

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 21, 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.

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real and personal property. Copies are attached to these minutes and shall be made a part thereof.

AGENDA AND DISCUSSION ITEMS

At 9:30 A.M., the County Commission held a public hearing in regard to a proposed TIF District for Emerson Commons. After discussion, the County Commission authorized Stephen Gainer to Execute a Memorandum of Understanding for construction bidding; to Execute a Resolution Submitting a Tax increment Financing Application and to Execute a Resolution stating the reasonable expectation to reimburse for capital expenditures from Proceeds of Tax Increment Financing Bond. The County Commission also is requiring the developer of the proposed TIF Zone from Emerson Commons, to notify property owners within the proposed

district by certified mail that their property is affected. (Orders A/1703, A/1704, A/1705, M/3527)

At 10:30 A.M., the County Commission convened in the Buckley Conference Room of the Courthouse to view the new County website.

At 11:20 A.M., the County Commission reconvened in the County Commission Office and discussed the problems that are being experience with the initial mailing of the Wood County Fire Fee.

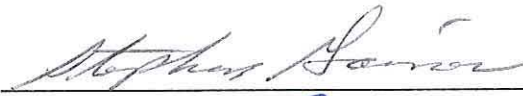
ORDERS APPROVED AND ATTACHED TO THESE MINUTES

A/1692, A/1693, A/1697, A/1703, A/1704, A/1705, M/3527

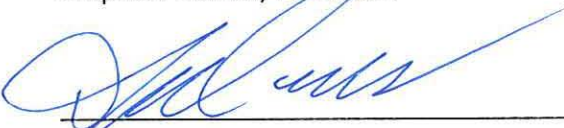
Having no further scheduled appointments or business to attend to, the County Commission adjourned at 11:46 A.M.

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 21, 2016.

Wood County Commission Meeting
Held November 21, 2016

Please Print

1.	Carrie Cecil Spilman
2.	STEPHEN SMITH
3.	HARRY Headlee Bodley Enterprises
4.	JAMES Colombe
5.	Joe Pye
6.	Andy Byle
7.	PAZZER PETROPLUS
8.	STEVEN GAIN CEC
9.	Rick Hoffman Assessor
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	



Wood County Commission Agenda

11/21/2016

1 Court Square, Suite 203
Parkersburg, WV 26101

9:30 A.M.	Public Hearing for proposed TIF district for Emerson Commons - To consider and act upon a proposed Resolution regarding approval of (i) the Tax Increment Financing Application (the "TIF Application") submitted by Emerson Commons LLC with respect to the proposed creation of a new Tax Increment Financing District in Wood County to be called "County Commission of Wood County Development District No. 1" (the "TIF District") and public infrastructure projects and improvements within the TIF District (the "TIF Project"), (ii) submission of the TIF Application to the West Virginia Development Office and (iii) approval of other items in connection therewith.	
	Consider and act upon a proposed Reimbursement Resolution regarding the reimbursement of funds spent in anticipation of the potential approval of the TIF Application from obligations to be issued for the TIF Project.	
10:00 A.M.	Unveil new County website	Stonewall Marketing
	Announce vacancy on the Wood County Development Authority (Childress) Unexpired term expires December 31, 2018	
	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

NOVEMBER 21, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION ANNOUNCED THAT A
VACANCY EXISTS ON THE WOOD COUNTY DEVELOPMENT
AUTHORITY.

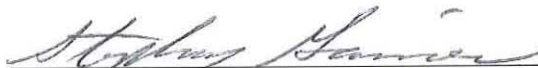
ORDER

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Robert K. Tebay and made unanimous by Stephen Gainer, announced that a vacancy exists on the Wood County Development Authority. Said vacancy is due to the fact Cecil Childress no longer resides in West Virginia. Mr. Childress' unexpired term will expire December 31, 2018.

