

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

#1 COURT SQUARE, SUITE 203
PARKERSBURG, WV 26101

IN RE: MINUTES OF MEETING HELD
MONDAY, NOVEMBER 9, 2015

PRESENT: STEPHEN GAINER, PRESIDENT
DAVID BLAIR COUCH, COMMISSIONER
ROBERT K. TEBAY, 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.

AGENDA AND DISCUSSION ITEMS

At 9:30 A.M., Paula Loudon took her oath of office as a 2nd Assistant County Coroner.

The Homeland Security Grant for radio equipment at the 911 Center was cancelled at the request of Emergency Services Director, Ed Hupp.

At 9:33 A.M., the County Commission met with the Commission regarding a property he purchased at the Sheriff's Tax sale that he believes to be erroneous. Assessor Rich Shaffer stated this property is not an erroneous assessment, but is one third interest in the property. The County Commission authorized a refund in the amount of \$500.00. (Order M/3234-A)

At 9:50 A.M., the County Commission approved the hiring of Thomas Stines into the 911 Center; Jeff Delancey from full time General Support worker to full time Case Manager at the Day Report Center and Thomas Kuczko as a Wood County Maintenance worker.

At 9:52 A.M., the County Commission discussed the leases for the Day Report Center lessee's leases. Commissioner Couch and Marty Seufer, County Administrator had discussed the leases with the parties involved.

At 10:00 A.M., the County Commission met with Attorney Blaine Myers who submitted a petition for annexation of land on behalf of the City of Williamstown.

At 10:07 A.M., the County Commission met with Jason Wharton, Prosecuting Attorney, to discuss the Westbrook lease. He stated the term of the lease has been drafted for 5 years instead of 30 years. He reserved the right for the Commission to terminate the lease in their annual order. They authorized the agreement be presented to Westbrook. (Order M/3234)

At 10:18 A.M., the County Commission stated the County Prosecuting as well as the County Administrator be named as the parties having access to the Secretary of State Freedom of Information Act database being established January 1, 2016. (Order M/3234-B)

ORDERS APPROVED AND ATTACHED TO THESE MINUTES

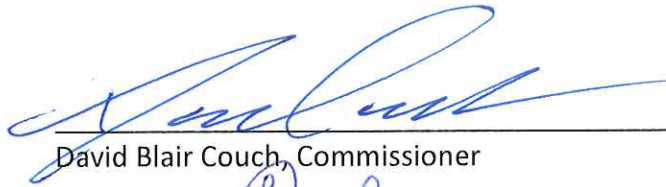
M/3234, M/3234-A, M/3234-B

Having no further scheduled appointments or business to attend to, the County Commission adjourned at 10:32 A.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


Stephen Gainer, President



David Blair Couch, Commissioner



Robert K. Tebay, Commissioner

To listen to this meeting, please refer to DVD labeled November 9, 2015.

Wood County Commission Meeting
Held November 9, 2015

Please Print

| | | |
|-----|----------------------|----------|
| 1. | Michael St. Clair | Coroner |
| 2. | Paula "Rocki" Loudon | |
| 3. | John Loudon | |
| 4. | Brian Aluise | |
| 5. | Ruth Shaff | Assessor |
| 6. | D. R. [Signature] | |
| 7. | Joyce Parsons | |
| 8. | Mark Parsons | |
| 9. | Blaine Myers | |
| 10. | Jason Wharton | |
| 11. | | |
| 12. | | |
| 13. | | |
| 14. | | |
| 15. | | |
| 16. | | |
| 17. | | |
| 18. | | |
| 19. | | |
| 20. | | |



