

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

IN RE: MINUTES OF MEETING HELD  
THURSDAY, FEBRUARY 16, 2012

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 minutes of January 30, 2012, February 2, 6, 9, 2012 and an addendum to January 23, 2012.

**AGENDA AND DISCUSSION ITEMS**

At 9:30 A.M., the County Commission met with Russ Skogstad, Attorney for the City of Vienna for the continuation of a public hearing of annexation by minor boundary adjustment. A copy of the final order is attached to these minutes.

At 9:36 the County Commission went into Executive Session. (Order A/920)

At 10:30 A.M., the County Commission met with Alan Litman. Mr. Litman wanted to educate the Commission regarding a memorial to be placed in Parkersburg City Park to memorialize soldiers from the Mid-Ohio Valley who have lost their lives in the line of duty for the last three wars. (Order A/916)

At 10:45 A.M., Rick Armstrong and Michael Turner to request funds for the upcoming Region V EMS training weekend to be held in April, 2012. The County Commission is going to talk to the Volunteer Fire Departments to discuss a potential scholarship program for this.

At 11:05 A.M., the County Commission met with Paulina Yearego, Magistrate Clerk and Sheriff Jeff Sandy, along with his employees Greg Brogden and Joanne Smith to discuss needs at the Justice Center.

At 12:00 Noon, Jeff Williams, Director of the Wood County Day Report Center met with the Commission to announce the hiring of Suzette Hall as the new Pre-Trial Coordinator position.

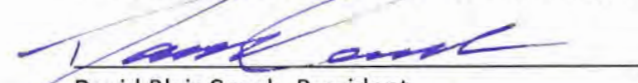
**ORDERS APPROVED AND ATTACHED TO THESE MINUTES**

A/914, A/915, A/916, A/917, A/918, A/919 and A/920

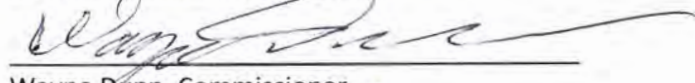
Having no further scheduled appointments or business to attend to, the County Commission adjourned.

APPROVED:

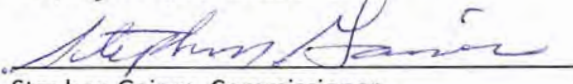
THE COUNTY COMMISSION OF WOOD COUNTY

  
\_\_\_\_\_

David Blair Couch, President

  
\_\_\_\_\_

Wayne Dunn, Commissioner

  
\_\_\_\_\_

Stephen Gainer, Commissioner

To listen to this meeting, please refer to DVD labeled February 16, 2012.

Wood County Commission Meeting  
Held February 16, 2012

**Please Print**

1.	Russell Skogstad
2.	Cam Huffman
3.	Joshua Campbell
4.	Deborah L. Dotson
5.	Alan Litman
6.	Roderick Armstrong
7.	Michael Tanner
8.	Jeff Williams
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	





# Wood County Commission

2/16/2012  
 1 Court Square, Suite 203  
 Parkersburg, WV 26101

<b>9:30 AM</b>	CONTINUATION OF ANNEXATION – CITY OF VIENNA	RUSS SKOGSTAD, ATTORNEY, CITY OF VIENNA
<b>9:35 AM</b>	APPROVE AND SIGN MINUTES, ORDERS, PURCHASE ORDERS, INVOICES, NEW ROAD NAMES AND ANY OTHER ADMINISTRATIVE DUTIES	MARTY SEUFER, COUNTY ADMINISTRATOR
<b>10:30 AM</b>	DISCUSS MEMORIAL AT CITY PARK HONORING FALLEN SOLDIERS FROM MID-OHIO VALLEY	ALAN LITMAN
<b>10:45 AM</b>	DISCUSS RESA 5 EMS WEEKEND (PER WD)	RICK ARMSTRONG
<b>11:00 AM</b>	DISCUSS ITEMS NEEDED AT THE JUSTICE CENTER	SHERIFF JEFF SANDY
<b>11:30 AM</b>	DISCUSS NEW EMPLOYEE FOR PRE-TRIAL COORDINATOR POSITION	JEFF WILLIAMS, DIRECTOR, DAY REPORT CENTER
Special notes:	<ol style="list-style-type: none"> <li>1. Vacancies on Boards and Commissions</li> <li>2. Building Enforcement Properties</li> <li>3. Contribution Requests</li> <li>4. County Facilities</li> <li>5. Fire Hydrants in the County</li> <li>6. Discuss Long Term Disability Insurance</li> <li>7. Jury Box Chairs</li> </ol>	

2/16/12  
70/22

FEBRUARY 16, 2012

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE THE  
DONATION OF \$2,500.00 TO THE NICK NULL MEMORIAL  
FOUNDATION THROUGH THE LOTTERY FUND LINE ITEM.

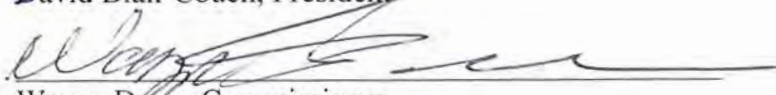
**ORDER**

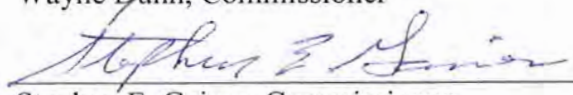
On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Stephen Gainer and made unanimous by Wayne Dunn, did hereby AUTHORIZE the donation of two thousand five hundred dollars and zero cents (\$2,500.00) to the Nick Null Memorial Foundation to be used towards a memorial for fallen soldiers to be placed in Parkersburg City Park. Said donation will be paid out of the General Fund Lottery Line Item of the County upon the request for said funds.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
\_\_\_\_\_  
David Blair Couch, President

  
\_\_\_\_\_  
Wayne Dunn, Commissioner

  
\_\_\_\_\_  
Stephen E. Gainer, Commissioner

A/916



2/16/12  
70/22

FEBRUARY 16, 2012

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 F12-HS-03-154. SAID REQUEST IS IN THE AMOUNT OF \$2,180.17.