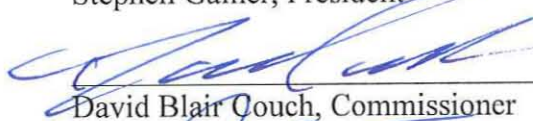
Said vacancies are pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing with the procedure policy for appointments to Boards and Authorities.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



Stephen Gainer, President



David Blair Couch, Commissioner



Robert K. Tebay, Commissioner

A/1692

Mark Rhodes
WOOD County 02:55:45 PM
Instrument No 8732795
Date Recorded 11/21/2016
Document Type ODO
Pages Recorded 1
Book-Page 72-440

NOVEMBER 21, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION AUTHORIZED STEPHEN GAINER
TO SIGN THE REQUEST FOR REIMBURSEMENT IN REGARD TO
THE VICTIMS OF CRIME ASSISTANCE GRANT NUMBER 15-VA-
038. SAID REQUEST IS IN THE AMOUNT OF \$2,407.50

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 Stephen Gainer, on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Victims of Crime Assistance Grant Number 15-VA-038. The Request for Reimbursement is in the amount of two thousand four hundred seven dollars and fifty cents (\$2,407.50) for the month of September, 2016. Along with the Request for Reimbursement Form; a Financial Recap Page; Project Financial Report; Daily Time Sheets for the Victims Advocate, Tiffany Kiger; Monthly Progress Reports and the Monthly Statistical Report have been submitted.

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

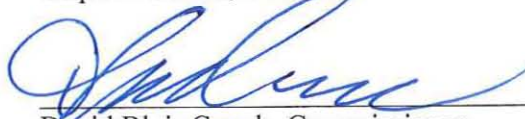
Documentation pertaining to the Victims of Crime Advocate Grant is on file in the Office of the County Administrator.

APPROVED:

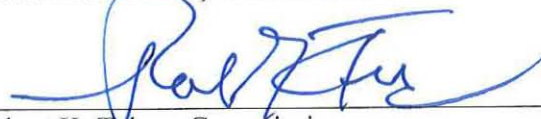
THE COUNTY COMMISSION OF WOOD COUNTY



Stephen Gainer, President



David Blair Couch, Commissioner



Robert K. Tebay, Commissioner

WEST VIRGINIA DIVISION OF JUSTICE AND COMMUNITY SERVICES	Request for Reimbursement
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RECEIVED (For DJCS Use Only)	Subgrantee:	Wood County Commission
	Address:	One Court Square, Suite 203
		Parkersburg, WV
		26101
	Project #:	15-VA-038
	FEIN#:	556 000 417
Funds are hereby requested to cover expenditures FROM: 9/1/16 TO: 9/30/16		

PROJECT CASH EXPENDITURES

CATEGORY	AMOUNT
Personnel/Contractual	\$2,407.50
Travel/Training	-0-
Space	
Other	
TOTAL	\$2,407.50

CERTIFICATION:

I certify that this report presents actual receipts and expenditures of funds for the period covered and for the total grant budget to date, made in accordance with the approved budget for this grant.

All documentation is available at our office.

BY: Stephen Gainer, President  11/21/16
 TYPED NAME & TITLE SIGNATURE DATE
 (Authorized Official or Grant Financial Officer ONLY)

DJCS USE ONLY

ADMINISTRATIVE APPROVAL:

This request is approved in the amount of \$ _____
 Initials _____ Date _____

Pursuant to the authority vested in me, I certify that this request is correct and proper for payment.

 Date Program Accountant

Mark Rhodes
 WOOD County 02:45:02 PM
 Instrument No 8732789
 Date Received 11/21/2016
 Document Type 030
 Pages Recorded 2
 Book-Page 72-435

NOVEMBER 21, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION AUTHORIZED STEPHEN GAINER, AS PRESIDENT, TO SIGN THE REQUEST FOR REIMBURSEMENT IN REGARD TO THE COMMUNITY CORRECTIONS GRANT NUMBER 17-CC-26. SAID REQUEST IS IN THE AMOUNT OF \$34,142.62.

