

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

#1 COURT SQUARE, SUITE 203
PARKERSBURG, WV 26101

IN RE: MINUTES OF MEETING HELD
MONDAY, JUNE 2, 2016

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 and other correspondence.

AGENDA AND DISCUSSION ITEMS

At 9:34 A.M., the County Commission met with Toni Oliver, representing Sumner School (Sumnerite Group), who gave an update on the recent progress of renovations to the building.

The County Commission reappointed Shawn Graham, Arnold Green, Mike Stalnaker, David Bussey, David McClure, Tom Joyce and Gib Jackson to the Wood County 9-1-1 Advisory Board. (Order A/1626)

The County Commission announced that a vacancy will exist on the WV Route 2 and I68 Authority. (Order A/1627)

The County Commission announced that a vacancy exists on the Wood County Solid Waste Authority and placed Andy Hartleben in nomination for reappointment. (Order A/1628)

The County Commission announced that two vacancies will exist on the Wood County Fire Board. They also put Bill Summers in nomination for reappointment. (Order A/1629)

The County Commission authorized the purchase of a road sign for Winchester Lane. (Order M/3380-A)

At 9:46 A.M., the County Commission approved the hiring of Kenneth Dawkins for the Wood County Assessor's Office and Tyler Lewis as 4-H Camp Security.

At 9:52 A.M., the County Commission discussed the costs related to the elevator servicing the parking garage at the Judge Donald F. Black Annex. Due to expenses, the Commission asked that a letter be sent to the owners of the attached apartments to ask they take over the responsibility for the elevator.

At 9:59 A.M., the County Commission discussed the Fire Fee Ordinance. A revision was made to change the interest rate from 2% to .75% per month. (Order A/3386)

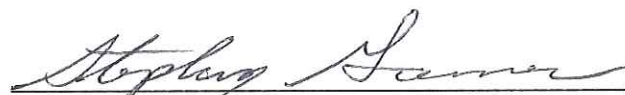
ORDERS APPROVED AND ATTACHED TO THESE MINUTES

M/3380-A, M/3386, A/1624, A/1626, A/1627, A/1628, A/1629

Having no further scheduled appointments or business to attend to, the County Commission adjourned at 12:38 P.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



Stephen Gainer, President



David Blair Couch, Commissioner



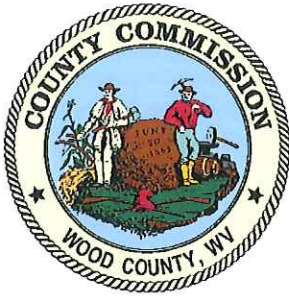
Robert K. Tebay, Commissioner

To listen to this meeting, please refer to DVD labeled June 2, 2016.

Wood County Commission Meeting
Held June 2, 2016

Please Print

| | |
|-----|-------------------------------------|
| 1. | <i>Toni Oliver Summerite Assoc.</i> |
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Wood County Commission
Agenda

06/02/2016

1 Court Square, Suite 203
Parkersburg, WV 26101

| | | |
|------------|---|----------------|
| 9:30 A.M. | Update on Sumner property | Toni Oliver |
| | Consider appointing Arnie Green, David Bussey, David McClure, Gib Jackson, Tom Joyce, Mike Stalnaker and Shawn Graham to the Wood County 9-1-1 Advisory Board | |
| | Consider Request to Hire of Kenneth Dawkins, Mapper for the Assessor's Office - \$28,000.00/yr | |
| | Consider Request to Hire of Tyler Lewis as 4-H Camp Security - \$11.00/hr | |
| | Announce vacancy on the WV Route 2 and I-68 Authority | |
| | Announce vacancy on the Solid Waste Authority – Consider putting Andy Hartleben in nomination | |
| | Discuss County Elevators (per Bob Tebay) | |
| | Announce two vacancies on the Wood County Fire Board – Consider putting Bill Summers in nomination | |
| | Discuss fire fee ordinance | |
| 10:00 A.M. | Dedication of new bus for Wood County Senior Citizens Association | Kelley McClain |
| | Administrator's Report | Marty Seufer |
| | 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 I

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

2016-2017

| July '16 | | | | | | |
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| December '16 | | | | | | |
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| January '17 | | | | | | |
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| May '17 | | | | | | |
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| June '17 | | | | | | |
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Pay Changes,
New Hires
for Agenda

Pay Day

Holiday Day Off

Overtime & Part Time Hours
due to Finance by 10:00 AM

Commission Meeting Dates
Bold and Underlined

JUNE 2, 2016

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 \$7,279.97 WHICH REPRESENTS REIMBURSEMENT IN REGARD TO THE GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT NUMBER F16-HS-03-402.

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 seven thousand two hundred seventy-nine dollars and ninety-seven cents (\$7,279.97) which represents reimbursement to Wood County for expenses incurred during the month of March, 2016, in regard to the Governor's Highway Safety Program Grant Number F16-HS-03-402. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 71, at Page 485 and bearing the date of April 11, 2016, at which time Stephen Gainer, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

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

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


Stephen Gainer, President


David Blair Couch, Commissioner


Robert K. Tebay, Commissioner

WOOD COUNTY 10:38:57 AM
Instrument No 8708732
Date Recorded 06/02/2016
Document Type COO
Pages Recorded 1
Book-Page 71-673

Mark Rhodes

JUNE 2, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION REAPPOINTED MEMBERS TO
THE WOOD COUNTY 9-1-1 ADVISORY BOARD.

