

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

IN RE: MINUTES OF MEETING HELD
THURSDAY, SEPTEMBER 18, 2014

PRESENT: WAYNE DUNN, PRESIDENT
STEPHEN GAINER, COMMISSIONER
DAVID BLAIR COUCH, 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 September 15, 2014.

William "Bill" Summers was sworn in as a member of the Wood County Fire Board and a member of the Wood County Alternative Transportation System Council.

Emily Larkins and Jason Wharton were sworn in as members of the Wood County Community Corrections Board.

AGENDA AND DISCUSSION ITEMS

At 9:30 A.M., Terry Hefner and Vienna Fire Chief Scott Scholl met with the commission to coordinate the initial meeting of the Wood County Fire Board. The County Commission asked Mr. Hefner to coordinate the first meeting by contacting all the members. They agreed they will submit an agenda prior to them meeting so it can be properly noticed. Mr. Hefner also asked about a possible conflict with the appointment Wayne Dunn made to the

Committee. He was told that Wood County Prosecuting Attorney, Jason Wharton, and the Commission were assured there is no conflict.

At 9:48 A.M., the County Commission held a hearing in regard to the Estate of Thelma M. Scott, deceased. James G. Scott, Executor, and his Attorney, Gerald W. Townsend, presented his Motion to Approve the Final Report, to close the insolvent estate and discharge him from further duty as Executor and to release his bond, if any. The County Commission Ordered the Final Report be approved; the claims disallowed, the estate is closed and the Executor is discharged and any bond is hereby released. Information in regard to this estate is on file in the Probate Office. (Probate Order)

The 10:00 A.M. hearing in regard to the Kenneth C. Jones estate was cancelled at the request of the Petitioner, Christina Jones.

At 10:15 A.M., the County Commission held a hearing in regard to the Estate of Virginia Schaefer. Barba A. Riggs, beneficiary, objected to the appraisement and inventory and the amended appraisement and inventory filed by Katheryn Leavitt Albright, Executrix. Attorney William Chrichton, representing the Executrix, stated the estate will be settled when the taxes are filed at the end of the year. The County Commission Ordered that the estate remain as is. Information in regard to this estate is on file in the Probate Office. (Probate Order)

At 10:45 A.M., the County Commission held a hearing in regard to the Estate of Susan K. Yarzab. Mary Miller, Administratrix, along with her Attorney, George Zivkovich, asked that claims be disallowed due to insufficient funds. The County Commission approved the request. Information in regard to this estate is on file the Probate Office. (Probate Order)

At 11:23 A.M., the County Commission went into Executive Session under WV Code, Chapter 6, Article 9A-4, Section 2a. They adjourned said Executive Session at 11:43 A.M. (Order M/2896)

ORDERS APPROVED AND ATTACHED TO THESE MINUTES

M/2895, M/2896 and M/2910

Having no further scheduled appointments or business to attend to, the County Commission adjourned at 11:50 A.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



Wayne Dunn, President



Stephen Gainer, Commissioner



David Blair Couch, Commissioner

To listen to this meeting, please refer to DVD labeled September 18, 2014.

Wood County Commission Meeting
Held September 18, 2014

Please Print

1.	TERRY HEFNER
2.	Steve Scholl
3.	Jerry Townsend
4.	James G. Scott
5.	Debi Riggs Maynard
6.	Barbara Riggs
7.	Lea Crichton
8.	Kathleen Albright
9.	Robin Baylors
10.	Kitty Munday
11.	Don Zuni
12.	Mary W. Miller
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	



Wood County Commission Agenda

9/18/2014

1 Court Square, Suite 203
Parkersburg, WV 26101

9:30 A.M.	Discuss County Fire Board	Terry Hefner
9:45 A.M.	Estate of Thelma M. Scott – request to have claims disallowed	Gerald Townsend, Attorney
10:00 A.M. <i>CANCELLED</i>	Estate of Kenneth C. Jones – heir doesn't agree with assets that are being recorded by the Administratrix	Christina Jones, heir
10:15 A.M.	Estate of E. Virginia Schaefer – heir objecting to appraisal	Barbara Ann Riggs, heir
10:30 A.M.	Estate of Susan K. Yarzab – request to have claims disallowed	George Zivkovich, Attorney
10:45 A.M. <i>CANCELLED</i>	Estate of Kendrick L. Baker, aka Fetti James – request that Avery Birdine be allowed to qualify in will waiving bond	Avery Birdine
	Administrator's Report	Marty Seufer, County Administrator
	County Commissioner's Reports	

Discussion, Review and Approval of expenditures and disbursements identified on Exhibit 1, hereto attached

Correspondence for this meeting will be available for public review during regular office hours in Room 205 of the Wood County Courthouse two (2) days prior to the meeting

Exhibit 1

Discussion, Review and Approval of the following items may be included during this meeting and are available for public inspection in the Office of the County Administrator two days prior to this meeting.