ORDER

On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by David Blair Couch and made unanimous by Stephen Gainer, did hereby AUTHORIZE Stephen Gainer, in his official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Community Corrections Grant Number 17-CC-26. Reimbursement is in the amount of thirty-four thousand one hundred forty-two dollars and sixty-two cents (\$34,142.62) for the month of October, 2016. In addition to the Request for Reimbursement, the Time Sheets for employees of the Wood County Day Report Center, the Monthly Project Director's Report, the Financial Recap and the Project Financial Reports are being submitted to the Criminal Justice Services, Charleston, West Virginia.

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

Documentation pertaining to the Community Corrections 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

WEST VIRGINIA Division of Criminal Justice Services	Request for Reimbursement
--	--------------------------------------

RECEIVED (For DCJS Use Only)	Subgrantee: Wood County Commission
	Address: One Court Square, Suite 203 Parkersburg, WV 26101
	Project #: 17-CC-26
	FEIN#: 556 000 417
	Funds are hereby requested to cover expenditures FROM: 10/1/16 TO: 10/31/16

PROJECT CASH EXPENDITURES

CATEGORY	AMOUNT
Personnel/Contractual	\$34,142.62
Travel/Training	-0-
Space	-0-
Other	-0-
Equipment	-0-
TOTAL	\$34,142.62

CERTIFICATION:

I certify that this report presents actual receipts and expenditures of funds for the period covered and for the total grant budget to date, made in accordance with the approved budget for this grant.

All documentation is available at our office.

BY: Stephen Gainer, President, Wood County Commission
TYPED NAME & TITLE
(Authorized Official or Grant Financial Officer ONLY)

 11/21/16
SIGNATURE DATE

DCJS USE ONLY	
ADMINISTRATIVE APPROVAL:	
This request is approved in the amount of \$ _____ <div style="display: flex; justify-content: space-around; width: 100%;"> Initials Date </div>	
Pursuant to the authority vested in me, I certify that this request is correct and proper for payment.	
_____ Date	_____ Program Accountant

Mark Rhodes
Wood County 02:49:10 PM
Instrument No 8732793
Date Recorded 11/21/2016
Document Type DCJ
Pages Recorded 2
Book Page 72-438

NOVEMBER 21, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE
STEPHEN GAINER, AS PRESIDENT, TO EXECUTE A
MEMORANDUM OF UNDERSTANDING FOR A
PROPOSED TIF ZONE.


ORDER

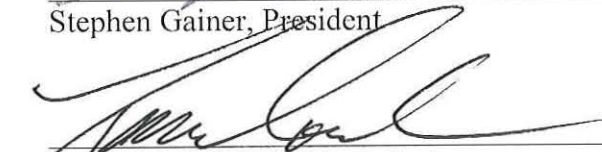
On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Robert K. Tebay and made unanimous by Stephen Gainer, did hereby AUTHORIZE Stephen Gainer, in his official capacity as President and on behalf of the County Commission, to EXECUTE a Memorandum of Understanding (MOU) for construction bidding regarding a proposed Tax Increment Financing (TIF) Zone for the Emerson Commons District.

A copy of said Memorandum of Understanding is attached to this Order and should be made a part thereof.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


Stephen Gainer, President


David Blair Couch, Commissioner


Robert K. Tebay, Commissioner

A/1703

Office of the County Commission of Wood County, West Virginia

Commissioners
Stephen Gainer
David Blair Couch
Robert K. Tebay



No. 1 Court Square
Suite 203
Parkersburg, WV 26101
Phone 304-424-1984

Construction Bidding MOU

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into as of November 21, 2016, by and between the County Commission of Wood County, West Virginia (the "County Commission"), and Emerson Commons LLC (the "Developer").