ORDER

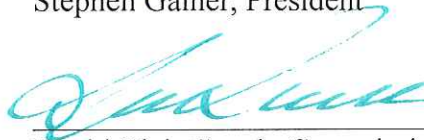
On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by David Blair Couch and passed, reappointed the following to the Wood County 9-1-1 Advisory Board: Shawn Graham, City of Williamstown; Arnold C. Green Jr., E.I. Dupont (Industry); Mike Stalnaker, Fraternal Order of Police; David Bussey, Wood County Deputy Sheriffs' Association; David McClure, Trauma/ES-Camden Clark; Tom Joyce, St. Joseph's Ambulance and Gib Jackson, General Public. Their new terms expire on April 30, 2019. Said nominations are pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing with the procedure policy for appointments to Boards and Authorities.

APPROVED:

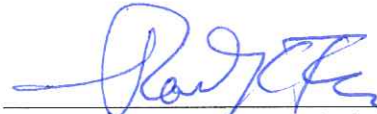
THE COUNTY COMMISSION OF WOOD COUNTY



Stephen Gainer, President



David Blair Couch, Commissioner



Robert K. Tebay, Commissioner

A/1626

WOOD COUNTY 10:49:58 AM
Instrument No 8708744
Date Recorded 06/02/2016
Document Type 000
Pages Recorded 1
Book-Page 71-678
Mark Rhodes

JUNE 2, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION ANNOUNCED THAT A
VACANCY WILL EXIST ON THE WEST VIRGINIA ROUTE 2
AND INTERSTATE 68 AUTHORITY.

ORDER

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Robert K. Tebay and passed, announced that a vacancy exists on the West Virginia Route 2 and Interstate 68 Authority. Said vacancy is due to the fact that Andy Hartleben's term expires June 30, 2016. Said vacancy is pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing with the procedure policy for appointments to Boards and Authorities.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



Stephen Gainer, President



David Blair Couch, Commissioner



Robert K. Tebay, Commissioner

A/1627

Mark Rhodes
WOOD COUNTY 10:47:28 AM
Instrument No 8708741
Date Recorded 06/02/2016
Document Type OSD
Pages Recorded 1
Book-Page 71-677

JUNE 2, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION ANNOUNCED THAT A VACANCY EXISTS ON THE WOOD COUNTY SOLID WASTE AUTHORITY. THEY ALSO PLACED ANDY HARTLEBEN IN NOMINATION.

ORDER

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Robert K. Tebay and passed, announced that a vacancy exists on the Wood County Solid Waste Authority. Said vacancy is due to the fact that Andy Hartleben's term expires June 30, 2016. Said vacancy is pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing with the procedure policy for appointments to Boards and Authorities.

The County Commission, upon a motion made by David Blair Couch, seconded by Robert K. Tebay and passed, put Andy Hartleben's name in nomination.

APPROVED:


THE COUNTY COMMISSION OF WOOD COUNTY



Stephen Gainer, President



David Blair Couch, Commissioner



Robert K. Tebay, Commissioner

WOOD COUNTY 10:45:22 AM
Instrument No 8708738
Date Recorded 06/02/2016
Document Type 000
Pages Recorded 1
Book-Page 71-676

Mark Rhodes

JUNE 2, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION ANNOUNCED THAT TWO VACANCIES EXIST ON THE WOOD COUNTY FIRE BOARD.


ORDER

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Robert K. Tebay and passed, did hereby announce that two vacancies exists on the Wood County Fire Board, as authorized in West Virginia State Code 7-17-6. Said vacancies are due to the terms of K.C. Linder (representing the Wood County Fire Association) and Bill Summers (representing the Wood County Commission) expiring on June 5, 2016. Said vacancy is further pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing with the procedure policy for appointments to Boards and Authorities. The new terms will expire June 5, 2019.


The County Commission, upon a motion made by David Blair Couch, seconded by Robert K. Tebay and passed, placed the name of Bill Summers in nomination.

APPROVED:

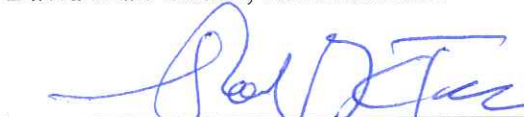
THE COUNTY COMMISSION OF WOOD COUNTY



Stephen Gainer, President



David Blair Couch, Commissioner



Robert K. Tebay, Commissioner

WOOD County 10:43:37 AM
Instrument No 8709736
Date Recorded 06/02/2016
Document Type ODO
Pages Recorded 1
Book-Page 71-675
Mark Rhodes

JUNE 2, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE THE
PURCHASE OF A ROAD SIGN FOR WINCHESTER LANE.