**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 F12-HS-03-154. The Request for Reimbursement is in the amount of two thousand one hundred eighty dollars and seventeen cents (\$2,180.17) for the month of January, 2012. 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 West Union Police Department, the Jackson County Sheriff's Department, the Ripley Police Department, the Wirt County Sheriff's Department and 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.

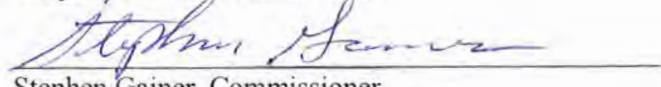
Documentation pertaining to the Governor's Highway Safety Program Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
\_\_\_\_\_  
David Blair Couch, President

  
\_\_\_\_\_  
Wayne Dunn, Commissioner

  
\_\_\_\_\_  
Stephen Gainer, Commissioner

A/917

**GOVERNOR'S HIGHWAY SAFETY PROGRAM**

5707 MacCorkle Avenue SE

P. O. Box 17600

Charleston, West Virginia 25317-0010

Telephone: (304) 926-2509

Fax: (304) 926-3880

2/16/12

70/22

REQUEST FOR INVESTMENT	
(For GHSP Use Only)	<b>Sub-Grantee:</b> Wood County Commission
	<b>Address:</b> One Court Square, Suite 203 Parkersburg, WV 26101
	<b>P. O. Number:</b> MV1203
	<b>Grant Number:</b> F12-HS-03-154
	<b>FEIN Number:</b> 556 000 417
	<b>Funds are hereby requested to cover expenditures</b>
	<b>For the period of:</b> 1/1/12 - 1/31/12

**PROJECT CASH EXPENDITURES**

Account Number	Amount
9007-2012-0802-099-128	\$2,180.17
<b>TOTAL</b>	<b>\$ 2,180.17</b>

**CERTIFICATION:**

I certify that this report represents 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 for inspection at the request of the Governor's Highway Safety Program.

BY: David Blair Couch, President 2/16/2012

(Typed Name And Title) (Signature) (Date)  
(Authorized Official or Grant Financial Officer Only)

ADMINISTRATIVE APPROVAL		
This request is approved for the amount of:		
	<small>(Approved)</small>	<small>(Date)</small>
Pursuant to the authority vested in me, I certify that this request is correct and proper for payment.		
	<small>(Date)</small>	
	<small>(Director)</small>	
Purchasing/Accounts Payable Use Only		



FEBRUARY 16, 2012

2/16/12  
70/22

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 WV DIVISION OF CRIMINAL JUSTICE SERVICES GRANT NO. 09-VAWR-11. SAID REQUEST IS IN THE AMOUNT OF \$1,928.79

**ORDER**


On this date, the County Commission of Wood County, upon a motion made by Wayne Dunn, seconded by Stephen Gainer 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 West Virginia Division of Criminal Justice Services Grant No. 09-VAWR-11. Said request is in the amount of one thousand nine hundred twenty-eight dollars and seventy-nine cents (\$1,928.79) for the month of January, 2012. Along with the Request for Reimbursement Form; a Financial Recap Page; the Project Financial Reports; time sheets for Megan Underwood and the Monthly Progress Report have been submitted.

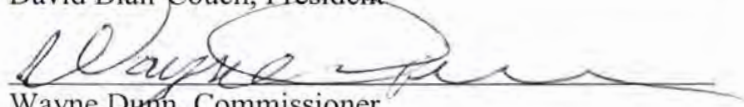
A copy of the Request for Reimbursement is attached to this ORDER and should be made a part thereof.

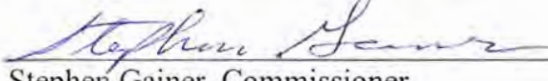
Documentation pertaining to the Division of Criminal Justice Services Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
\_\_\_\_\_  
David Blair Couch, President

  
\_\_\_\_\_  
Wayne Dunn, Commissioner

  
\_\_\_\_\_  
Stephen Gainer, Commissioner

A/918



<b>WEST VIRGINIA</b> <b>Division of Justice and Community Services</b>	<b>Request for Reimbursement</b>
---	----------------------------------

2/16/12  
70/22

<b>RECEIVED</b> (For DJCS Use Only)	Subgrantee: Wood County Commission
	Address: One Court Square, Suite 203 Parkersburg, WV 26101
	Project #: 09-VAWR-11
	FEIN#: 556 000 417
	Funds are hereby requested to cover expenditures
	FROM: 1/1/12 TO: 1/31/12

**PROJECT CASH EXPENDITURES**

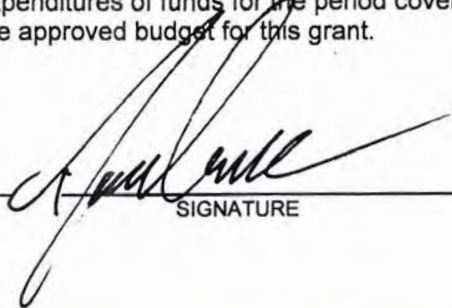
Account #	Amount
09-VAWR-11/Prosecuting Attorney	\$1,879.64
09-VAWR-11/Law Enforcement	\$49.15
<b>TOTAL</b>	<b>\$1,928.79</b>

**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.

BY: David Blair Couch, President  
Wood County Commission



2/16/12  
DATE

(Authorized Official or Grant Financial Officer 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 Accountant

2/16/12  
70/22

FEBRUARY 16, 2012

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 F12-HS-03-402. SAID REQUEST IS IN THE AMOUNT OF \$4,352.30.

**ORDER**

On this date, the County Commission of Wood County, upon a motion made by Wayne Dunn, seconded by Steve Gainer 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-03-154. The Request for Reimbursement is in the amount of four thousand three hundred fifty-two dollars and thirty cents (\$4,352.30) for the month of January, 2012. The Request for Reimbursement form, the Project Financial Report, the time sheets for Vienna Police Department and the Monthly Progress Report have been submitted.

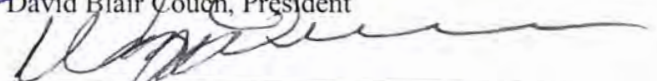
A copy of the Request for Reimbursement is attached to this Order and should be made a part thereof.