WHEREAS, the Developer has requested that the County Commission consider the creation and establishment of a development district to be known and designated as the "County Commission of Wood County Development District No. 1" (the "TIF District"), and the approval of a development project plan (the "Project Plan"), specifically the development of certain public infrastructure improvements within or contiguous with the TIF District, including, without limitation, water lines, sanitary sewer lines, gas lines, stormwater drainage, wetlands mitigation, new road construction and road improvements, including without limitation intersection improvements, curbing, traffic control and lighting, and other related infrastructure and utilities improvements, all within or contiguous with the TIF District (the "TIF Project"), all in order to facilitate the issuance of tax increment financing obligations or the utilization of tax increment revenues to finance the costs of planning, acquiring, constructing and equipping the TIF Project, being necessary public infrastructure improvements within or benefitting the TIF District, under and pursuant to Chapter 7, Article 11B of the Code of West Virginia, 1931, as amended (the "TIF Act");

WHEREAS, the Developer and the County Commission have agreed to jointly develop and finance the TIF Projects through the issuance of tax increment financing obligations and/or the utilization of tax increment revenues on a pay-as-you-go basis;

WHEREAS, the County Commission has, on the date hereof, held a public hearing regarding the creation and establishment of the proposed TIF District, the approval of the Project Plan, a Tax Increment Financing Application dated November 7, 2016 (the "Application") and issuance of tax increment financing bonds or other obligations, all as more fully described in the Application; and

WHEREAS, a memorandum of understanding between the Developer and the County Commission regarding the competitive bidding process for construction of projects financed by

tax increment revenues is required to be submitted to the West Virginia Development Office as a condition to such Office's approval of the Application.


ACCORDINGLY, the Developer and the County Commission have determined to proceed in the following manner:

1. The bid specifications for design and/or construction of the TIF Project or any portion thereof will be prepared by or on behalf of the Developer and provided to the County Commission for review at least two weeks prior to publication of the advertisement for bids.
2. The bid specifications will comply with Chapter 5G, Article 1, Chapter 5, Article 22 and Chapter 5, Article 22A of the Code of the State of West Virginia, 1931, as amended (collectively, the "Bidding Statutes"), as applicable.
3. Upon approval of the County Commission, the Developer will be responsible for the publication of all bid advertisements.
4. Bid opening will be held at a mutually agreeable location in the presence of representatives of the County Commission and the Developer.
5. The County Commission and the Developer will, in accordance with the provisions of the applicable Bidding Statutes, select from those bids offered the appropriate bidder, subject to the right of the County Commission and the Developer to reject any and all bids.
6. The Developer will be responsible for all costs in connection with the preparation and advertisement of bids; *provided however*, that all such costs may be reimbursable from the TIF Fund established for the TIF District or from the proceeds of tax increment financing obligations to be issued by the County Commission.

[Signature Page Follows]

WITNESS the following signatures:

THE COUNTY COMMISSION OF WOOD COUNTY

By: 
Name: Stephen Gainer
Title: President

EMERSON COMMONS LLC

By: _____
Name: Joseph M. Pope
Title: Member

By: _____
Name: Ricky S. Coulson
Title: Member

NOVEMBER 21, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE
STEPHEN GAINER, AS PRESIDENT, TO EXECUTE A
RESOLUTION FOR A PROPOSED TIF ZONE.


ORDER

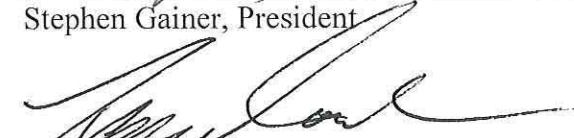
On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Robert K. Tebay and made unanimous by Stephen Gainer, did hereby AUTHORIZE Stephen Gainer, in his official capacity as President and on behalf of the County Commission, to EXECUTE a Resolution Submitting a Tax Increment Financing (TIF) Application regarding a proposed Tax Increment Financing (TIF) Zone for the Emerson Commons District.