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 Robert K. Tebay, did hereby AUTHORIZE the purchase of a road sign for WINCHESTER LANE. Said sign was requested by Carl Zenner, 100 Winchester Lane, West Virginia.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



Stephen Gainer, President



David Blair Couch, Commissioner



Robert K. Tebay, Commissioner

M/3380-A

Mark Rhodes
WOOD COUNTY 10:51:57 AM
Instrument No 8708746
Date Recorded 06/02/2016
Document Type CDD
Pages Recorded 1
Book-Page 71-679

JUNE 2, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: PASSAGE OF FIRE SERVICE FEE ORDINANCE AS AMENDED

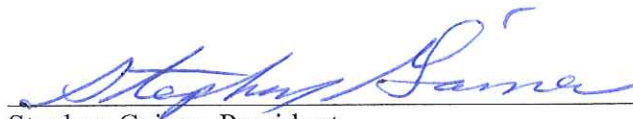
ORDER

On this date, the County Commission of Wood County, in regular session, upon a motion made by David Blair Couch, seconded by Robert K. Tebay, and made unanimous by Stephen Gainer amended and enacted the Wood County Fire Service Fee Ordinance adopted on the 23rd day of May, 2016, a copy of which ordinance is attached hereto and incorporated by reference including the amendments made thereto.

It is ORDERED that the ordinance passed this day with amendments be published as a Class II legal advertisement in compliance with the provisions of Chapter Fifty-Nine, Article Three of the West Virginia Code in place of the ordinance originally passed on the 23rd day of May, 2016. Said publication shall be in the County of Wood.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



Stephen Gainer, President



David Blair Couch, Commissioner



Robert K. Tebay, Commissioner

M/3386 amended fire fee ordinance

WOOD COUNTY, WEST VIRGINIA FIRE SERVICE FEE ORDINANCE

WHEREAS, West Virginia Code Chapter 7, Article 17, Section 12, as amended, provides the Wood County Commission with the authority to impose reasonable fire service rates, fees and charges, and;

WHEREAS, it is deemed in the best interest of the citizens and residents of Wood County necessary and appropriate, to impose such reasonable fire service rates, fees and charges;

WHEREAS, the Wood County Fire Board has presented a petition containing the signature of at least ten percent of the qualified voters duly signed by them in their own handwriting, and filed with the Clerk of the County Commission directing that the county commission impose such a fee.

**NOW THEREFORE THE WOOD COUNTY
THAT:**

*FINAL
June 2, 2016*

REBY ORDAINS

ARTICLE 1: PURPOSE AND INTENT

Section 1.1. The purpose of this Fire Service Fee Ordinance is to provide for a reasonable annual fire service fee upon the users of fire protection services within Wood County, West Virginia; to provide that the County Assessor of Wood County, West Virginia shall fix the square footage of structures within Wood County, West Virginia; and to provide for publication of this Fire Service Fee Ordinance as a Class II legal advertisement pursuant to 59-3-1, et seq. of the West Virginia Code, as amended.

Section 1.2. The legislative intent of this Fire Service Fee Ordinance is to generate revenue that shall be utilized to defray costs of expenses associated with continuing, maintaining, improving, regulating, and supervising fire services in areas located in Wood County, West Virginia, excluding the area within the corporate limits of the City of Parkersburg.

Section 1.3. Fire protection services in Wood County, West Virginia, shall be continued, maintained, and improved by the Wood County Fire Service Board, in part, at the charge and expense of the owners of Single Family Residential, Apartments, and Non-Residential Buildings located within Wood County, West Virginia as said owners are the users and beneficiaries of these special and essential fire protection services. The fees and charges imposed pursuant to this Fire Service Fee Ordinance shall be imposed, assessed, and collected as provided for herein.

ARTICLE II: LEGISLATIVE AUTHORITY

This Fire Service Fee Ordinance is adopted by the County Commission of Wood County, West Virginia pursuant to the authority set forth in 7-17-1, et seq. of the West Virginia Code, as amended.

ARTICLE III: ENACTMENT AND APPLICABILITY OF FIRE SERVICE FEE

Section 3.1. There is hereby created an annual fire service fee to be imposed by the County Commission of Wood County, West Virginia pursuant to the terms of this Fire Service Fee Ordinance.

Section 3.2. Subject to the exemptions provided in Article III, Sections 3.3 herein, this annual fire service fee shall apply to every Owner of one or more Single Family Residential, Apartments or Non-Residential Building located within Wood County, West Virginia, but not within the Municipality of Parkersburg, West Virginia.

Section 3.3. Buildings owned by the federal government or used for federal governmental purposes shall not be subject to the annual fire service fee.

Section 3.4. Residential or Non-residential buildings located within Wood County, West Virginia, but not within the Municipality of Parkersburg, West Virginia that are granted tax exempt status by the Wood County Commission or State of West Virginia as part of a development plan or business transaction are not exempt from payment of the fire service fee.