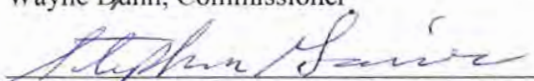
Documentation pertaining to the Governor's Highway Safety Program Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
\_\_\_\_\_  
David Blair Couch, President

  
\_\_\_\_\_  
Wayne Dunn, Commissioner

  
\_\_\_\_\_  
Stephen Gainer, Commissioner

A/ 919



2/16/12  
7022

**GOVERNOR'S HIGHWAY SAFETY PROGRAM**  
5707 MacCorkle Avenue, SE  
PO Box 17600  
Charleston, WV 25317-0010

Telephone: (304) 926-3821

Fax: (304) 926-3880

<b>PROJECT FINANCIAL REPORT</b>				Final Report <input type="checkbox"/>	Page 1 of 1	Report #: <u>4</u>
Subgrantee: <b>Wood County Commission</b>		Prepared By: <b>Jamie Six</b>		For Period: 1/1/11 – 1/31/12		Grant Project #: F12HS-03-402
Address: <b>One Court Square, Suite 203</b>		Phone #: <b>304/424-1850</b>		Date Prepared: 1/16/12		Account #: SA12-18-03, OP12-05-03, PT12-07-03, PM12-26-03
Parkersburg, WV 26101		Signature: <u>Jamie Six</u>				

CATEGORY	APPROVED BUDGET (If Applicable to Program)			EXPENDED THIS PERIOD (If Applicable to Program)			EXPENDED TO DATE (If Applicable to Program)			UNPAID OBLIGATIONS Grant Funds ONLY
	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	
Administration	\$56,950.00	-0-	-0-	\$3,018.63	-0-	-0-	\$13,182.89	-0-	-0-	
Occupant Protection	\$38,500.00	-0-	-0-	\$78.62	-0-	-0-	\$864.62	-0-	-0-	
PTS	\$44,500.00	-0-	-0-	\$1,255.05	-0-	-0-	\$3,102.21	-0-	-0-	
Paid Media	\$2,000.00	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	
<b>TOTALS</b>	<b>\$141,950.00</b>	<b>-0-</b>	<b>-0-</b>	<b>\$4,352.30</b>	<b>-0-</b>	<b>-0-</b>	<b>\$17,149.72</b>	<b>-0-</b>	<b>-0-</b>	

**INSTRUCTIONS**

**The following instructions should be observed when preparing a Project Financial Report.**

**DUE DATES:** Reports are due in the Governor's Highway Safety Office by the 20th day of the month following the period of this report.

**SUBGRANTEE:** Enter the name and address of the State Agency, Unit of Local Government, or Non-Profit Agency that is designated as the grant recipient.

**PREPARED BY:** Type the name and phone number (including extension) of the person preparing this report. The preparer must sign in the space provided.

**FOR PERIOD:** Enter the month(s) covered by this report.

**FINAL REPORT:** Check this box if this is the last report.

**DATE PREPARED:** Enter the date this report was prepared.

**GRANT PROJECT #:** Enter the number assigned by the Governor's Highway Safety Program.

**ACCOUNT #:** Enter the proper number from the approved grant application. For multiple accounts, use additional pages.

**APPROVED BUDGET:** Enter the latest approved budget.

**EXPENDED THIS PERIOD:** Enter expenditures made during this reporting period. Expenditure information should be based on actual disbursements and should not be rounded.

**COPIES OF APPROPRIATE DOCUMENTATION SUPPORTING THIS PERIOD'S EXPENDITURES MUST BE ATTACHED TO THIS FORM.**

**REPORT #:** Assign consecutive numbers as each report is submitted.

**EXPENDED TO DATE:** Enter cumulative expenditures to date based on actual disbursements and not rounded.

**UNPAID OBLIGATIONS:** Enter all obligations that have been incurred during this reporting period that have not been paid.

**SUBMIT ORIGINAL REPORT TO:**

Governor's Highway Safety Program  
2 Hale Street, Suite 100  
Charleston, West Virginia 25301

**QUESTIONS:** Please phone between 9:00 a.m. and 4:30 p.m.



2/16/12  
70/23

FEBRUARY 16, 2012

EXECUTIVE SESSION OF THE WOOD COUNTY COMMISSION

This 16<sup>th</sup> day of February, 2012, at 9:36 o'clock A.M., in Room 203, of the Wood County Courthouse, Parkersburg, West Virginia, upon motion of David Blair Couch, seconded by Wayne Dunn and made unanimous by Steve Gainer, County Commissioners, upon prior adjournment of the regular session convened in EXECUTIVE SESSION upon authority granted by the West Virginia Code, Chapter 6, Article 9A, Sections 4, as amended:

WHEREUPON, the said Stephen Gainer, one of the Commissioners, David Blair Couch, President of said Commission, and Wayne Dunn, Commissioner met with Marty Seufer, County Administrator, Cam Huffman and Joshua Campbell of the Wood County Development Authority.

All those present proceeded to discuss the matter for which the said EXECUTIVE SESSION was had, being covered by the West Virginia Code Chapter 6, Article 9A-4 of 1931, section (9).

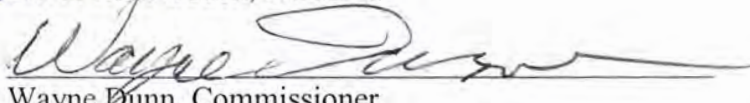
The Commission having concluded said discussion, the said EXECUTIVE SESSION adjourned at 9:57 o'clock A.M.

APPROVED:

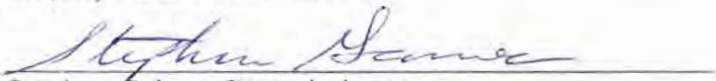
THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

A/920



2/16/12  
70/21

FEBRUARY 16, 2012

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: JASON WHARTON, PROSECUTING ATTORNEY FOR WOOD COUNTY, PRESENTED AN APPLICATION IN WHICH IT IS REQUESTED THAT THE GOVERNOR OF WV ISSUE A REQUISITION ON THE GOVERNOR OF OHIO FOR THE EXTRADITION OF PATRICK D. WORSTELL.