A copy of said Resolution is attached to this Order and should be made a part thereof.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


Stephen Gainer, President


David Blair Couch, Commissioner


Robert K. Tebay, Commissioner

A/1704

Office of the County Commission of Wood County West Virginia

Commissioners
Stephen Gainer
David Blair Couch
Robert K. Tebay



No. 1 Court Square
Suite 203
Parkersburg, WV 26101
Phone 304-424-1984

Resolution Submitting TIF Application

RESOLUTION

WHEREAS, the County Commission of Wood County, West Virginia (the "County Commission") is authorized by the West Virginia Tax Increment Financing Act, Chapter 7, Article 11B of the Code of West Virginia, 1931, as amended (the "Act"), to create development or redevelopment districts, cause project plans to be prepared, approve project plans, issue tax increment financing obligations and take other actions to facilitate the orderly development and economic stability of the County, all as more fully set forth in the Act;

WHEREAS, Emerson Commons LLC (the "Developer") has requested that the County Commission consider the creation and establishment of a development district to be known and designated as the "County Commission of Wood County Development District No. 1" (the "TIF District"), and the approval of a development project plan (the "Project Plan"), specifically the development of certain public infrastructure improvements within or contiguous with the TIF District, including, without limitation, water lines, sanitary sewer lines, gas lines, stormwater drainage, wetlands mitigation, new road construction and road improvements, including without limitation intersection improvements, curbing, traffic control and lighting, and other related infrastructure and utilities improvements, all within or contiguous with the TIF District (the "TIF Project");

WHEREAS, the County Commission has received and reviewed the Tax Increment Financing Application (the "Application") relating to the proposed creation of the TIF District and the approval of the Project Plan;

WHEREAS, the County Commission did, on November 21, 2016, following proper notice thereof, hold a public hearing with respect to the Application wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of the TIF District and its proposed boundaries and the proposed approval of the Project Plan;

WHEREAS, the County Commission has, following such public hearing, found and determined that the approval of the Application will benefit Wood County and its residents by facilitating the orderly development and economic stability of Wood County, and that development therein will encourage investing in job-producing, private development and expand the public tax base of the County; that future capital improvements will result in the

increase in the value of property located in the TIF District and will encourage increased employment and business activity within such area and will serve a public purpose of the County Commission; and

WHEREAS, the County Commission now desires to submit the Application to the West Virginia Development Office for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA, AS FOLLOWS:

1. It is hereby found and determined following the public hearing thereon that the Application, as submitted to the County Commission, is approved and is in form and substance suitable for submission to the West Virginia Development Office for its consideration of approval.

2. It is hereby found and determined that the projects described in the Project Plan are not reasonably expected to occur without the use of tax increment financing.

3. It is hereby found and determined that the development as set forth in the Application will not be solely used for development of commercial businesses that will unfairly compete in the local economy and that development or redevelopment is in the public interest because it will (i) discourage commerce, industry or manufacturing from moving their operating to another state; (ii) result in increased employment in Wood County; or (iii) result in preservation or enhancement of the tax base of Wood County.

4. It is hereby authorized and ordered that the President of the County Commission cause the Application and all other necessary documentation to be submitted to the West Virginia Development Office, together with a request for approval thereof.

5. The Memorandum of Understanding regarding public bidding of design and/or construction of the TIF Project dated as of November 21, 2016 (the "MOU"), in the form presented to this meeting, is hereby approved and the President of the County Commission is hereby authorized and ordered to execute the MOU with such changes as may be approved by the President, such execution to be conclusive evidence of any such approval.

6. The President and Members of the County Commission and other officials and employees of the County Commission are hereby authorized and directed to take such actions as they shall deem appropriate in facilitating the approval of the Application.

7. This Resolution shall become effective immediately upon adoption.

[Signature Page Follows]

Adopted this 21st day of November, 2016.

