IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

#1 COURT SQUARE, SUITE 203 PARKERSBURG, WV 26101

IN RE: MINUTES OF MEETING HELD

THURSDAY, NOVEMBER 19, 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.

The County Commission approved Erroneous Assessment Applications in regard to real and personal property. Copies are attached to these minutes.

Kathy Stoltz was sworn in as a member of the Vienna Public Library Board.

Jeffrey McCrady was sworn in as a Humane Officer with the Humane Society of Parkersburg.

AGENDA AND DISCUSSION ITEMS

At 9:30 A.M., the County Commission approved the hiring of Austin McFee and Jeffrey Kidder as employees of the Wood County Sheriff's Department.

At 9:32 A.M., the County Commission approved Cyrus W. Romine as a part-time employee for the Wood County parking lot.

At 9:35 A.M., the County Commission discussed the Home Rule issue. No decisions were made.

At 9:45 A.M., the County Commission held a hearing in regard to the Holbert L. Prunty estate. Jeremiah Prunty requested that Kenna Prunty, Executor, be removed. After discussion, the County Commission moved that Kenna Prunty be removed and Jeremiah Prunty be appointed Executor d.b.n. Information in regard to this estate is on file in the Probate Office. (Probate Order)

At 10:15 A.M., the County Commission held a hearing in regard to the Ronald J. Buchanan estate. Shirley Hefner, Administratrix, via her attorney Gerald W. Townsend, presented her Motion to Approve Final Report to close the insolvent Estate and discharge her from further duty as Administratrix. After discussion, the County Commission Ordered the Final Report be approved; the claim is abated, the estate is closed and the Administratrix is hereby released. Information in regard to this estate is on file in the Probate Office. (Probate Order)

At 10:30 A.M., the County Commission held a hearing in regard to the Estate of John Dawkins. Kate Ash Dawkins, Executrix requested that a claim be disallowed. After review, the Commission ruled the claim be disallowed. Information in regard to this estate is on file in the Probate Office. (Probate Order).

At 11:00 A.M., the County Commission held a hearing in regard to the James M. Barker estate. Roger Gale Barker, beneficiary, objected to the appraisement and final settlement that Sharon Kay Joy, Executrix filed. After review, the County Commission ruled that the appraisement is correct and the final settlement be accepted. Information in regard to this estate is on file in the Probate Office. (Probate Order)

ORDERS APPROVED AND ATTACHED TO THESE MINUTES

Probate Orders

Having no further scheduled appointments or business to attend to, the County Commission adjourned at 11:37 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 19, 2015.

Wood County Commission Meeting Held November 19, 2015

Please Print

1. LATHLEEN STOLTZ
2. JEREMIAH PRUNTY
3. Geraldine Pranty
4. Darron Pount
5. GERALD W. Townsend (ru. Buchanan Estate)
6. Kate Dawkins
7. Sharon Jay
8. Pal Fryh
9. Roger Bur tres
10. James R. Barker
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Wood County Commission Agenda

11/19/2015 1 Court Square, Suite 203 Parkersburg, WV 26101

9:30 A.M.	Administrator's Report	Marty Seufer, County Administrator
	Consider Request to Hire Austin McFee and Jeffrey Kidder II as Deputies - \$32,603/00/yr	
	Consider Request to Hire Cyrus W. Romine as a Wood County Parking Lot attendant - \$8.00/hr	
	Discuss Home Rule (Tebay) Discuss County parking lot	
9:45 A.M.	Hobert L. Prunty estate – asking that Executor be removed and he be appointed	Jeremiah Prunty
10:15 A.M.	Ronald J. Buchanan estate – requesting claims be disallowed	Gerald Townsend, Attorney
10:30 A.M.	John Dawkins estate – requesting claims be disallowed	Kate Dawkins, Executrix
11:00 A.M.	James M. Barker estate – objecting to appraisement and settlement	Roger Barker
	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, impropers 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

IN RE: ESTATE OF NANCY JEAN DAY, DECEASED

This day came BYRON GEORGE DAY, who was, by the last Will and Testament of NANCY JEAN DAY, deceased, named therein to qualify as EXECUTOR, without bond, of said Will.

It appearing to this Commission that BYRON GEORGE DAY, be and he is hereby qualified as such EXECUTOR, and

entered upon the discharge of said trust, without bond, as provided by said Will.