ARTICLE IV: RATES

Section 4.1. Subject to the limitations provided in Article III, Sections 3.3 and 3.4 herein, every Owner of one or more Single Family Residential or Non-Residential Buildings located within Wood County, West Virginia, but not within the Municipality of Parkersburg, West Virginia, shall pay an annual fire service fee for each such building. The total amount of the annual fire service fee shall depend upon the total square footage of the building as set forth below:

| | |
|---------------------------------------|-------------------------|
| (a) Single Family Residential | 2 cents per square foot |
| (b) Apartments residential | 2 cents per square foot |
| (c) Non-residential Commercial | 3 cents per square foot |
| (d) Non-residential Industrial | 3 cents per square foot |

The maximum fee billed will be \$3,000 per building.

Non-Commercial buildings will be charged \$5 for the main or largest building, and \$1 for each additional building thereafter.

A reduced fee of 1.25 cents per square foot will apply for churches and single family residences that qualify for homestead exemption.

Section 4.3. In the event that more than one Non-Residential Building is owned by the same Owner or Owners, one annual fire service fee shall apply per individual plat as recorded with the Office of the Clerk of the County Commission of Wood County, West Virginia.

ARTICLE V: EFFECTIVE DATE; SCHEDULE OF PAYMENTS

Section 5.1. This Amended Fire Service Fee Ordinance shall become effective on July 1, 2016. The annual fire service fee imposed pursuant to this Fire Service Fee Ordinance shall be for fire protection services rendered from the fiscal year of July 1, 2016 to June 30, 2017, and each consecutive fiscal year thereafter. The Wood County Fire Service Fee will be a separate distinct bill mailed within the tax payer's annual tax bill envelope. Specific instructions for payment of the Fire Service Fee will be included in addition to the Fire Service Fee bill and the tax bill.

Section 5.2. With regard to Single Family Residential Buildings, the entire amount of the annual fire service fee will be invoiced in July, and shall be due and payable on or before September 30 each year. Annual fire service fees for Single Family Residential Buildings that are not received on or before September 30th each year will be subject to additional charges of a late fee of 0.75% per month.

Section 5.3. With regard to Non-Residential Buildings, the entire amount of the annual fire service fee will be invoiced in July and may be satisfied by paying in full by September 30th, or can be satisfied by paying two equal installments, the first of which shall be due and payable on or before September 30th each year, and the second of which shall be due and payable on or before December 31st each year.

Section 5.4. Annual fire service fees for Non-Residential Buildings that are not paid in full on or before December 31st of each year are subject to contractual interest at the rate of five percent (5%), which will accrue as follows: For first half fees, the interest shall accrue beginning October 1 to the date the delinquency is satisfied, plus any amounts the Wood County Fire Board expends in an attempt to collect said unpaid or delinquent fees; for second half fees the interest shall accrue beginning January 1 to the date the delinquency is satisfied, plus any amounts the Wood County Fire Board expends in an attempt to collect said unpaid or delinquent fees.

Section 5.5. The annual fire service fee shall be a debt due and payable to the Wood County Fire Board and shall be a personal obligation of the Owner. In the event that a fire department is called to the property of an Owner who is delinquent in payment of the annual fire service fee, said Owner shall be billed the amount of five hundred dollars (\$500.00) to cover expenses associated with the call. This amount shall also be a debt due and payable to the Board and a personal obligation of the Owner, in addition to any delinquent fees or charges already owed.

Section 5.6. If an Owner fails to pay the annual fire service fee as set forth in this Fire Service Fee Ordinance, then the County Fire Board, with assistance of the County Prosecutors office,

may proceed with any remedies available under the laws of the State of West Virginia, necessary to secure payment, including but not limited to, initiating civil action in the Magistrate or Circuit Court of Wood County, West Virginia. In the event that the Board initiates civil action and is successful in its recovery, the non-paying Owner shall reimburse the Board for any associated costs and expenses, including but not limited to, filing fees, service fees and attorney's fees.

Section 5.7 Annually, in January each year, the Wood County Fire Service Board shall publish in a qualified newspaper circulated in Wood County, West Virginia, a listing of those owners delinquent in paying their fire service fee.

ARTICLE VI: USE OF ANNUAL FIRE SERVICE FEES

The annual fire service fees imposed pursuant to this Fire Service Fee Ordinance shall be dedicated to the Wood County Fire Service Board, and shall be used only to defray the costs of continuing, maintaining, improving, regulating, and supervising fire protection services within Wood County, West Virginia. No part of the annual fire service fees shall be used for any other purposes.

All monies provided to fire departments in Wood County, West Virginia, pursuant to this fire service fee, shall be expended in order to continue, maintain, improve, regulate, and supervise each department firefighting services in their respective communities. Authorized expenditures or revenues from The Wood County Fire Service Board fund shall be authorized in accordance with WV 8-15-8.

ARTICLE VII: ESTABLISHING SQUARE FOOTAGE OF PROPERTY

Section 7.1. The County Assessor of Wood County, West Virginia and/or the Wood County Fire Board is empowered, authorized and directed to fix the square footage of buildings for the purpose of establishing the annual fire service fees imposed pursuant to this Fire Service Fee Ordinance.

Section 7.2. The County Assessor of Wood County, West Virginia and/or the Wood County Fire Board is empowered, authorized and directed to classify properties as Single Family Residential and Non-Residential in order to establish the amount of the annual fire service fee charged pursuant to this Fire Service Fee Ordinance.