THE COUNTY COMMISSION OF WOOD COUNTY

By: 

Name: Stephen Gainer

Title: President

CERTIFICATION

The undersigned, being the duly qualified, elected and acting Clerk of the County Commission of Wood County, West Virginia (the "County Commission"), does hereby certify that the foregoing Resolution was duly adopted by the County Commission at its regular meeting duly held, pursuant to proper notice thereof, on November 21, 2016, a quorum being present and acting throughout, and which Resolution has not been modified, amended or revoked and is a true, correct and complete copy thereof as of this 21st day of November, 2016.

By: Mark Rhodes

Name: Mark Rhodes

Title: County Clerk

Mark Rhodes
WOOD County 02:38:56 PM
Instrument No 8732786
Date Recorded 11/21/2016
Document Type CDD
Pages Recorded 5
Book-Page 72-423

NOVEMBER 21, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE
STEPHEN GAINER, AS PRESIDENT, TO EXECUTE A
RESOLUTION FOR A PROPOSED TIF ZONE.

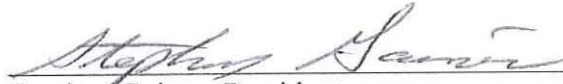
ORDER

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 Stephen Gainer, in his official capacity as President and on behalf of the County Commission, to EXECUTE a Resolution stating the reasonable expectation to reimburse for capital expenditures from Proceeds of Tax Increment Financing Bonds regarding a proposed Tax Increment Financing (TIF) Zone for the Emerson Commons District.

A copy of said Resolution is attached to this Order and should be made a part thereof.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


Stephen Gainer, President


David Blair Couch, Commissioner


Robert K. Tebay, Commissioner

A/1705

Office of the County Commission of Wood County, West Virginia

Commissioners
Stephen Gainer
David Blair Couch
Robert K. Tebay



No. 1 Court Square
Suite 203
Parkersburg, WV 26101
Phone 304-424-1984

RESOLUTION STATING THE REASONABLE EXPECTATION OF COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA TO REIMBURSE FOR CAPITAL EXPENDITURES FROM THE PROCEEDS OF TAX INCREMENT FINANCING BONDS

WHEREAS, Emerson Commons LLC (the "Developer") has proposed the creation of a new Tax Increment Financing District by the County Commission Wood County (the "County Commission") to be called County Commission of Wood County Development District No. 1 (the "TIF District") and the financing of certain public infrastructure projects and improvements within the TIF District (the "TIF Project");

WHEREAS, if the TIF District and the TIF Project are approved pursuant to Chapter 7, Article 11B of the Code of West Virginia, 1931, as amended (the "Act"), the County Commission desires that the County Commission and the Developer be reimbursed for Capital Expenditures (as hereinafter defined) made by the County Commission or the Developer in connection with the TIF Project;

WHEREAS, Treasury Regulation § 1.150-2 (the "Reimbursement Regulations"), issued pursuant to §150 of the Internal Revenue Code of 1986, as amended (the "Code"), prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of "bonds" under § 150 of the Code ("Bonds") used to reimburse advances made for Capital Expenditures paid before the issuance of such Bonds may be deemed "spent" for purposes of §§ 103 and 141 to 150 of the Code and therefore, not further subject to any other requirements or restrictions under those sections of the Code;

WHEREAS, the Reimbursement Regulations require that a declaration of official intent (as hereinafter defined) to reimburse any Capital Expenditure paid prior to the issuance of the Bonds intended to fund such Capital Expenditure and require that such Declaration of Official Intent be made no later than sixty (60) days after payment of the Capital Expenditure and further require that the Allocation (as hereinafter defined) of the proceeds of such Bonds to reimburse such Capital Expenditures occur no later than eighteen (18) months after the later of the date the Capital Expenditure was paid or the date the property acquired with the Capital Expenditure was placed in service, but in no event may any such Allocation be made later than three years after such Capital Expenditure was paid; and

WHEREAS, the County Commission desires that the County Commission and the Developer be reimbursed as permitted under the Act for expenditures made by the County Commission and the Developer in connection with the TIF District and/or the TIF Project.