Letters testamentary are hereby granted the said BYRON GEORGE DAY, upon the Estate of NANCY JEAN DAY,

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 appraisement of the Estate of NANCY JEAN DAY, 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.

There appearing no further business to claim the attention of this Commission, it is hereby ordered that this Commission, do now adjourn to meet in Regular Session, Thursday, November 19, 2015, at 9:30 o'clock A. M.

TENTH DAY

THURSDAY, NOVEMBER 19, 2015 At a REgular Session of the County Commission, continued and held for the County of Wood, at the Courthouse thereof, Thursday, November 19, 2015, Present, Stephen Gainer, President of said Commission, and David Blair Couch and Robert K. Tebay, Commissioners.

The orders and proceedings of the previous session of this Commission, held on Monday, November 16, 2015, were read before the County Commission, approved and ordered signed.

IN RE: ESTATE OF HOBERT L. PRUNTY, DECEASED (ORDER COUNTY COMMISSION-REMOVE EXECUTOR-APPOINT EXECUTOR D.B.N.)

This day the 19th day of November, 2015, in a hearing held before the County Commission, JEREMIAH PRUNTY, requesting that Kenna Prunty, who qualified as Executor, on the 21st. day of July, 2014, of the Estate of HOBERT L. PRUNTY, deceased, be removed. Upon review of information presented to the County Commission, moved that Kenna Prunty, be removed, and JEREMIAH PRUNTY, be appointed as Executor d.b.n., of the Estate of HOBERT L. PRUNTY, deceased.

IN RE: ESTATE OF RONALD JAY BUCHANAN, DECEASED. (ORDER COUNTY COMMISSION-DISALLOW CLAIM-ACCEPT SETTLEMENT)

ORDER

This 19th day of November, 2015, came SHIRLEY A. HEFNER, Administratrix of the Estate of RONALD JAY BUCHANAN, Deceased, and presented her Motion to Approve Final Report, to Close the insolvent Estate and Discharge her from further duty as Administratrix, and to release her bond, if any.

Appearing on behalf of movant was her 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 RONALD JAY BUCHANAN, Deceased, consisted soley of tangible and intangible

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THURSDAY, NOVEMBER 19, 2015 TENTH

NOVEMBER 20 15

personal property;

2. The Administratrix properly applied and exhausted all of the assets of the probate estate by payment of: 52.00

CLASS 1 PRIORITY: Costs of Administration CLASS 2 PRIORITY: Reasonable Funeral Expenses

\$9,934.87

The estate is insolvent and lacks assets from which to pay the following claim of lesser priority, to-wit: CLASS 7 PRIORITY: Phillips & Cohen Associates, Ltd. \$1,004.77

4. Administratrix served upon the beneficiaries of the estate other than the Administratrix, and all unsecured creditors who filed Proofs of Claim, at his, her, or its proper address, Notice of the Hearing upon Motion of Executor, by Certified Mail, Return Receipt Requested, at least fourteen (14) days prior to hearing.

CONCLUSIONS OF LAW The Commission makes the following Conclusions of Law:

1. This estate is insolvent.

2. The Administratrix has exhausted 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.

The unpaid Proof of Claim of Phillips & Cohen Associates, Ltd., is of inferior priority to the debts of the estate which were paid. The estate is insolvent; said unpaid Proof of Claim should be abated subject to revivor in the event the estate acquires additional assets; and, this estate should be closed without payment or release of said filed Proof of Claim because there are no assets in the probate estate from which to pay said claim. ORDER

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

1. The Final Report of SHIRLEY A. HEFNER, Administratrix of the Estate of RONALD JAY BUCHANAN, Deceased, be approved;

2. The Class Seven claim listed in the Findings of Fact above, is abated, subject to revivor in the event the estate acquires additional assets;

3. The Estate of Ronald Jay Buchanan, Deceased, is closed; and,

4. The Administratrix is discharged and any bond she has posted as Administratrix is hereby released.

ENTER this 19th day of November, 2015

Stephen Gainer Commissioner s/ David Blair Couch Commissioner

Robert K. Tebay

Order submitted by s/ Gerald W. Townsend Counsel for Administratrix, Shirley A. Hefner Fluharty & Townsend 417 Grand Park Drive, Suite 101, Parkersburg, WV 26105

IN RE: ESTATE OF JAMES M. BARKER, DECEASED (ORDER COUNTY COMMISSION-ACCEPT SETTLEMENT) This day the 19th of November, 2015, in a hearing held before the County Commission, ROGER GALE BARKER, beneficiary to the Estate of JAMES M. BARKER, deceased, objecting to the appraisement and the final settlement, that SHARON KAY JOY, Executrix filed. Upon review of information presented to the County Commission, moved that the appraisement is correct, and the final settlement be accepted.