**ORDER**

On this date, came Jason Wharton, Prosecuting Attorney for Wood County and presented unto the County Commission of Wood County, an Application in which it is requested that the Honorable Earl Ray Tomblin, Governor of the State of West Virginia, issue a requisition on the Governor of the State of Ohio for the extradition of Patrick D. Worstell. Patrick D. Worstell stands charged with Escape committed in the County of Wood, in the State of West Virginia, on February 6, 2012 and who is now a fugitive from justice of this State, and is now within the jurisdiction of the State of Ohio, in Washington County. The said Application was signed by David Blair Couch, President of the Wood County Commission, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Stephen Gainer.

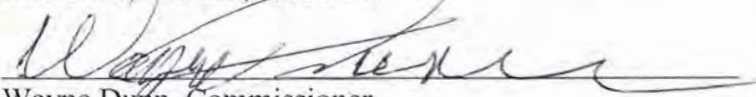
A copy of the said Application is on file in the Office of the County Administrator.

Approved:

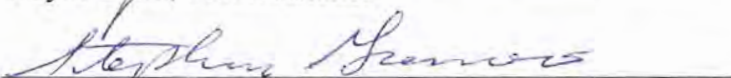
THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

A/914

2/16/12  
70/21

FEBRUARY 16, 2012

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: JASON WHARTON, PROSECUTING ATTORNEY FOR WOOD COUNTY, PRESENTED AN APPLICATION IN WHICH IT IS REQUESTED THAT THE GOVERNOR OF WV ISSUE A REQUISITION ON THE GOVERNOR OF PENNSYLVANIA FOR THE EXTRADITION OF TERRY L. HUNTER

**ORDER**

On this date, came Jason Wharton, Prosecuting Attorney for Wood County and presented unto the County Commission of Wood County, an Application in which it is requested that the Honorable Earl Ray Tomblin, Governor of the State of West Virginia, issue a requisition on the Governor of the State of Pennsylvania for the extradition of Terry L. Hunter. Terry L. Hunter stands charged with Sexual Abuse 1<sup>st</sup> Degree, which offense was committed in the County of Wood, in the State of West Virginia, on April 19, 2010 and who is now a fugitive from justice of this State, and is now within the jurisdiction of the State of Pennsylvania, in Cumberland County. The said Application was signed by David Blair Couch, President of the Wood County Commission, upon a motion made by Wayne Dunn, seconded by Steve Gainer and made unanimous by David Blair Couch.

A copy of the said Application 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

A/915



FEBRUARY 16, 2012

**EXECUTIVE SESSION OF THE WOOD COUNTY COMMISSION**

This 16<sup>th</sup> day of February, 2012, at 9:36 o'clock A.M., in Room 203, of the Wood County Courthouse, Parkersburg, West Virginia, upon motion of David Blair Couch, seconded by Wayne Dunn and made unanimous by Steve Gainer, County Commissioners, upon prior adjournment of the regular session convened in EXECUTIVE SESSION upon authority granted by the West Virginia Code, Chapter 6, Article 9A, Sections 4, as amended:

WHEREUPON, the said Stephen Gainer, one of the Commissioners, David Blair Couch, President of said Commission, and Wayne Dunn, Commissioner met with Marty Seufer, County Administrator, Cam Huffman and Joshua Campbell of the Wood County Development Authority.

All those present proceeded to discuss the matter for which the said EXECUTIVE SESSION was had, being covered by the West Virginia Code Chapter 6, Article 9A-4 of 1931, section (9).

The Commission having concluded said discussion, the said EXECUTIVE SESSION adjourned at 9:57 o'clock A.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

\_\_\_\_\_  
David Blair Couch, President

\_\_\_\_\_  
Wayne Dunn, Commissioner

\_\_\_\_\_  
Stephen Gainer, Commissioner

A/920

**IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA**

IN RE: Petition for Annexation By Minor Boundary Adjustment  
City of Vienna, a Municipal Corporation  
(a tract of land located in the Southwest corner of the intersection of 12th  
St. and Grand Central Avenue, containing approximately 1.432-A,  
Parkersburg District, Tract 142, parcel 24)

ORDER

This 6th day of FEBRUARY, 2012, came the City of Vienna, a municipal corporation, the Petitioner herein, by Russell J. Skogstad, Jr., its attorney, for hearing upon the Petition for Annexation by minor boundary adjustment heretofore filed and scheduled for hearing this day.

WHEREUPON, Counsel for the Petitioner tendered unto the Commission and asked leave to file the Affidavit of Publication evidencing the publishing of the Notice of Hearing as required by West Virginia Code 8-6-5(e), as amended, which Affidavit is hereby deemed proper in all respects and is hereby ORDERED FILED; and

WHEREUPON, Counsel for the Petitioner tendered unto the Commission and asked leave to file the Affidavit of DUANE FLUTY, attesting to the posting of Notice of Hearing with the area proposed to be annexed, which Affidavit, being deemed proper in all respects is hereby ORDERED FILED; and

WHEREUPON, the Commission having reviewed the Petition and the exhibit attached thereto and upon further consideration of the evidence presented and the representations of counsel for the Petitioner, the Commission does hereby make the following findings of fact, to-wit:

1. The Notice of Hearing as required by West Virginia Code 8-6-5(e), as amended has been properly published according to law and has been prominently posted at not less than five (5) public places within the area proposed to be annexed.
2. The area proposed to be annexed is contiguous to the corporate limits of the Petitioner.
3. No persons have appeared this day in opposition to the Petition.
4. The area to be annexed consists of one tract of real property found in the Magisterial District of Parkersburg, Tax Map 142, Parcel 24, and more commonly referred to as a tct. consisting of 1.432 Acres, located in the southwest corner of the intersection of 12th St. and Grand Central Avenue;.
5. No persons reside within or otherwise use or occupy the area sought to be annexed;
6. The intended use is as a parking lot to service a business to be opened on an adjacent property to be known as Cheddar's Restaurant.
7. An accurate map showing the area sought to be annexed is attached to the Petition and is made a part of the record herein.
8. The area sought to be annexed is wholly within the County of Wood and no other municipality has made application to annex the same.
9. The proposed annexation is in the best interest of the County of Wood as a whole.
10. Each and every statement and allegation contained in the Petition is hereby found to be accurate and truthful.