Budget revisions

Purchase orders and requisitions

Revisions, reimbursement requests, resolutions and correspondence for grants

Grant disbursements to other entities

Invoices for expenditures to be paid

Reimbursements for travel expenses

Bid specifications and procedures for bids previously authorized by the Commission

Monthly Hotel Occupancy Tax Collection disbursements

Disbursements for previously approved Innovative Programming Grants

Tax refunds, exonerations, improprieties and consolidations

Probate items, including settlements, petitions and Fiduciary Commissioner reports

General Fund disbursements to entities

Funding requests from local organizations by written form

Payroll modification as submitted by elected officials

SEPTEMBER 18, 2014

9/18/14
70/539

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 \$10,534.74
WHICH REPRESENTS REIMBURSEMENT IN REGARD TO THE
FORT BOREMAN TRAIL GRANT #S354-FOR/TB-1.00

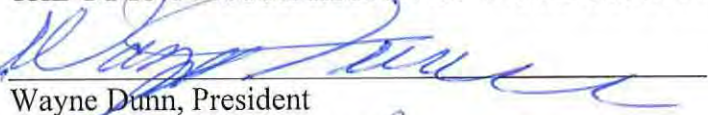
ORDER

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 ten thousand five hundred thirty-four dollars and seventy-four cents (\$10,534.74) which represents reimbursement to Wood County for expenses incurred during the month of July, 2014 in regard to the Fort Boreman Trail Grant Number S354-FOR/TB-1.00. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 70, at Page 527 and bearing the date of August 21, 2014 at which time Wayne Dunn, 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 Fort Boreman Trail Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


Wayne Dunn, President


Stephen Gainer, Commissioner


David Blair Couch, Commissioner

M/2895

SEPTEMBER 18, 2014

EXECUTIVE SESSION OF THE WOOD COUNTY COMMISSION

This 18th day of September, 2014, at 11:23 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 Stephen 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:

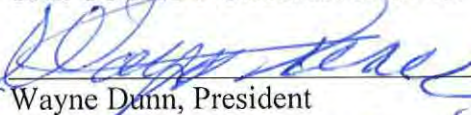
WHEREUPON, the said Stephen Gainer, one of the Commissioners, Wayne Dunn, President of said Commission, and David Blair Couch, Commissioner met with Marty Seufer, County Administrator.

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 (2a).

The Commission having concluded said discussion, the said EXECUTIVE SESSION adjourned at 11:43 o'clock A.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


Wayne Dunn, President


Stephen Gainer, Commissioner


David Blair Couch, Commissioner

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION ORDERED THAT THE NEW ROAD NAME REQUEST FORM FROM MARK A. MONDO BE APPROVED. THE NEW ROAD NAME WILL BE HARBOR DRIVE.

ORDER


The County Commission of Wood County was in receipt of a New Road Name Request Form from Mark A. Mondo, to name a road HARBOR DRIVE. 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 HARBOR DRIVE is located at the intersections of River Road and Williams Highway in Williams District, Tax Map 130, Parcel B. The request by Mark A. Mondo 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 Mark A. Mondo, 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 Wayne Dunn, seconded by Stephen Gainer and made unanimous by David Blair Couch, does hereby ORDER that the aforementioned road be named HARBOR DRIVE. The County Commission does further ORDER that a copy of this ORDER, along with the New Road Name 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


Wayne Dunn, President


Stephen Gainer, Commissioner


David Blair Couch, Commissioner

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

WOOD COUNTY 9-1-1

NEW ROAD NAME REQUEST FORM

Applicant Name: Mark A. MondoApplicant Phone #: 740 373 9235Property Owner Name: MARK A. MondoCurrent Road Name or Highway Number, if any: NONETax District: WILLIAMS

Tax Map #:

Parcel #:

Describe Physical Location: ROAD TRAVELING WEST AT INTERSECTIONS OF RIVER ROAD AND WILLIAMS HIGHWAYList Three Road Name Suggestions: 1st HARBOR WAY DRIVE *
2nd HARBOR DRIVE WAY
3rd HARBOR LANE

Please prioritize.