IN RE: ESTATE OF JOHN R. DAWKINS, DECEASED (ORDER COUNTY COMMISSION-DISALLOW CLAIM) This day the 19th day of November, 2015, KATE ASH DAWKINS, Executrix of the Estate of JOHN R. DAWKINS, deceased, before the County Commission, in a hearing held before the County Commission, requesting that a claim be disallowed. The County Commission, after reviewing said estate, ruled the claim be disallowed. The County Commission ordered that if additional funds come into the estate, that the estate will need to be reopened.

There appearing no further business to claim the attention of this Commission, it is hereby ordered that this Commission, do now adjourn to meet in Regular Session, Monday, November 23, 2015, at 9:30 o'clock A. M.

President

Erroneous Assessment Application



Tax Type: Supplemental

Tax Ticket: 80017516

Tax Year: 2011

Upon the application of TINGLER MICHAEL DAVID whose address is 706 33RD ST PARKERSBURG, WV 26101-0000 aggrieved by an erroneous assessment in PARKERSBURG District (05), in the County of Wood, for the 2011 tax year.

The County Commission therefore, orders that the said applicant be and hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the 2011 tax year.

If the taxes have been paid the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the the affected tax year, the Sheriff shall allow a credit on future taxes payable.

DUE TO A TAXPAYER CLERICAL ERROR THE 1996 CHEVY S10 WAS REPORTED WHEN IN FACT IT HAD BEEN A TRADE IN PRIOR TO 7/01/2010. PLEASE ADJUST THE TAX TICKET. SEE ATTACHED.

All of which is ordered to be certified to the Auditor of the State of West virginia and the Sheriff of WOOD County

Date Transaction Type	Class	Amount	Tax Rate	Tax Class N	et Value
02/27/2014 BILLING	4	31.44	2.911520	4	1,080
11/16/2015 PENDING EXONERATION	4	-31.44	2.911520	4	-1,080
Adjusted	Net Taxes	0.00	Adjus	sted Net Value	0 *
Rogna Gingler 304 8 73 4596 Commissioner		Man	ecutor ission President	Assess Assess Commissi	R
	0.000		C	1 11 / / /	a of sold

At a regular session of the County Commission of Wood County, West Virginia, held at the Courthouse of said County, The County Commission did approve this exoneration on <u>Movember</u> 19, 2015

NOV 18 2015

Comple Advantage and

CURRENT ADDRESS!
1208 JESTERVILLE RD
By: Michell Cole PARKERSBURG WU 26105

Application Printed On

Monday, November 16, 2015 9:57 am

Erroneous Assessment Application

11/19/15

Tax Type: Real Estate

Description

TCT .552 OLD ST MARYS PIKE

Tax Ticket: 37453

Tax Year: 2015

Upon the application of **HUMMER PROPERTIES L L C** whose address is **112 COLLINS AVE PENNSBORO**, **WV 26415-1007** aggrieved by an erroneous assessment in UNION District (09) Map 120 Parcel 00A10000, in the County of Wood, for the **2015** tax year.

The County Commission therefore, orders that the said applicant be and hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the 2015 tax year.

If the taxes have been paid the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the the affected tax year, the Sheriff shall allow a credit on future taxes payable.

DELETE THIS TAX BILL BECAUSE THIS PARCEL DOES NOT EXIST PER MAPPING.