ARTICLE VIII: DISTRIBUTION OF ANNUAL FIRE SERVICE FEES

The fees imposed and levied by this article shall be collected as aforesaid. Fees levied by this Ordinance will then be received by the Sheriff's Tax Department and deposited into the Wood County Fire Service Board account, under the authority of the Wood County Commission. Annually in July, the Wood County Fire Service Board will meet to review the fees received for the budget year, and will approve the funding for each of the ten volunteer fire departments in Wood County, West Virginia,

outside of the municipality of Parkersburg, including: Vienna, Williamstown, Washington Bottom, Lubeck, Blennerhassett, Mineral Wells, Waverly, East Wood, Pond Creek, and Deerwalk. A funding amount from the fee will also provide operational funds for the Wood County Fire Service Board as outlined in their bylaws as needed or requested.

It is estimated this fee will generate approximately 1.2 million dollars annually, if collected in full, to be distributed amongst the ten departments beginning in year 2017. Each of the above mentioned departments will be provided a base funding amount of \$80,000, or 65% of the total amount collected annually, whichever is the greater amount. The remaining funds collected will be distributed to each department based on the percentage of the total fee that is collected in their individual fire protection districts.

Each department will be required to submit invoices to the Wood County Clerk for any and all expenditures to be paid from the Wood County Fire Service Board account. Each department will have a separate account within the Wood County Fire Service Board account. No monies will be paid directly to any fire department or the Wood County Fire Service Board.

ARTICLE IX: PUBLICATION OF FIRE SERVICE FEE ORDINANCE

This Fire Service Fee Ordinance shall be published once a week for two successive weeks in a qualified newspaper published and circulated in Wood County, West Virginia.

ARTICLE X: ADMINISTRATION OF ORDINANCE

Pursuant to 59-3-1, et seq. of the West Virginia Code, as amended, the Wood County Fire Board shall make and adopt all bylaws, rules and regulations that are necessary to carry out this Fire Service Fee Ordinance.

ARTICLE XI: EXONERATION OR MODIFICATION

Any individual or entity claiming to be aggrieved by any error including classification, calculation of square footage, or ownership of property may, on or before September 1 of the year of mailing, apply for relief to the County Commission Administrator who will notify the Chairman of the Wood County Fire Service Board and the county Assessor. Provided, that upon the discovery of any such error or mistake by the assessor or fire board, or either having knowledge thereof, the assessor or fire board shall initiate an application for relief or cause notice to be sent to any owner affected by such error or mistake by first-class United States mail advising the owner of the right to make application for relief.

In the event it is ascertained that the owner is entitled to relief, any excess fees already paid shall be refunded and, if charged but not paid, the applicant shall be released from the payment of such excess: Provided, That in the event a mistake or error is discovered more than one year after the fire fee bills are mailed, any relief granted to the owner shall be in the form of a credit against fees owing for up to the

following two years: Provided, however, That if there are insufficient future fees to credit or if the county commission determines that a refund is appropriate, then the fire board shall refund the uncredited balance to the owner.

Whenever any correction is made by the Fire Service Board, the clerk shall certify copies of the order to the fire board and assessor. Any such order delivered to the fire board or other collecting officer shall restrain him or her from collecting so much as is erroneously charged against the owner, and, if already collected, shall compel him or her to refund the money unless otherwise directed.

An Owner not satisfied with the Board's decision may appeal the decision to the Circuit Court of Wood County, West Virginia. If no appeal is filed within thirty days after the Board's decision, then the decision shall become final and not subject to further review. Any amount due the Board pursuant to its decision shall be due and payable on the next consecutive day following the date the decision becomes final.

ARTICLE XII; PROHIBITED DISTRIBUTIONS

No funds shall be distributed to any department that is no longer in good standing with the West Virginia State Fire Marshall's Office. Furthermore, if a fire department is closed and ceases to exist, the Wood County Fire Service Board will distribute the funds as before mentioned, with a re-calculation of the remaining fund being divided unto the number of departments remaining.

ARTICLE XIII; SEVERABILITY AND LIABILITY

The articles, sections, headings, paragraphs, sentences, clauses, phrases of this Fire Service Fee Ordinance shall be severable and if any article, section, heading, paragraph, sentence, clause, or phrase herein or the application thereof to any individual, entity or circumstance shall be declared unconstitutional or otherwise invalid by the judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining articles, sections, paragraphs, sentences, clauses, or phrases of this Fire Service Fee Ordinance or the application thereof to any individual, entity, or circumstance.

The enactment of this Ordinance shall not constitute a representation, guarantee, or warranty of any kind by the County Commission of Wood County, West Virginia, or by any official or employee thereof, and shall create no liability upon the County Commission of Wood County, West Virginia, any official, employee, or agent thereof.