Signature of Applicant: Mark A. Mondo

OFFICIAL USE ONLY

Coordinated with the Map Processor:

Processor Signature: Duane E. Jordan

Process Date:

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 #

New Road Name

W-5-0c

JULY TERM

THURSDAY, SEPTEMBER 18, 2014
SIXTEENTH DAY

SEPTEMBER 2014

At a Regular Session of the County Commission, continued and held for the County of Wood, at the Courthouse thereof, Thursday, September 18, 2014, Present, Wayne Dunn, President of said Commission, Stephen Gainer and David Blair Couch, Commissioners.

The orders and proceedings of the previous sessions of this Commission, held on Monday, September 15, 2014, were read before the County Commission, approved and ordered signed.

IN RE: ESTATE OF THELMA MADELINE SCOTT, DECEASED. (ORDER COUNTY COMMISSION-DISALLOW
CLAIMS)

ORDER

This 18th day of September, 2014, came JAMES G. SCOTT, Executor, of the Estate of Thelma Madeline Scott, Deceased, and presented his Motion to Approve Final Report, to Close the Insolvent Estate and Discharge him from further duty as Executor, and to release his bond, if any.

ORDERS-Wood County Commission, West Virginia

THURSDAY, SEPTEMBER 18, 2014
Day

JULY

Term,

SIXTEENTH

SEPTEMBER 20 14

CASTO & HARRIS, INC., SPENCER, WV RE-ORDER NO. 10856A-13

Appearing on behalf of movant was his attorney, Gerald W. Townsend.

Findings of Fact

From the records and evidence at hearing the County Commission finds the following facts to be true:

1. The probate estate of Thelma Madeline Scott, Deceased, consisted solely of real estate and tangible personal property;
2. The Executor exhausted all of the assets of the probate estate by payment of:

CLASS 1 PRIORITY Costs of Administration	\$	308.00	
CLASS 2 PRIORITY Reasonable Funeral Expenses	\$	<u>4,132.70</u>	
TOTAL PRIORITY DISBURSEMENTS			\$4,440.70

Class 7 Priority: All other claims:

Claimant

Amount of Claim

- | | | | |
|--|----|-----------------|--|
| 1. Monongahela Power Company, Delaware (utility)
c/o Waltman, Weinberg, Reis, Co., LPA
323 W. Lakeside Avenue, Suite 200
Cleveland, Ohio 43068-6370 | \$ | 3,872.44 | |
| 2. Midland Funding LLC, GE Moneybank (credit card)
c/o Estate Information Services, LLC
P. O. Box 1370
Reynoldsburg, Ohio 43068-6370 | \$ | 612.45 | |
| 3. Chase Bank USA, N.A.
c/o Estate Information Services, LLC (credit card)
P. O. Box 1370
Reynoldsburg, Ohio 43068-6370 | \$ | <u>1,101.13</u> | |

Total unsecured and unpaid Claims	\$5,586.02
-----------------------------------	------------

CLASS 7

All of creditors' unsecured Proofs of Claim noted above in the total sum of \$5,586.02 were filed by each of them, and each were notified by Certified Mail, Return Receipt Requested, at their proper addresses, of the hearing upon Motion of Executor. Total Unpaid Claims Against Estate which the estate has no funds to pay. \$ 5,586.02

Conclusions of Law

The Commission makes the following Conclusions of Law:

1. This estate is insolvent.
2. The Executor has applied the assets of the Probate Estate to payment of debts of the estate in their proper priority of payment as required by West Virginia Code Section 44-2-21.
3. The unpaid Proofs of Claim of Monongahela Power Company, Delaware (utility); Midland Funding LLC, GE Moneybank (credit card); and Chase Bank USA, N.A.; and which have been filed but not paid are of inferior priority to the debts of the estate which were paid. The estate is insolvent; said unpaid Proof of Claim should be abated; and, this estate should be closed without payment or release of said filed Proofs of Claim because there are no assets in the probate estate from which to pay said claims.

Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commission does hereby ORDER:

1. The Final Report of James G. Scott, Executor of the Estate of Thelma Madeline Scott, Deceased, be approved;
2. The Class Seven claims listed in the Findings of Fact above, are abated;
3. The Estate of Thelma Madeline Scott, Deceased, is closed; and,
4. The Executor is discharged and any bond is hereby released.