All of which is ordered to be certified to the Auditor of the State of West virginia and the Sheriff of WOOD County

Г	All of willon to order as				Tax Class	Net Value
Data	Transaction Type	Class	Amount	Tax Rate	Tax Class	
Date	The same of the sa) Interest of	11.48	2.208400	3	520
07/01/2015	BILLING	3	**************************************	2.208400	3	-520
11/16/2015	PENDING EXONERATION	3	-11.48		sted Net Value	0
	Adjusted	Net Taxes	0.00	Adju	sted Net Value	

Map 120 Parcel 00A10000

Taxpayer

Prosecutor

Assessor

Commissioner

County Commission President

Commissioner

RECEIVED
NOV 18 2015

Erroneous Assessment Application

11|19|13 71|138

Tax Type: Real Estate

Tax Ticket: 21308

Tax Ticket. 2130

Tax Year: 2014

Description

LOT 163.56X42X155.45X26.4

STAUNTON AVE

Upon the application of LOISEAU JAMES R whose address is 3097 DUTCH RIDGE RD NORTH PARKERSBURG, WV 26104- aggrieved by an erroneous assessment in PARKERSBURG District (05) Map 83 Parcel 00930000, in the County of Wood, for the 2014 tax year.

The County Commission therefore, orders that the said applicant be and hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the 2014 tax year.

If the taxes have been paid the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the the affected tax year, the Sheriff shall allow a credit on future taxes payable.

PROPERTY WAS PURCHASED BY THE URBAN RENEWAL AUTHORITY OF THE CITY OF PARKERSBURG AND THEY ARE EXEMPT FROM TAXES.

All of which is ordered to be certified to the Auditor of the State of West virginia and the Sheriff of WOOD County

Date	Transaction Type	Class	Amount	Tax Rate	Tax Class	Net Value
07/01/2014	BILLING	4	216.74	2.936800	4	7,380
11/18/2015	PENDING EXONERATION	4	-216.74	2.936800	4	0
	Adjusted	Net Taxes	0.00	Adjus	sted Net Value	7,380
	May=02 Daysal 00020	2000				

Map 83 Parcel 00930000

Taxpayer

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Prosecutor

Assessor

Commissioner

County Commission President

Commissioner

At a regular session of the County Commission of Wood County, West Virginia, held at the Courthouse of said County, The County Commission did approve this exoneration on Movembee 19, 2015

NOV 18 2015

County Adminishmen

Erroneous Assessment Application

Tax Type: Real Estate

Description

TCT .552 OLD ST MARYS PIKE

Tax Ticket: 37673

Tax Year: 2013

Upon the application of MALLEY MICHAEL S P whose address is 1404 AVERY ST PARKERSBURG, WV 26101- aggrieved by an erroneous assessment in UNION District (09) Map 120 Parcel 00A10000, in the County of Wood, for the 2013 tax year.

The County Commission therefore, orders that the said applicant be and hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the 2013 tax year.

If the taxes have been paid the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the the affected tax year, the Sheriff shall allow a credit on future taxes payable.

DELETE THIS TAX BILL BECAUSE THIS PARCEL DOES NOT EXIST PER MAPPING.

All of which is ordered to be certified to the Auditor of the State of West virginia and the Sheriff of WOOD County

Date	Transaction Type	Class	Amount	Tax Rate	Tax Class Ne	t Value
07/01/2013	BILLING	3	10.36	2.203200	3	470
11/16/2015	PENDING EXONERATION	3	-10.36	2.203200	3 -	-470
7	Adjusted 1	let Taxes	0.00	Adjus	sted Net Value	0
Kirk	Map 120 Parcel 00A1	0000	Mol	las	Lich Sta	fly
	Taxpayer		Prosec	utor	Assessor	
Jus	Luce		Ski		Plays.	je Je
	Commissioner		County Commiss	sion President	Commission	ner

NOV 1.8 2015
County Administrator

1419/15 71/138

Erroneous Assessment Application

Tax Type: Real Estate

Description

TCT .552 OLD ST MARYS PIKE

Tax Ticket: 37747

Tax Year: 2014

Upon the application of MALLEY MICHAEL S P whose address is 1404 AVERY ST PARKERSBURG, WV 26101- aggrieved by an erroneous assessment in UNION District (09) Map 120 Parcel 00A10000, in the County of Wood, for the 2014 tax year.

The County Commission therefore, orders that the said applicant be and hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the 2014 tax year.

If the taxes have been paid the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the the affected tax year, the Sheriff shall allow a credit on future taxes payable.