ACCORDINGLY, and based upon the Findings of Fact herein above set forth, it is duly CONCLUDED that-

1. The area proposed to be annexed is hereby deemed a proper subject for annexation by minor boundary adjustment by the Petitioner in accordance with West Virginia Code 8-6-1, et seq., as amended, in all respects
2. All requirements as to publication and posting have been fully and lawfully satisfied.



3. The best interest of the Petitioner and the County of Wood shall be better served by granting the relief prayed for in the Petition.

ACCORDINGLY, it is hereby ORDERED that the area described in the Petition and further described in the map attached to this Order is, and the same is hereby annexed by minor boundary adjustment and incorporated into the corporate limits of the Petitioner. Petitioner shall pay all costs of these proceedings.

Enter this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

**AFFIDAVIT**



IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: Petition for Annexation By Minor Boundary Adjustment  
City of Vienna, a Municipal Corporation  
(a tract of land located in the Southwest corner of the intersection of 12th  
St. and Grand Central Avenue, containing approximately 1.432-A,  
Parkersburg District, Tract 142, parcel 24)

AFFIDAVIT

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

This day, before the undersigned authority, personally appeared  
DUANE FLUTY, Affiant herein, who, after having been first duly sworn according to law,  
deposes and says as follows, to-wit:

1. Affiant is the duly appointed and acting Code Enforcement Officer of the City of Vienna, West Virginia, a municipal corporation.
2. On the 5<sup>th</sup> day of January, 2012, Affiant caused to be prominently posted at five (5) public places WITHIN the property to be annexed copies of the attached Notice, marked as Exhibit "A" at the real estate, set forth and described in the Petition for Annexation by Minor Boundary Adjustment filed herein.
3. And further, Affiant sayeth naught.

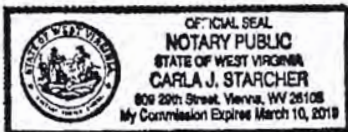
  
DUANE FLUTY

Taken, subscribed and sworn to before me, a Notary Public, by DUANE FLUTY,  
on this 5<sup>th</sup> day of January, 2012.



Notary Public

Affix Office Seal



IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: Petition for Annexation By Minor Boundary Adjustment City of Vienna, a Municipal Corporation (a tract of land located in the Southwest corner of the Intersection of 12th St. and Grand Central Avenue, containing approximately 1.432-A, Parkersburg District, Tract 142, parcel 24)

NOTICE OF HEARING

Notice is hereby given that a hearing will be held before the County Commission of Wood County, West Virginia on the 6th day of February, 2012 at 10:30 A.M., at the Commission Chambers located in the Wood County Courthouse, Parkersburg, West Virginia. Said hearing is upon the petition of the City of Vienna, a municipal corporation, to annex to its corporate limits that certain territory more particularly described as found in the Magisterial District of Parkersburg, Tax Map 142, Parcel 24, and more commonly referred to as a lot, consisting of 1.432 Acres, located in the southwest corner of the intersection of 12th St. and Grand Central Avenue; said property is entirely within the County of Wood, State of West Virginia. The territory sought to be annexed is more particularly described in the Petition for Annexation by minor boundary adjustment filed herein, a copy of which may be inspected during regular business hours at the Office of the Wood County Administrator, Wood County Courthouse, Parkersburg, West Virginia.

Dated this 4th day of January, 2012.

City of Vienna, A Municipal Corporation

By: /s/ Russell J. Skogstad, Jr. Its Attorney

Jan 7, 14

.....MARY J BUCK.....

Being first duly sworn, says that the

"NOTICE OF HEARING".....

Hereto attached was printed in the

..XX..The Parkersburg News and Sentinel,

.....The Marietta AM,

A daily newspaper published in the City of Parkersburg, Wood County, West Virginia, for ...TWO.... successive Week(s), the first publication and posting thereon being on the .....7TH..... day of ...JANUARY..... 2012..., and subsequent publication on the .....14TH..... day (s) of ...JANUARY..... 2012....

Printer's Fee \$...79.63...

Notarized Signature \$...2.00...

Additional Copy Fee \$.....

Total Due: \$....81.63...

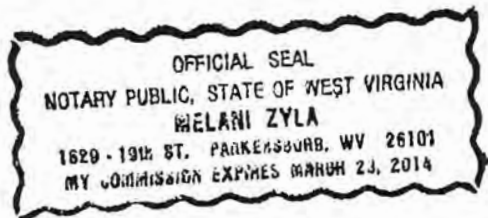
By: *Mary J Buck*

Subscribed and sworn to before me this

*16th* day of *February*, 20*12*.

*Melani Zyla*  
Notary Public for Wood County, West Virginia

My commission expires .....*3-23-14*.....





MAP





PROPERTY TO BE ANNEXED BY VIENNA, WEST VIRGINIA

Being a tract of land located in the southwest corner of the intersection of 12<sup>th</sup> Street and Grand Central Avenue (WV State Route 14) in Parkersburg, Wood County, West Virginia and more particularly described as follows:

Beginning at a drill hole at the intersection of the southerly right of way line of 12<sup>th</sup> Street and the westerly right of way line of Grand Central Avenue (WV State Route 14); thence, with said westerly right of way line South 06°32'45" East, 417.98 feet to a found rebar; thence, leaving said right of way line, North 62°39'47" West, 226.91 to the east right of way line of the Baltimore and Ohio Railroad Company as recorded in D.B 49, Pg 166 and D.B. 53, Pg. 252 from which a found ½" rebar bears South 62°39'47" East, 0.40 feet; thence, with said right of way line and a curve turning to the left with an arc length of 377.80 feet, a radius of 2979.60 feet and a chord bearing of North 04°19'27" East, 377.54 feet to a found railroad spike in the southerly right of way line of 12<sup>th</sup> Street; thence, leaving said rail road right of way line and with the southerly right of way line of 12<sup>th</sup> South 62°27'45" East, 141.48 feet to the Point of Beginning and containing 62,408 square feet (1.432 acres).

Being Parcel 24 on Tax Map 142, Parkersburg District, Wood County, West Virginia and the property conveyed to the First Federal Savings Bank of Sistersville of record in D.B. 1089, Pg. 14.