Wood County Commission Agenda

11/9/2015

1 Court Square, Suite 203
Parkersburg, WV 26101

| | | |
|------------|--|--|
| 9:30 A.M. | Swearing in Paula Loudon as 2 nd Assistant County Coroner | |
| | Consider Homeland Security Grant for radio equipment | Ed Hupp, Emergency Management Director |
| | Discuss citizen complaint regarding erroneous tax sale | David Jones |
| 10:00 A.M. | Public Hearing on Petition for Annexation – Williams District – Map 50, Parcels C2 and C3 | C. Blaine Myers |
| | Consider Request to Hire of Thomas Stines as a telecommunicator - \$29,034.72/yr | |
| | Consider Request to Hire Thomas Kuczko as a Maintenance employee - \$22,000.00/yr | |
| | Consider Request to Hire Jeff DeLancey as full-time Case Manager for Wood County Day Report Center - \$27,000/yr | |
| | Discuss DRC building leases | |
| | Westbrook lease agreement | |
| | Administrator's Report | Marty Seufer, County Administrator |
| | County Commission 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

11/9/15
71/131

NOVEMBER 9, 2015

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE A
LEASE FOR WESTBROOK HEALTH SERVICES, INC.

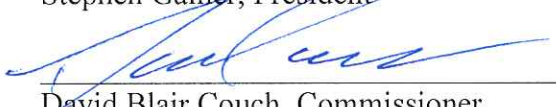
ORDER

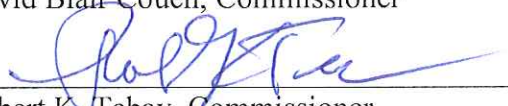
On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Robert K. Tebay and made unanimous by Stephen Gainer, did hereby AUTHORIZE a lease agreement to be presented to Westbrook Health Services, Inc. for property located at 1011 Mission Drive in Parkersburg, West Virginia.

Sincerely,

THE COUNTY COMMISSION OF WOOD COUNTY


Stephen Gainer, President


David Blair Couch, Commissioner


Robert K. Tebay, Commissioner

M/3234

11/9/15
71/131

NOVEMBER 9, 2015

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE A
REFUND FOR THE ANNUAL SHERIFF'S TAX SALE

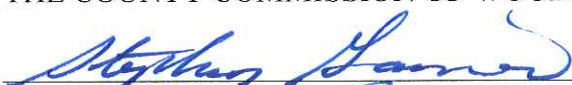
ORDER

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Robert K. Tebay and made unanimous by Stephen Gainer, did hereby AUTHORIZE a refund in the amount of five hundred dollars and zero cents (\$500.00) to David Jones and Martha Jones, 1088 Blennerhassett Heights, Parkersburg, West Virginia. Said refund is for a tract in Union District, Map 120, Parcel 00A1000 3002, which Mr. Jones considered an invalid tax lien on said property.

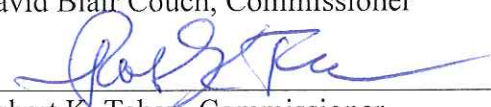
Attached are letters from the West Virginia State Auditor's Office and Attorney Robert B. Black, Parkersburg, West Virginia regarding said property.

Sincerely,

THE COUNTY COMMISSION OF WOOD COUNTY


Stephen Gainer, President


David Blair Couch, Commissioner


Robert K. Tebay, Commissioner

M/3234-A

OFFICE
SHERIFF AND TREASURER OF WOOD COUNTY
K.D. MERRITT
PO BOX 1985
PARKERSBURG WV 26102
ROBERT J TRANQUILL, CHIEF TAX DEPUTY

11/9/15
21/13/

304-424-1910

FAX 304-424-1958

November 5, 2015

Honorable Wood County Commission

Dear Sirs,

We are in need of either an exoneration or a check from the Wood County Commissions general fund in the amount of the difference total paid of \$500.00 on November 13, 2014. Copy of Certificate of Sale provided.

2013 Tax 10.36
Interest .88
Publications 60.00
Certified Letters 10.00
Certificate of Sale 10.00
Receipt Fee 1.00
2014 Tax \$11.00
103.24
Surplus 396.76

\$396.76 will be paid from the Tax Lien Fund and \$ 103.24 will need to be paid from exoneration or general fund.

We are in receipt of letter , provided, from State Auditor to reimburse all funds at time of sale as per code. Your decision is required to resolve this matter.