ARTICLE XIV: DEFINITIONS

For purposes of this Fire Service Fee Ordinance, the following words and phrases have the following meanings:

- (a) "Attic" means that portion of a building that is located immediately below the roof, and which is unfinished and not used as part of the living or working area of the building.
- (b) "Basement" means that portion of a building that is located below the level or adjoining ground, and which is unfinished and not used as a part of the living or working area of the building.
- (c) "Non-Residential Building" means any building, whether or not occupied, that is used for commercial, institutional, industrial, governmental, institutional, nonprofit or multifamily purposes, and which is classified as non-residential by the County Assessor of Wood County, West Virginia. The term "Non-Residential Building" shall include hotels, motels or other buildings intended for transient lodging, and shall also include rental property of any type. The term "Non-Residential Building" shall also include buildings used for state governmental purposes, schools and buildings used for educational purposes, buildings used for charitable, fraternal and non-profit purposes, and religious institutions or buildings used for religious purposes. The term "Non-Residential Building" shall also include industrial buildings classified as such by the West Virginia Department of Taxation and Revenue.
- (d) "Owner" means any person or entity listed in the records of the County Assessor of Wood County, West Virginia as possessing exclusive rights and control of property, whether in fee or for life. A person or entity seized or entitled to in fee subject to a mortgage, deed of trust or similar instrument securing a debt or liability of property is considered the owner until the mortgagee or trustee takes possession, after which the mortgagee or trustee is considered the Owner.
- (e) "Single Family Residential Building" means any building constructed with a value of at least one thousand dollars (\$1,000.00), whether or not occupied, for residential purposes, including mobile homes, and which is classified as residential by the County Assessor of Wood County, West Virginia. The definition of "Single Family Residential Building" shall not include buildings used primarily for agricultural purposes, but shall include farmhouses used for residential purposes.
- (f) "Story" means the part of a building included between any floor and the floor or roof next above, excluding basements and attics.
- (g) "Total square footage" of a residence means that sum as measured by the exterior dimensions of the building, multiplied by the number of stories, but not including the following: porches, unless entirely enclosed for weather purposes; basements, not utilized as the living or working area of the building; attics; garages; and outbuildings not connected to the building.
- (h) "Non-Commercial Building" means any building, that is NOT used for habitation, commercial, institutional, industrial, governmental, nonprofit or multifamily purposes,

and which is classified as non-commercial by the County Assessor of Wood County, West Virginia. The term "Non-Commercial Building" shall include barns, sheds, outbuildings, garages, or other structures detached from the residential structure.

ENTERED:

WOOD COUNTY COMMISSION:

 , President
 , Commissioner
 , Commissioner

DATE: June 2, 2016

Mark Rhodes
WOOD County 10:53:59 AM
Instrument No 8708749
Date Recorded 06/02/2016
Document Type CCD
Pages Recorded 9
Book-Page 71-680

Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
|----------|------------|-----------------------------|---------|------------|--------------|-----|
| 1940 | HEALTH | HIGHMARK WEST VIRGINIA | REGULAR | 06/01/2016 | 232,416.39 | |
| 1941 | DENTAL | RENAISSANCE | REGULAR | 06/01/2016 | 981.64 | |
| 1942 | DENTAL | RENAISSANCE | REGULAR | 06/01/2016 | 2,580.84 | |
| 160738 | LIFE | DEARBORN NATIONAL | REGULAR | 06/01/2016 | 1,251.86 | |
| 160739 | VISION | VISION SERVICE PLAN (WV) | REGULAR | 06/01/2016 | 3,200.96 | |
| 160740 | AAP | ADVANCE AUTO PARTS | REGULAR | 06/01/2016 | 133.91 | |
| 160741 | ASTORGFORD | ASTORG FORD LINCOLN-MERCURY | REGULAR | 06/01/2016 | 35.92 | |
| 160742 | AUTOPLUS | AUTOPLUS | REGULAR | 06/01/2016 | 113.43 | |
| 160743 | DASH | DASH GLOVES | REGULAR | 06/01/2016 | 109.80 | |
| 160744 | GALLS | GALLS | REGULAR | 06/01/2016 | 120.96 | |
| 160745 | MAHONE TI | MAHONE TIRE CO | REGULAR | 06/01/2016 | 228.80 | |
| 160746 | ODEPOT | OFFICE DEPOT | REGULAR | 06/01/2016 | 183.70 | |
| 160747 | P-WRECKER | PARKERSBURG WRECKER SRV. | REGULAR | 06/01/2016 | 95.00 | |
| 160748 | PCM-G | PCMG | REGULAR | 06/01/2016 | 235.96 | |
| 160749 | PIFER'S S | PIFER'S SERVICE CENTER | REGULAR | 06/01/2016 | 83.00 | |
| 160750 | PILOTMEDIA | PILOT MEDIA | REGULAR | 06/01/2016 | 2,200.58 | |
| 160751 | SAMS CLUB | SAM'S CLUB | REGULAR | 06/01/2016 | 358.74 | |
| 160752 | TAYLOR'S | TAYLOR'S TRASH REMOVAL | REGULAR | 06/01/2016 | 233.74 | |