NOTICE



**IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA**

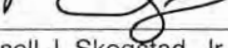
IN RE: Petition for Annexation By Minor Boundary Adjustment  
City of Vienna, a Municipal Corporation  
(a tract of land located in the Southwest corner of the intersection of 12th  
St. and Grand Central Avenue, containing approximately 1.432-A,  
Parkersburg District, Tract 142, parcel 24)

**NOTICE OF HEARING**

Notice is hereby given that a hearing will be held before the County Commission of Wood County, West Virginia on the 6th day of February, 2012 at 10:30A.M, at the Commission Chambers located in the Wood County Courthouse, Parkersburg, West Virginia. Said hearing is upon the petition of the City of Vienna, a municipal corporation, to annex to its corporate limits that certain territory more particularly described as found in the Magisterial District of Parkersburg, Tax Map 142, Parcel 24, and more commonly referred to as a tct. consisting of 1.432 Acres, located in the southwest corner of the intersection of 12th St. and Grand Central Avenue; said property is entirely within the County of Wood, State of West Virginia The territory sought to be annexed is more particularly described in the Petition for Annexation by minor boundary adjustment filed herein, a copy of which may be inspected during regular business hours at the Office of the Wood County Administrator, Wood County Courthouse, Parkersburg, West Virginia.

Dated this 4th day of January, 2012

City of Vienna,  
A Municipal Corporation

By:   
\_\_\_\_\_  
Russell J. Skogstad, Jr.  
Its Attorney

PETITION



☐ ☐

**IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA**

IN RE: Petition for Annexation By Minor Boundary Adjustment  
City of Vienna, a Municipal Corporation  
(a tract of land located in the Southwest corner of the intersection of 12th  
St. and Grand Central Avenue, containing approximately 1.432-A,  
Parkersburg District, Tract 142, parcel 24)

Now comes the City of Vienna, a municipal corporation, by Russell J. Skogstad, Jr., its attorney, pursuant to West Virginia Code § 8-6-5, as amended, and respectfully represents to the Commission as follows, to-wit:

1. Petitioner is a municipal corporation located wholly within the County of Wood, State of West Virginia and is authorized by law to seek the relief requested in this petition.
2. Petitioner petitions this Commission for annexation by minor boundary adjustment of the territory more particularly shown upon the attached plat, designated as Exhibit "B", and by reference made a part hereof.
3. The territory sought to be annexed consists of that certain lot, tract, or parcel as set out in the Magisterial District of Parkersburg, Tax Map 142, Parcel 24, and more commonly referred to as a tct. consisting of 1.432 Acres, located in the southwest corner of the intersection of 12th St. and Grand Central Avenue; said property is entirely within the County of Wood, State of West Virginia;
4. The territory sought to be annexed, more particularly described above, is located adjacent to property owned by:
  1. Baltimore and Ohio Railroad Company, DB 49/166 and 53/252, 50' Right of Way on the Westernmost border of the lot, CSX Transportation, Inc., Corporate Headquarters, 500 Water Street, 15th Floor, Jacksonville, FL 32202, 904-359-3200
  2. Monster Properties, LLC, 1009 Grand Central Ave., Vienna, WV 26105
  3. First Federal Bank of Sistersville, 726 Wells St., Sistersville, WV 26175
  4. West Virginia Department of Transportation, Division of Highways, Right of Way Division, 1900 Kanawha Boulevard, East, Building 5, Room A-618, Charleston, WV 25305
  5. Twelfth St., Vienna, Wood County, West Virginia
  6. Grand Central Avenue, Wood County, West Virginia
5. The Territory to be annexed is further described as:
  - a. SEE ATTACHED EXHIBIT "A"

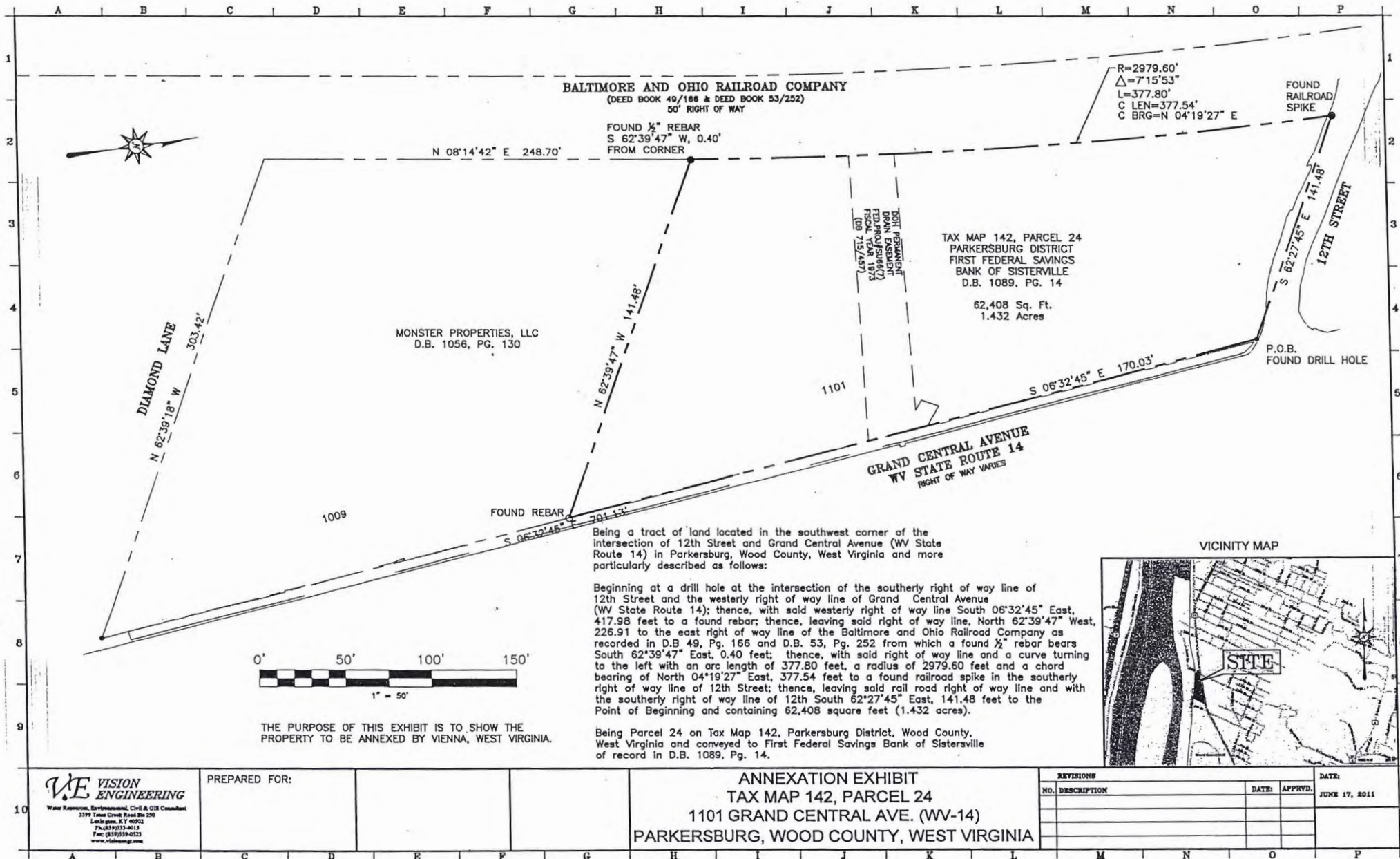
6. No business is located within the boundaries of said property.
7. No persons reside in the territory sought to be annexed.
8. All municipal services including police and fire protection will be provided within the territory sought to be annexed, and which are necessary for the provision of emergency services to properties now located within the corporate limits of Petitioner but are not entirely accessible through streets and highways now within said corporate limits. An example of such property is Ohio Valley College.
9. Petitioner believes that no adverse impact will occur as to solid waste collection or other related services if such annexation is approved.
10. Petitioner believes that no adverse impact will occur for fire protection insurance rates in the territory sought to be annexed nor will the proposed annexation have any adverse affect on Petitioner's finances and municipal services.
11. The proposed annexation and this petition meet all requirements of West Virginia Code § 8-6-5, as amended.
12. No adverse impact will occur to any person if the annexation requested herein is approved.
13. No portion of the territory proposed for annexation is located within the corporate boundaries of any other municipality.
14. The proposed annexation is in the best interest of the Petitioner and the County of Wood.
15. The owner of the Property to be annexed is: First Federal Bank of Sistersville, 726 Wells St., Sistersville, WV 26175.