DELETE THIS TAX BILL BECAUSE THIS PARCEL DOES NOT EXIST PER MAPPING.

All of which is ordered to be certified to the Auditor of the State of West virginia and the Sheriff of WOOD County

Date	Transaction Type	Class	Amount	Tax Rate	Tax Class	Net Value
07/01/2014	BILLING	3	11.06	2.210400	3	500
11/16/2015	PENDING EXONERATION	3	-11.06	2.210400	3	-500
	Adjusted	Net Taxes	0.00	Adjus	sted Net Value	0

Map 120 Parcel 00A10000

Taxpayer

Prosecutor

Assessor

Commissioner

County Commission President

Commissioner

RECEIVED

NOV 18 2015

Erroneous Assessment Application

11/19/15

Tax Type: Real Estate

Description

TCT .552 OLD ST MARYS PIKE

Tax Ticket: 37858

Tax Year: 2015

Upon the application of MALLEY MICHAEL S P whose address is 1404 AVERY ST PARKERSBURG, WV 26101- aggrieved by an erroneous assessment in UNION District (09) Map 120 Parcel 00A10000, in the County of Wood, for the 2015 tax year.

The County Commission therefore, orders that the said applicant be and hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the 2015 tax year.

If the taxes have been paid the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the the affected tax year, the Sheriff shall allow a credit on future taxes payable.

DELETE THIS TAX BILL BECAUSE THIS PARCEL DOES NOT EXIST PER MAPPING.

All of which is ordered to be certified to the Auditor of the State of West virginia and the Sheriff of WOOD County

Date	Transaction Type	Clas	s	Amount	Tax Rate	Tax Class	Net Valu	ie e
07/01/2015	BILLING		3	11.48	2.208400	3	*	520
11/16/2015	PENDING EXONERATION	9,	3	-11.48	2.208400	. 3		-520
	Adjusted	Net Tax	es	0.00	Adjus	ted Net Value		0

Map 120 Parcel 00A10000

Taxpayer

Prosecutor

Assessor

Commissioner

County Commission President

Commissioner

At a regular session of the County Commission of Wood County, West Virginia, held at the Courthouse of said County, The County Commission did approve this exoneration on **Livense**. 19, 2015

RECEIVED

NOV 18 2015

Erroneous Assessment Application

11/19/15

Tax Type: Real Estate

Description

TCT .552 OLD ST MARYS PIKE

Tax Ticket: 38160

Tax Year: 2015

Upon the application of MORRIS WILLIAM O 13% whose address is 109 STONECREST DR MARIETTA, OH 45750- aggrieved by an erroneous assessment in UNION District (09) Map 120 Parcel 00A10000, in the County of Wood, for the 2015 tax year.

The County Commission therefore, orders that the said applicant be and hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the 2015 tax year.

If the taxes have been paid the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the the affected tax year, the Sheriff shall allow a credit on future taxes payable.

DELETE THIS TAX BILL BECAUSE THIS PARCEL DOES NOT EXIST PER MAPPING.

All of which is ordered to be certified to the Auditor of the State of West virginia and the Sheriff of WOOD County

Date	Transaction Type	Class	Amount	Tax Rate	Tax Class	Net Value
07/01/2015	BILLING	3	3.54	2.208400	3	160
11/16/2015	PENDING EXONERATION	3	-1.78	2.208400	3	-80
11/16/2015	PENDING EXONERATION	3	-1.78	2.208400	3	-80
	Adiusted	Net Taves	-0.02	Adius	ted Net Value	0

Map 120 Parcel 00A10000

19/1

Prosecutor

Assessor

Commissioner

Taxpayer

County Commission President

Commissioner

RECEVED

NOV 18 2015

STATE OF WEST VIRGINIA

COUNTY OF WOOD

TO –WIT:

I, <u>Kathy Stoltz</u>, 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 <u>Vienna Public Library Board</u> 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

19th day of November, 2015.

County Commission of Wood County

Huthen &

STATE OF WEST VIRGINIA

COUNTY OF WOOD

TO -WIT:

I, Jeffrey McCrady, 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 Humane Officer with the Humane Society of Parkersburg 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

SEVFER of Wood County, West Virginia, this

Subscribed and sworn to, before MARTY

/SW day of MUNEMBER, 20 15.