GENERAL FUND Bank Id 101 Totals

244,565.23




Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
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| 6512 | BRUCELLI | BRUCELLI ADVERTISING | REGULAR | 06/01/2016 | 553.45 | |
| 6513 | CALL ONE | CALL ONE | REGULAR | 06/01/2016 | 1,680.00 | |
| 6514 | CHAPMAN | CHAPMAN PRINTING CO. INC | REGULAR | 06/01/2016 | 146.91 | |
| 6515 | DEAN'S | DEAN'S SCREENS INK | REGULAR | 06/01/2016 | 1,013.75 | |
| 6516 | DOMINIONH | DOMINION HOPE | REGULAR | 06/01/2016 | 134.10 | |
| 6517 | FJS | FJS COMMUNICATIONS | REGULAR | 06/01/2016 | 3,999.00 | |
| 6518 | NOE OFFIC | NOE OFFICE EQUIPMENT | REGULAR | 06/01/2016 | 199.00 | |
| 6519 | SMC | SMC COMMUNICATIONS | REGULAR | 06/01/2016 | 72.52 | |
| 6520 | SUDDENLINKD | SUDDENLINK | REGULAR | 06/01/2016 | 252.20 | |
| E-911 FUND Bank Id 107 Totals | | | | | 8,050.93 | |

Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
|--|------------|-----------------------------|---------|------------|---------------|-----|
| 3280 | ASTORGFORD | ASTORG FORD LINCOLN-MERCURY | REGULAR | 06/01/2016 | 195.44 | |
| HOME CONFINEMENT Bank Id 108 Totals | | | | | <u>195.44</u> | |



Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
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| 6276 | MONPOWER | MON POWER | REGULAR | 06/01/2016 | 39.37 | |
| 6277 | RICOH | RICOH USA INC | REGULAR | 06/01/2016 | 177.22 | |
| COMM.CRIMINAL JUSTICE FUND Bank Id 172 Totals | | | | | <u>216.59</u> | |



Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
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| 5290 | D&D TROPHIES | D&D TROPHIES | REGULAR | 06/01/2016 | 22.00 | |
| TEEN DRUG COURT Bank Id 177 Totals | | | | | <u>22.00</u> | |

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Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
|----------|-----------|-------------|---------|------------|--------------|-----|
| 1932 | DENTAL | RENAISSANCE | REGULAR | 05/25/2016 | 2,929.30 | |

GENERAL FUND Bank Id 101 Totals

2,929.30

Report Totals

2,929.30

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Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
|----------|----------------|----------------------------------|---------|------------|--------------|-----|
| 1930 | DENTAL | RENAISSANCE | REGULAR | 05/24/2016 | 815.74 | |
| 1931 | MONPOWER | MON POWER | REGULAR | 05/24/2016 | 937.15 | |
| 160691 | ACTOR | THE ACTORS GUILD OF PARKERSBURG | REGULAR | 05/24/2016 | 1,250.00 | |
| 160692 | BARRETTJ | J. J. BARRETT | REGULAR | 05/24/2016 | 270.00 | |
| 160693 | BREWER | BREWER & CO. OF WV, INC. | REGULAR | 05/24/2016 | 725.00 | |
| 160694 | BROWN W | WILLIAM M BROWN | REGULAR | 05/24/2016 | 700.00 | |
| 160695 | CWS | CWS | REGULAR | 05/24/2016 | 154.08 | |
| 160696 | EVENFLO | EVENFLO COMPANY INC. | REGULAR | 05/24/2016 | 279.80 | |
| 160697 | FRONTIERWV | FRONTIER WEST VIRGINIA INC | REGULAR | 05/24/2016 | 3,230.00 | |
| 160698 | GLACIER | GLACIER MOUNTAIN BOTTLED WATER | REGULAR | 05/24/2016 | 13.00 | |
| 160699 | HARRISVILLE PE | HARRISVILLE POLICE DEPARTMENT | REGULAR | 05/24/2016 | 225.00 | |
| 160700 | HICKMANS | SANDRA HICKMAN | REGULAR | 05/24/2016 | 311.85 | |
| 160701 | HRA | WESBANCO INSURANCE SERVICES | REGULAR | 05/24/2016 | 960.75 | |
| 160702 | JCSO | JACKSON COUNTY SHERIFF'S DEPT | REGULAR | 05/24/2016 | 1,209.12 | |
| 160703 | LAMP | LAMP PESTPROOF | REGULAR | 05/24/2016 | 125.00 | |
| 160704 | LEAVITT | LEAVITT FUNERAL HOME | REGULAR | 05/24/2016 | 250.00 | |
| 160705 | MATHENY M | MATHENY MOTOR TRUCK CO | REGULAR | 05/24/2016 | 198.99 | |
| 160706 | MID-OHIOVRA | MID-OHIO VALLEY REGIONAL AIRPORT | REGULAR | 05/24/2016 | 50,000.00 | |
| 160707 | ONESOURCE | ONESOURCE WATER | REGULAR | 05/24/2016 | 188.72 | |
| 160708 | PARKPOLICE | PARKERSBURG POLICE DEPARTMENT | REGULAR | 05/24/2016 | 1,986.67 | |
| 160709 | PCM-G | PCMG | REGULAR | 05/24/2016 | 604.99 | |
| 160710 | RAVENSWOOD | RAVENSWOOD POLICE DEPARTMENT | REGULAR | 05/24/2016 | 93.00 | |
| 160711 | RCHS | RITCHIE COUNTY HIGH SCHOOL | REGULAR | 05/24/2016 | 1,000.00 | |
| 160712 | RICOH | RICOH USA INC | REGULAR | 05/24/2016 | 292.00 | |
| 160713 | RIPLEY HIGH | RIPLEY HIGH SCHOOL | REGULAR | 05/24/2016 | 1,200.00 | |