Thank you

Robert Tranquill
Robert Tranquill
Chief Tax Deputy

**Sign
Here**

[Handwritten signatures and initials]



State of West Virginia
Glen B. Gainer III

Office of the State Auditor
County Collections Division
1900 Kanawha Boulevard, East
State Capitol, Building 1, Suite W-118
Charleston, West Virginia 25305

State Auditor and
Commissioner of Delinquent
and Nonentered Lands

Toll Free: (888) 509-6568
Telephone: (304) 558-2262
Fax: (304) 558-4156
www.wvsao.gov

October 6, 2015

Honorable K. D. "Ken" Merritt
Sheriff and Treasurer of
Wood County
P O Box 1985
Parkersburg, WV 26102

Dear Sheriff Merritt:
Ref: 2014-S-208

Enclosed you will find information regarding property that had an erroneous, double or otherwise nonexistent assessment found on it. As the evidence submitted with the abstract or certificate of an attorney sent into our office.

Please refer to 11A-3-20 of the WV code on this issue to insure that the proper accounts are credited.

If you have any questions please don't hesitate to contact me.

Sincerely yours,

G. Russell Rollyson, Jr.

G. Russell Rollyson, Jr.
Deputy State Auditor

ROBERT B BLACK

Attorney-At-Law

1413 40TH ST

PARKERSBURG WV 26104-1126

September 29, 2015

ATTN TAX OFFICE

SHERIFF OF WOOD COUNTY

PO BOX 1985

PARKERSBURG WV 26102-1985

In Re:

Certificate 2014-S-208

District Union

Map 120

Parcel A1

OLD ST MARYS PIKE

TCT .552 OLD MARYS PIKE

Dear Sheriff:

The lien for ad valorem taxes for the year 2013 on the above described real estate was sold at auction on November 13, 2014 to Martha Jones and David Jones as shown by a "Certificate of Sale" attached hereto.

The property, the subject of the sale, was assessed twice for the year 2013 as follows:

2013 R 37673 MALLEY MICHAEL S P

2013 R 37145 HICKEY SHANE M;STARKEY RICHARD

While the assessment in the name of Malley was delinquent, the assessment in the name of Hickey, et al, was not. I certify that the State received all of the taxes it was entitled to on this property for the year 2013 and the lien for taxes sold was invalid.

There are two chains of title for the said property. I do not certify which is valid, only that, in my opinion, taxes on said property were not delinquent and the sale of the lien on said property was invalid.

Sincerely Yours,

15 OCT 5 PM 12:32



Robert B. Black

Bar # 353

Telephone Number ... 304-428-1836
robertblack38@gmail.com

CERTIFICATE OF SALE

Wood County, West Virginia

District: UNION

Certificate Number: 2014-S-208

West Virginia Code: §11A-3-14

CID Revised 09/1998

Memorandum of tax lien on real estate sold in the county of Wood County on this the 13th day of November, 2014 for the nonpayment of taxes charged thereon for the year 2013.

Tax Type: Real Estate

District: 09-UNION

Tax Year: 2013

Map: 120

Tax Ticket: 37673

Parcel: 00A10000 3002

Tax Name:

Property Description:

MALLEY MICHAEL S P
1404 AVERY ST
PARKERSBURG WV 26101

TCT .552 OLD ST MARYS PIKE

Taxes and additional Cost:

| | |
|-------------------------------|--------|
| Tax | 10.36 |
| Interest | 0.88 |
| May Publication 11A-2-13 | 20.00 |
| Certified Letters 11A-3-2 | 10.00 |
| September Publication 11A-3-2 | 25.00 |
| Sale Publication 11A-3-13 | 15.00 |
| Certificate of Sale 11A-3-14 | 10.00 |
| Surplus 11A-3-10 | 396.76 |
| Receipt Fee 59-1-14 | 1.00 |

Delinquent Due: 489.00

Subsequent Taxes: Tax Year 2014 Ticket 37747

| | |
|----------|-------|
| Tax | 11.06 |
| Discount | -0.14 |
| Interest | 0.08 |

Subsequent Due: 11.00

Total Bid: 500.00

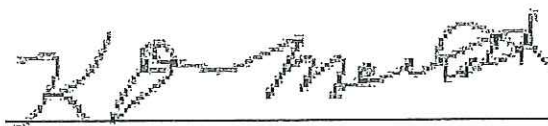
The above tax lien was purchased by **MARTHA JONES**, known as purchaser, at Wood County on the 13th day of November, 2014 and as such is entitled interest on taxes and interest paid at a rate of 1% per month from the date of sale to the date this property is redeemed.