ENTER this 18th day of September, 2014

s/ Wayne Dunn, President

Commissioner

s/ Stephen E. Gainer

Commissioner

s/ David Couch

Commissioner

Order submitted by

s/ Gerald W. Townsend

Gerald W. Townsend

Counsel for Executor, James G. Scott

Fluharty & Townsend

417 Grand Park Drive, Suite 101

Parkersburg, WV 26105

ESTATE OF E. VIRGINIA SCHAEFER, DECEASED. (ORDER COUNTY COMMISSION-ESTATE IS TO REMAIN AS IS)

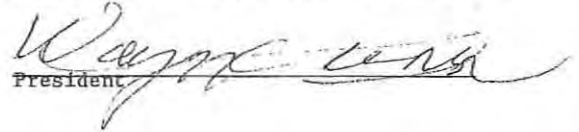
This day came Barbara Ann Riggs, beneficiary to the Estate of VIRGINIA SCHAEFER, deceased, before the County Commission in a hearing, objecting to the appraisal and inventory, and the amended appraisal and inventory filed and recorded by Kathryn Leavitt Albright, Executrix of said Estate. The County Commission, after hearing testimony from each person present, ruled the Estate is to remain as is.

ESTATE OF SUSAN K. YARZAB, DECEASED. (ORDER COUNTY COMMISSION-DISALLOW CLAIMS)

This day came MARY W. MILER, ADMINISTRATRIX of the Estate of SUSAN K. YARZAB, deceased, along with counsel, George Zivkovich, before the County Commission, in a hearing asking that claims be disallowed in said Estate. The County Commission after reviewing said appraisal and inventory, ruled that claims be disallowed, due to insufficient funds in said Estate.

The County Commission ordered that if any additional funds come into the Estate, the Estate will be required to be re-opened.

There appearing no further business to claim the attention of this Commission, it is hereby ordered that Commission, do now adjourn to meet in Regular Session, Monday, September 22, 2014, at 9:30 o'clock A. M.

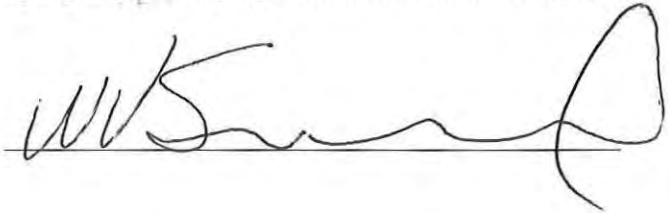

President

9/18/14
70/525

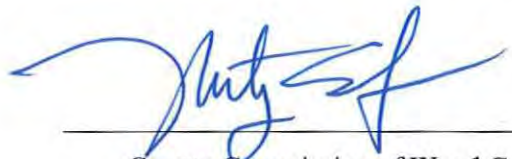
STATE OF WEST VIRGINIA
COUNTY OF WOOD

} TO -WIT:

I, William Summers, 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 member of the Wood County Alternative Transportation System Council 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.



18th day of August 2013 Subscribed and sworn to, before County Commission of Wood County, West Virginia, this



County Commission of Wood County

9/18/14
70/538

STATE OF WEST VIRGINIA
COUNTY OF WOOD

}

TO -WIT:

I, Emily Larkins, 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 Community Corrections Board, 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.

Emily S. Larkins

Subscribed and sworn to, before County Commission of Wood County, West Virginia, this 18th day of September, 2014.

[Signature]

County Commission of Wood County

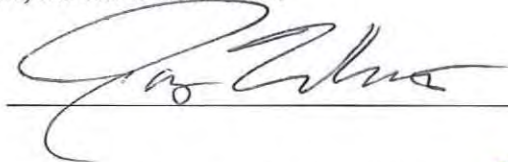
9/18/14
70/538

STATE OF WEST VIRGINIA
COUNTY OF WOOD

}

TO -WIT:

I, Jason Wharton, 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 Community Corrections Board, 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 18th day of September, 2014.

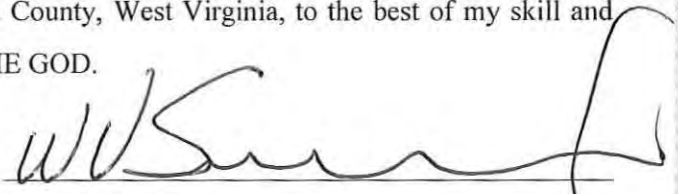

County Commission of Wood County

8/18/14
70/525

STATE OF WEST VIRGINIA
COUNTY OF WOOD

} TO -WIT:

I, Bill Summers, 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 Fire Board, 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 18th day of AUGUST, 2014.


County Commission of Wood County