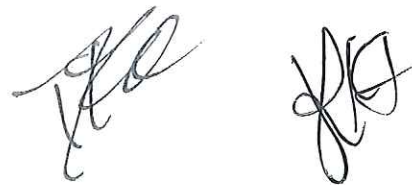


Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
|--|-------------|---------------------------------------|---------|------------|--------------|-----|
| 160714 | ROANE CO | ROANE COUNTY SHERIFF'S DEPT | REGULAR | 05/24/2016 | 78.04 | |
| 160715 | ROSS H | HOLLY ROSS | REGULAR | 05/24/2016 | 30.00 | |
| 160716 | SHERWIN-W | SHERWIN-WILLIAMS PAINT | REGULAR | 05/24/2016 | 120.06 | |
| 160717 | SWGRAPHIC | S/W RESOURCES | REGULAR | 05/24/2016 | 160.90 | |
| 160718 | TOWN | TOWN SQUARE PARKING | REGULAR | 05/24/2016 | 140.00 | |
| 160719 | TRADITIONS | TRADITIONS AND HOPE | REGULAR | 05/24/2016 | 1,250.00 | |
| 160720 | USBANKEQUIP | US BANK EQUIPMENT FINANCE | REGULAR | 05/24/2016 | 327.00 | |
| 160721 | VALLEY SU | VALLEY SUPPLY COMPANY | REGULAR | 05/24/2016 | 58.09 | |
| 160722 | VERIZONW | VERIZON WIRELESS | REGULAR | 05/24/2016 | 66.25 | |
| 160723 | VIENNA | VIENNA POLICE DEPT. | REGULAR | 05/24/2016 | 1,037.32 | |
| 160724 | WALMART | WALMART | REGULAR | 05/24/2016 | 57.61 | |
| 160725 | WATERBOY | WATERBOY LLC | REGULAR | 05/24/2016 | 44.00 | |
| 160726 | WEST | THOMSON REUTERS - WEST PAYMENT CENTER | REGULAR | 05/24/2016 | 705.61 | |
| GENERAL FUND Bank Id 101 Totals | | | | | 71,095.74 | |
| Report Totals | | | | | 71,095.74 | |

Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
|--------------------------------------|-----------|---------------------|---------|------------|-----------------|-----|
| 6510 | ALADTEC | ALADTEC, INC. | REGULAR | 05/24/2016 | 1,995.00 | |
| 6511 | TESSCO | TESSCO TECHNOLOGIES | REGULAR | 05/24/2016 | 70.40 | |
| E-911 FUND Bank Id 107 Totals | | | | | <u>2,065.40</u> | |




Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
|----------|-----------|--------------|---------|------------|--------------|-----|
| 1543 | WATERS R | ROBIN WATERS | REGULAR | 05/24/2016 | 51.00 | |

MAGISTRATE COURT Bank Id 105 Totals

51.00

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Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
|--|--------------|-----------------------------|---------|------------|--------------|-----|
| 6267 | ALCOHOLMONIT | ALCOHOL MONITORING SYSTEMS | REGULAR | 05/24/2016 | 127.50 | |
| 6268 | CRYSTAL | CRYSTAL SPRING WATER | REGULAR | 05/24/2016 | 79.25 | |
| 6269 | ODEPOT | OFFICE DEPOT | REGULAR | 05/24/2016 | 439.55 | |
| 6270 | RICOH | RICOH USA INC | REGULAR | 05/24/2016 | 383.01 | |
| 6271 | SUDDENLINKD | SUDDENLINK | REGULAR | 05/24/2016 | 479.61 | |
| 6272 | TIANO | TIANO-KNOPP ASSOC., INC. | REGULAR | 05/24/2016 | 417.00 | |
| 6273 | TYLER | TYLER MOUNTAIN WATER CO INC | REGULAR | 05/24/2016 | 22.95 | |
| 6274 | VERIZONW | VERIZON WIRELESS | REGULAR | 05/24/2016 | 381.40 | |
| 6275 | MONPOWER | MON POWER | REGULAR | 05/24/2016 | 206.75 | |
| COMM.CRIMINAL JUSTICE FUND Bank Id 172 Totals | | | | | 2,537.02 | |
| Report Totals | | | | | 2,537.02 | |

Check Register Report for Wood County Commission

| Check No | Vendor Id | Vendor Name | Type | Check Date | Check Amount | Rec |
|-------------------------------------|-----------|------------------------|---------|------------|---------------|-----|
| 3279 | SWC | SHERIFF OF WOOD COUNTY | REGULAR | 05/24/2016 | 605.00 | |
| HOME CONFINEMENT Bank Id 108 Totals | | | | | <u>605.00</u> | |

Two handwritten signatures in black ink, one on the left and one on the right, appearing to be initials or names.