Dated this 22nd day of December, 2011

City of Vienna  
A Municipal Corporation  
Petitioner

By: \_\_\_\_\_  
Russell J. Skogstad, Jr.  
Its Attorney





**VE VISION ENGINEERING**  
Water Resources, Environmental, Civil & GIS Consultant  
3399 Tame Creek Road Ste 200  
Leeds, MA 01046  
781-592-0111  
Fax: (508) 518-0223  
www.visioneng.com

PREPARED FOR:

**ANNEXATION EXHIBIT**  
**TAX MAP 142, PARCEL 24**  
**1101 GRAND CENTRAL AVE. (WV-14)**  
**PARKERSBURG, WOOD COUNTY, WEST VIRGINIA**

REVISIONS		DATE		DATE
NO.	DESCRIPTION	DATE	APPRVD.	
				JUNE 17, 2011

Exhibit "B"

PROPERTY TO BE ANNEXED BY VIENNA, WEST VIRGINIA

Being a tract of land located in the southwest corner of the intersection of 12<sup>th</sup> Street and Grand Central Avenue (WV State Route 14) in Parkersburg, Wood County, West Virginia and more particularly described as follows:

Beginning at a drill hole at the intersection of the southerly right of way line of 12<sup>th</sup> Street and the westerly right of way line of Grand Central Avenue (WV State Route 14); thence, with said westerly right of way line South 06°32'45" East, 417.98 feet to a found rebar; thence, leaving said right of way line, North 62°39'47" West, 226.91 to the east right of way line of the Baltimore and Ohio Railroad Company as recorded in D.B 49, Pg 166 and D.B. 53, Pg. 252 from which a found ½" rebar bears South 62°39'47" East, 0.40 feet; thence, with said right of way line and a curve turning to the left with an arc length of 377.80 feet, a radius of 2979.60 feet and a chord bearing of North 04°19'27" East, 377.54 feet to a found railroad spike in the southerly right of way line of 12<sup>th</sup> Street; thence, leaving said rail road right of way line and with the southerly right of way line of 12<sup>th</sup> South 62°27'45" East, 141.48 feet to the Point of Beginning and containing 62,408 square feet (1.432 acres).

Being Parcel 24 on Tax Map 142, Parkersburg District, Wood County, West Virginia and the property conveyed to the First Federal Savings Bank of Sistersville of record in D.B. 1089, Pg. 14.



**THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA**  
**APPLICATION FOR ANNEXATION BY MINOR BOUNDARY ADJUSTMENT**  
West Virginia Code, Chapter 8, Article 6, Section 5

**SECTION 1**

*The Petitioner, the City of Vienna, a municipal corporation within the County of Wood, State of West Virginia, hereby petitions the County Commission of Wood County, West Virginia, to annex certain property by minor boundary adjustment in accordance with the provisions of West Virginia Code, Chapter 8, Article 6, Section 5.*

**SECTION 2**

*The territory to be annexed is located in the Magisterial District of Parkersburg, more particularly described as follows:*

**See Attached Exhibit A**

*The property to be annexed appears on the Tax Maps recorded in the office of Clerk of the Wood County Commission in Parkersburg District Tax Map 142, Parcel Number 24.*

*Attached hereto as **Exhibit B** is an accurate map showing the metes and bounds of the territory proposed to be annexed and the manner in which the property is to be contiguous to the existing boundary of the municipality.*

Is the property proposed to be annexed presently contiguous to the existing boundary of the municipality? YES NO

**SECTION 3**

*There is attached hereto an identification of all affected parties to the proposed annexation, including:*

