ideas for uses of the money were immediately forthcoming so Terry made a motion to authorize Doug to submit an application for the grant. Steve Simonton seconded the motion which passed.

Other Business

Meetings for the year will be set in January.
Kenny said CERT training will be held at the Health Department soon. Christina said there will be Citizens Corps for people with disabilities in January.
Lisa Morgan, Project Manager, Corps of Engineers, gave a presentation on the work and current status of the Bluestone Dam project.

The next meeting will be held at noon, Wednesday, January 19, 2011 in the Parkersburg City Building executive meeting room.

Wood County LEPC

Last Name	First Name	Company
Auville	Blaine	Community
Barrett	JJ	WVU Extension Service
Barrick	Michael	State Fire Marshalls Office
Bucklin	Eric	Ohio Valley University
Chichester	Eric	Parkersburg Fire Departme
Chief B.D.	Adkins	Williamstown
Christopher	Sherri	Exel
Cox	Roberta	Community Representative
Dolby	Vernon	Salvation Army
Fetty	Belinda	Mid Ohio Valley Transit Aut
Goodwin	Danny	Vienna Fire Department
Green	Amie	Dupont
Harris	Kenny	WCEC
Hess	Doug	Clear Channel Radio
Hupp	Ed	WCOEM
Johnk	Steve	Public Debt
Joyce	Tom	St. Joseph's Hospital
Lowe	Randy	Wood County 9-1-1
Mather	Joyce	United Way
Moore	Terry	MOV Regional Airport
Pingley	Tim	Allegheny Power
Pressley	Jennifer	Community
Reynolds	Carl	WV Laborers Training Cam
Rockhold	John	Funeral Director
Rose	Jim	MOVHD
Shaver	Capt. H. E.	WVDNR-LES

Last Name	First Name	Company
Sikora	John	National Weather Service
Simonton	Steve	Community
Smith	Christina	ARC
Stephens	Larry	Camden Clark Hospital
Steve	Gainer	County Commission
Tuck	Wendy	Volunteer Action Center
Tucker	Angie	Coldwater Creek
Walsh	Jeff	Grainger
White	Dave	WVU-Parkersburg
Williams	Don	Community
Wines	Todd	Red Cross
Woodyard	Rick	Wood County Sheriff Dept.
Young	John	Parkersburg Police Dept.
Young	George	Vienna Police

LEPC Information and Activities Completed

LEPC Name	Wood County LEPC
Street/Box	911 Cove Rd
City, State, Zip	Parkersburg WV 26104
Email	chairman@woodcolepca@yahoo.com
Telephone	304-420-0911
Fax	304-422-6270

Name of Chairperson	Doug Hess
Number of Meetings in last 12 months	7
Number of Members	40
Dates of Late 2 meetings	Sept. 16, 2011 + July 20, 2011

Activity	Submitted/Completed date
LEPC Emergency Plan	June 2004
Response SOP's underway	
Response SOP's completed	
Plan Exercise	May 18 + 20, 2011
Hazard Analysis	June 2004
By-law	January 1997
Facility Outreach Program	
Public Information Program	December 2003
Commodity Flow Study	In Progress
Other:	

Program Narrative: Describe what the grant is and why the grant is needed.
What specific problem(s) will the grant solve? Explain in detail!

The LEPC would contract with JH Consulting to produce a new Wood County Emergency Operations Plan. It has been over 12 years since the EOP was totally reviewed. The new plan would include input from local public service agencies including all fire departments, law enforcement, EMS, hospitals, volunteer groups and any other organizations. Their contributions will be invaluable in making it a customized plan for Wood County.

Use additional sheets if necessary

Anticipated Results/Benefits:

What activities/tasks will be included in the project?

When will the activity/task be finished?

Started:

Completed:

Who will do the tasks/activities and how will they be supervised?

Use additional sheets if necessary

What new products/activity (reports, plans, maps or studies etc.) will the project produce?

If supplies will be purchased, list the cost of each item

Explain why supplies are needed to complete this project

Use additional sheets if necessary

Budget Sheet

Personnel Services	
Salaries & Wages	\$
Printing & Postage	\$
Travel	\$
Office Supplies	\$
Software	\$
Resource Materials	\$
Training Expenses <i>Including Consumable Equipment</i>	\$
Other expenses <i>(be specific!)</i>	\$
Subtotal	\$
Contractor Costs <i>Including Contractor Information</i>	\$ 5000
TOTAL GRANT REQUEST	\$ 5000

Contractor Information	
Why is a contractor needed?	The scope of the project is large
Who is the contractor (Include name, address etc)?	JH Consulting, 29 E. Main St. Buckhannon WV
What is the scope of work the contractor will be responsible for?	all
Who will supervise the contractor to ensure a satisfactory completion of the project (including timely completion of project)?	ED Hupp, Emergency Mgmt. Director
Will the LEPC ensure a satisfactory project is completed?	yes

Use additional sheets if necessary

Additional Grant Information

Will other LEPC 's, or other organizations participate in the project; if so describe their participation.