Bidder Information: ID 5

MARTHA JONES
DAVID JONES
1088 BLENN HTS
PARKERSBURG WV 26101

15 OCT 5 PM 12:32

Given under my hand the 13th day of November, 2014.



K. D. Merritt, Wood County Sheriff

WV Code 11A-3-20 Refund to purchaser of payment made at sheriff's sale where property is subject of an erroneous assessment or is otherwise nonexistent. (West Virginia Code (2015 Edition))

If, by December 31 of the year following payment of the amount bid at a sheriff's sale, the purchaser discovers that the lien purchased at that sale is the subject of an erroneous assessment or is otherwise nonexistent, the purchaser shall submit the abstract or certificate of an attorney at law that the property is the subject of an erroneous assessment or is otherwise nonexistent. Upon receipt of the abstract or certificate, the sheriff shall cause any money paid to be refunded. Upon refund, the sheriff shall inform the assessor and the State Auditor of the erroneous assessment for the purpose of having the assessor correct the error. For failure to meet this requirement, the purchaser shall lose all benefits of his or her purchase.

888 509 6568

15 OCT 5 PM 12:32

11/9/15
71/131

NOVEMBER 9, 2015

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE THE
COUNTY ADMINISTRATOR AND THE PROSECUTING
ATTORNEY TO SUBMIT FOIA INFORMATION TO THE
SECRETARY OF STATE OFFICE

ORDER

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Robert K. Tebay and made unanimous by Stephen Gainer, did hereby AUTHORIZE the Wood County Administrator and the Wood County Prosecuting Attorney to access the Secretary of State's database for Freedom of Information Act (FOIA) requests.

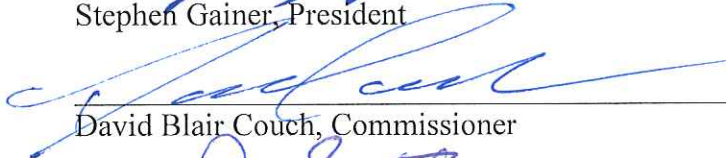
Said designation is in compliance with West Virginia Code Section 29-B-1-3a and is effective January 1, 2016.

Sincerely,

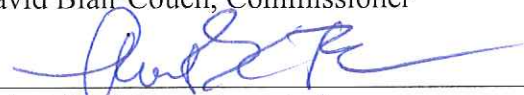
THE COUNTY COMMISSION OF WOOD COUNTY



Stephen Gainer, President



David Blair Couch, Commissioner



Robert K. Tebay, Commissioner

M/3234-B

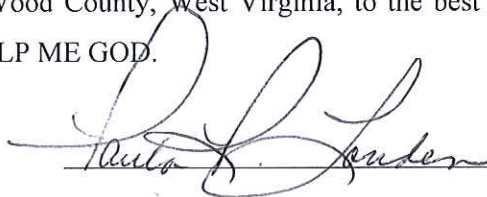
11/9/15
71131

STATE OF WEST VIRGINIA
COUNTY OF WOOD

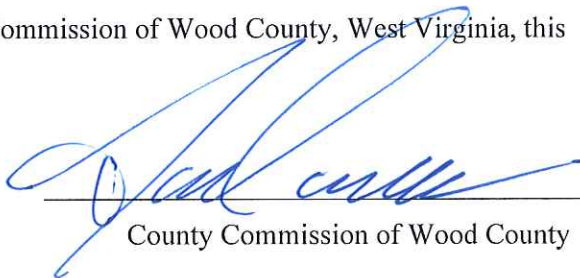
}

TO -WIT:

I, Paula R. Loudon, 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 2nd Assistant County Coroner 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 the County Commission of Wood County, West Virginia, this
9th day of November, 2015.



County Commission of Wood County