1. *An identification of all firms, corporations, and/or entities who operate any business or commercial enterprise within the territory proposed to be annexed, and the respective addresses of such businesses or commercial enterprises.*
  - None; this will serve as the parking lot to Cheddar's Restaurant that will be located on an adjacent parcel; Grand Central Avenue, Vienna, WV 26105.
2. *An identification by name and address, of all persons known to reside in the territory proposed to be annexed.*
  - There are no persons who reside within the territory.
3. *Identification, by name and address, of all persons or entities who own an interest in real estate located within the territory proposed to be annexed;*
  - P. Lee Greer, Greer Land Co-Restaurants, LLC, 3620 Walden Drive, Suite 200, Lexington, KY 40517
4. *Identification, by name and address, of all persons or entities who own property abutting property in the territory proposed to be annexed:*

1. Baltimore and Ohio Railroad Company, DB 49/166 and 53/252, 50' Right of Way on the Westernmost border of the lot, CSX Transportation, Inc., Corporate Headquarters, 500 Water Street, 15th Floor, Jacksonville, FL 32202, 904-359-3200
2. Monster Properties, LLC, 1009 Grand Central Ave., Vienna, WV 26105
3. First Federal Bank of Sistersville, 726 Wells St., Sistersville, WV 26175
4. West Virginia Department of Transportation, Division of Highways, Right of Way Division, 1900 Kanawha Boulevard, East, Building 5, Room A-618, Charleston, WV 25305

#### **SECTION 4**

*The plan of the Petitioner for providing the territory proposed to be annexed with all applicable public services, including police and fire protection, public water and sewer services, street maintenance services, and solid waste collection (including to what extent the public services will be provided by a private solid waste collection service or a public service district) is as follows:*

All municipal services including police and fire protection will be provided within the territory sought to be annexed. As it is currently situated, the tract is currently surrounded on all sides by the City of Vienna, though the parcel itself is technically under the jurisdiction of the County.

#### **SECTION 5**

*In the event the petitioner intends to choose not to utilize current service providers, a statement of the impact of the annexation on any private solid waste collection service or public service district currently doing business in the territory proposed to be annexed must be made, which is as follows:*

Petitioner believes that no adverse impact will occur as to solid waste collection or other related services if such annexation is approved.

#### **SECTION 6**

*Petitioner hereby represents that the impact of the annexation of fire protection and fire insurance rates in the territory proposed for annexation is as follows:*

Petitioner believes that no adverse impact will occur for fire protection insurance rates in the territory sought to be annexed nor will the proposed annexation have any adverse affect on Petitioner's finances and municipal services.

#### **SECTION 7**

*Petitioner hereby represents that the proposed annexation will affect the finances and services of the municipality as follows:*

The affect of adding this property is minimal with respect to the City of Vienna's finances and provision of services as the City of Vienna already has within its limits a number of businesses of similar size and character. Further, as this is planned as a parking lot, more or less, that is to service a business already contained within the City, the City of Vienna is prepared and equipped to accommodate this business in the same fashion.

#### **SECTION 8**



*Please describe how the municipality believes the proposed annexation is in the best interest of Wood County as a whole.*

Responsibility for fire and police protection would be transferred from Wood County to the City of Vienna. Due to the proximity of the property in relation to City's boundaries, the location of this property in relation to other properties already within the corporate limits, it would be easier for the City to offer Sanitation, Fire, Police, and other Emergency Services to this property, relieving the County of the burden.

*Please provide any additional information the municipality believes would be relevant to assist the County Commission in determining whether the proposed annexation should be granted.*

The property owner has expressed an interest in and has requested this property be annexed by the City of Vienna.

**SECTION 9**

*Please provide a professionally surveyed GIS Map of the area to be annexed.*

See attached Exhibit B.

**SECTION 10**

*The undersigned municipality hereby represents that the proposed annexation meets the requirements of the provisions of West Virginia Code, Chapter 8, Article 6, Section 5 relating to minor boundary adjustments.*

MUNICIPALITY:

\_\_\_\_\_  
By Its attorney, Russell J. Skogstad, Jr.

**ORDER TO FILE AFFIDAVIT OF PUBLICATION**





IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: Petition for Annexation  
By Minor Boundary Adjustment  
City of Vienna, a Municipal Corporation  
(a tract of land located in the Southwest corner of the intersection of 12th St. and Grand Central Avenue, containing approximately 1.432-A, Parkersburg District, Tract 142, parcel 24)

ORDER

This 19th day of December, 2011, came the Petitioner, City of Vienna, a Municipal Corporation, by and through Russell J. Skogstad, Jr., its attorney, and tendered and asked leave to file its Peitition for Annexation by Minor Boundary Adjustment pursuant to West Virginia Code § 8-6-5, as amended.


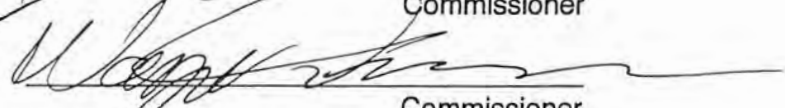
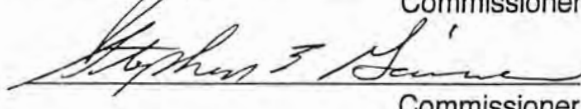
WHEREUPON, and after having reviewed said Petition it hereby found that same meets the requirements of West Virginia Code § 8-6-5, and accordingly, it is hereby ORDERED FILED.

IT IS FURTHER ORDERED that a hearing upon said Petition shall be held before the Commission, in chambers at the Wood County Courthouse, Parkersburg, West Virginia, on

February 6, 2012 (1030AM)  
~~1030AM~~

IT IS FURTHER ORDERED that the Petitioner shall cause a Notice of Hearing to be published in accordance with West Virginia Code § 8-6-5, as amended and that the Notice of Hearing shall be prominently posted at not less than five public places within the area proposed to be annexed.

ENTER:

  
\_\_\_\_\_  
Commissioner  
  
\_\_\_\_\_  
Commissioner  
  
\_\_\_\_\_  
Commissioner

2/16/12  
26/21


STATE OF WEST VIRGINIA  
COUNTY OF WOOD

} TO-WIT:

I, Debora Dotson, 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 part time dispatcher 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.

Debora Dotson

Subscribed and sworn to, before County Commission of Wood County, West Virginia, this 16th day of February, 2012.

  
County Commission of Wood County