Will your project be useful to other LEPCs, if so explain how.

Will additional grant funds or other funding sources be used? If so, explain.

Other pertinent information.

Additional Funding

If additional funds become available can your LEPC utilize those funds?

If so, what would the funds be used for?

List the dollar amount needed?

What is the latest date your LEPC can utilize additional funds

Reduction in funding request

If the WVSERC is unable to fund your project completely will the LEPC continue with the project?

If funding is reduced please indicate how the reduction will impact the project

What tasks or purchases will be eliminated, reduced or modified?

Will the overall value of the project be severely impacted? Explain how.

REMEMBER: EXPLAIN YOUR ANSWERS IN AS MUCH DETAIL AS POSSIBLE.

Use additional sheets if necessary

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into by and between the State of West Virginia, Division of Homeland Security and Emergency Management (hereinafter DHSEM), WV State Emergency Response Commission and the LEPC of County, State of West Virginia (hereinafter Wood County LEPC).

WHEREAS, The DHSEM and WVSERC is the designated agency for the disbursement of United States Department of Transportation funding for planning for hazardous materials emergencies;

WHEREAS, the Wood County LEPC has submitted a grant application for receipt of these funds dated the 12th day of October 2011.

NOW, THEREFORE, in consideration of the following covenants between the parties, the HSEM and WVSERC shall provide a grant payment of \$ _____ to the Wood County LEPC.

For and in consideration of this grant payment, Wood County LEPC agrees as follows:

1. To expend the funds in accordance with its grant application filed with the HSEM and WVSERC on the 12th day of October, 2011 and in compliance with all applicable federal rules and regulations.
2. To maintain accounting records and receipts for the purpose of an audit to prove expenditure of the funds pursuant to the grant application submitted by the Wood County LEPC on the 12th day of October, 2011.
3. To maintain these accounting records for a period of three (3) years and to submit to any audit upon request by the Division of Homeland Security and Emergency Management Office and the West Virginia State Emergency Response Commission; and
4. To repay to the DHSEM and WVSERC any funds not spent as agreed to herein.
5. To comply with all applicable provisions of federal, state, and local laws, regulations, and DOT directives. The Wood County agrees and understands that federal laws, regulations, policies and regulated administrative practices in force and made applicable to this grant on the date of execution may be modified from time to time and that the most recent of such provisions will govern the administration of this grant.

6. The Wood County LEPC agrees to comply with DOT regulations Drug-free Workplace Requirements (Grants) 49CFR Part 29, Subpart F. and to submit the required certification.
7. To comply with and execute the appendices attached hereto and incorporated by reference.

It is further understood and agreed that any funds not expended or encumbered by the 30th day of September, 2012, shall revert to the WV Division of Homeland Security and Emergency Management and West Virginia State Emergency Response Commission upon request of the WV Division of Homeland Security and Emergency Management and WV State Emergency Response Commission.

This MOU is entered into on this the 12th day of October, 2011.

James J. Gianato, Chairman
WV State Emergency
Response Commission



County LEPC Chairperson

APPENDIX A

ASSURANCE OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

DEPARTMENT OF TRANSPORTATION

The Wood County LEPC (hereinafter referred to as the "Recipient") **HEREBY AGREES THAT** as a condition to receiving any federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act) and all requirements imposed by or pursuant to Title 49, code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Program of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any program or activity for which the Recipient receives federal financial assistance from the Department of Transportation, and **HEREBY GIVES ASSURANCE THAT** it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurance with respect to the project:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23 (e) and 21.23 (b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and, in adapted form in all proposals for negotiated agreements:

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in regard to any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix B of the agreement in every contract subject to the Act and the Regulations.
4. That this assurance obligates the Recipient for the period during which federal financial assistance is extended to the project.
5. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that is, other recipients, subgrantees, contractors, subcontractors, transferee successors in interest, and other participants of federal financial assistance under such programs will comply with all requirements imposed or pursuant to the Act, the Regulations, and this assurance.
6. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, and Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Department of Transportation Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the recipients.

DATE Oct. 12, 2011

Wood County LEPC
(Recipient)
by [Signature]
(Signature of LEPC Chairperson)

APPENDIX B

ASSURANCE OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

During the performance of the contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agree as follows:

1. Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally-Assisted Programs of the Department of Transportation (hereinafter "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. Solicitation for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex, or national origin.
4. Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the Wood County LEPC or the Research and Special Programs Administration (RSPA) to be pertinent to ascertain compliance with such Regulations, orders and instructions.

Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the Wood County LEPC or the Research and Special Programs Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, the County LEPC shall impose contract sanctions as it or the Research and Special Programs Administration may determine to be appropriate, including, but not limited to:

(a) withholding of payments to the contractor under the contract until the contractor complies; and/or

(b) cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directive issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the County LEPC or the Research and Special Programs Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontract or supplier as a result of such direction, the contractor may request the Wood County LEPC to enter into such litigation to protect the interests of the Wood County LEPC, and, in addition the contractor may request the United States to enter into such litigation to protect the interest of the United States.

APPENDIX C

ASSURANCE OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

DEPARTMENT OF TRANSPORTATION

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by Wood County LEPC executed in expending these grant funds.

The [grantee, licensee, lessee, permittee, etc., as appropriate] for herself/himself, his/her heirs, personal representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this [deed, license, lease, permit, etc.] for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the [grantee, licensee, lessee, permittee, etc.] shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of the above nondiscrimination covenants, the Wood County LEPC shall have the right to terminate the [license, lease, permit, etc.] and to reenter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, the Wood County LEPC shall have the right to re-enter said lands and facilities thereon, and the above-described lands and facilities shall thereupon revert to and vest in and become the absolute property of the Wood County LEPC and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the _____ County LEPC.

The [grantee, licensee, lessee, permittee, etc., as appropriate] for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in case of deeds, and leases add "as a covenant running with the land"] that (1) no person on the grounds of race, color, sex, or national origin shall be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing services thereon, no person on the grounds of race, color, sex, or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, and (3) that the [grantee, licensee, lessee, permittee, etc.] shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the Wood County LEPC shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, the Wood County LEPC shall have the right to re-enter said land and facilities thereon, and the above-described lands and facilities shall thereupon revert to and vest in and become the absolute property of the County LEPC and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX D

22.4 The Grantee agrees:

22.4.1 To comply with the provisions of the Privacy Act of 1974, 5 U.S.C. Section 552A and regulations adopted thereunder, when performance under the program involves the design, development, or operation of any system of records on individuals to be operated by the Grantee, its third-party contractors, subcontractors, subgrantees, or their employees to accomplish a DOT function;

22.4.2 To notify DOT when the Grantee or any of its third-party contractors, subcontractors, subgrantees, subrecipients, or their employees anticipate operating a system of records on behalf of DOT in order to implement the program if such system contains information about individuals' name or other identifier assigned to the individual. A system of records subject to the Act may not be used in the performance of this Agreement until the necessary and applicable approval and publication requirements have been met.

22.4.3 To include in every solicitation and in every third-party contract, subgrant, and when the performance of work under that proposed third-party contract, subgrant, or subagreement may involve the design, development, or operation of a system of records on individuals to be operated under that third-party contract, subgrant, or to accomplish a DOT function, a Privacy Act notification informing the third-party contractor, or subgrantee, that it will be required to design, develop, or operate a system of records on individuals to accomplish a DOT function subject to the Privacy Act of 1974, 5 U.S.C Section 552A, and applicable DOT regulations, and that a violation of the Act may involve the imposition of criminal penalties; and

22.4.4 To include the text of Subsections 22.4.1 through 22.4.4 in all third-party contracts, and subgrants under which work for this Agreement is performed or which is awarded pursuant to this Agreement or which may involve the design, development, or operation of such a system of records on behalf of DOT.

DATE Oct. 12, 2011

Wood County LEPC
(Recipient)



by
(Signature of LEPC Chairperson)

APPENDIX E

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS
(GRANTEES OTHER THAN INDIVIDUALS)

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 44 CFR Part 17, Subpart F. The regulations, published in the January 31, 1989 *Federal Register*, required certification by grantees prior to award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be place when the agency determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or government-wide suspension or debarment, (See 44 CFR Part 13, Subpart C 13.300 and Subpart D 13.400).

The grantee certifies that it will provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing a drug-free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug-counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

- (1) Abide by the terms of the statement; and
- (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;

(e) Notifying the agency within ten days after receiving notice under subparagraph (d) (2), from an employee or otherwise receiving actual notice of such conviction;

(f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d) (2), with respect to any employee who is convicted-

- (1) Taking appropriate personnel action against such an employee, up to and including termination; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b) (c), (d), (e) and (g).

Place(s) of Performance: The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant (street address, city, county, state, zip code):

Organization Name, Address and phone number

Wood County LEPC

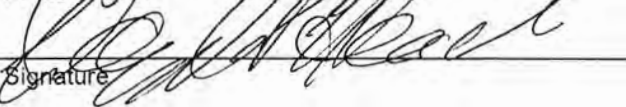
911 Cove Rd

Parkersburg WV 26104

304-420-0911

Douglas Pittess, Jr.

Printed Name



Signature

Oct. 12, 2011

Date

HMEP PLANNING GRANT PROGRAM

REQUEST FOR PAYMENT	
LEPC:	Wood County
Chairperson:	Doug Hess
Email Address:	chairmanwoodcolepc@yahoo.com
Total Grant Award:	\$ 5000
Amount Requested:	\$ 5000

I CERTIFY THIS IS AN ORIGINAL INVOICE AND PAYMENT HAS NOT BEEN RECEIVED	
County LEPC:	Wood
County LEPC Chairperson Signature:	
Date:	10/17/11
APPROVED FOR PAYMENT	
Date:	
WV SERC Chairperson Signature:	
Amount:	\$

REMEMBER: ALL SIGNATURES SHOULD BE IN BLUE INK!

*BACKUP DOCUMENTATION ON FILE WITH COUNTY LEPC