NOW, THEREFORE, be it resolved by the County Commission as follows:

SECTION 1. Definitions. The following definitions apply to the terms used herein:

"Allocation" means written evidence that proceeds of Bonds issued subsequent to the payment of a Capital Expenditure are to effect the reimbursement of the County Commission or any other entity affiliated with the County Commission, including the Developer, for such payments for the TIF Project.

"Capital Expenditure" means any expense for an item that is properly chargeable to a capital account or is otherwise treated as a capital expenditure for purposes of the Code, as well as any costs of issuing Reimbursement Bonds.

"Declaration of Official Intent" means a written declaration that the County Commission intends to fund a Capital Expenditure with an issue or issues of Reimbursement Bonds and reasonably expects that the County Commission or the Developer is to be reimbursed from the proceeds of such an issue or issues under the Reimbursement Regulations.

"Reimbursement" means the restoration to the County Commission or the Developer of money temporarily advanced from other funds of the County Commission or any other entity affiliated with the County Commission, including the Developer, for Capital Expenditures before the issuance of Bonds intended to fund such Capital Expenditures for the TIF Project. "To reimburse" means to make such a restoration.

"Reimbursement Bonds" means Bonds that are issued to reimburse the County Commission or the Developer for Capital Expenditures previously paid by it or by or any other entity affiliated with the County Commission, including the Developer, for the TIF Project.

"Reimbursement Regulations" means Treasury Regulation § 1.150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as applicable, prescribing conditions under which the proceeds of Bonds when allocated or applied to a reimbursement will be treated as "spent" for purposes of §§ 103 and 141 to 150 of the Code.

SECTION 2. Declaration of Official Intent.

(a) The County Commission declares that it reasonably expects that the Capital Expenditures incurred within sixty (60) days prior to the date of adoption of this Resolution or which will be incurred hereafter in connection with the TIF Project, as permitted under the Act, which will be paid, in whole or in part from the General Fund of the County Commission or the

funds of any other entity affiliated with the County Commission, including the Developer from its general operating/capital account, at any time hereafter but prior to the issuance of any Bonds intended to fund such Capital Expenditures for the TIF Project, will be reimbursed with the proceeds of Bonds, representing borrowings by the County Commission in the maximum principal amount for such reimbursements;

(b) The TIF Project for which Capital Expenditures are expected to be made and reimbursed is set forth in Exhibit A attached hereto; and

(c) This resolution is a Declaration of Official Intent.

SECTION 3. Maximum Principal Amount of Bonds. The maximum principal amount of the Bonds which are expected to be issued for the TIF Project is \$6,000,000.

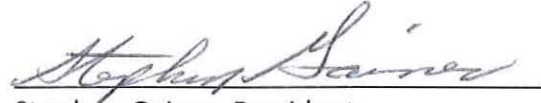
SECTION 4. Reasonable Expectations. The County Commission does not expect any other funds (including the money advanced to make the Capital Expenditures that are to be reimbursed), to be reserved, allocated on a long-term basis or otherwise set aside by the County Commission or any other entity affiliated with the County Commission, including the Developer, with respect to the TIF Project.

SECTION 5. Authorized Officer. The appropriate officials of the County Commission, including without limitation, the President, the County Administrator and the County Clerk, are hereby authorized and directed to execute and deliver for and on behalf of the County Commission any and all additional certificates and other documents and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution.

SECTION 6. Effective Date. This Resolution shall take effect upon its adoption.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, I have hereupon set the seal of the County Commission this 21st day of November, 2016.


Stephen Gainer, President

[SEAL]

Exhibit A

Description of TIF Project

The Developer proposes to develop certain public infrastructure improvements within or contiguous with the TIF District, including, without limitation, water lines, sanitary sewer lines, gas lines, stormwater drainage, wetlands mitigation, new road construction and road improvements, including without limitation intersection improvements, curbing, traffic control and lighting, and other related infrastructure and utilities improvements, all within or contiguous with the proposed TIF District.

CERTIFICATION

The undersigned, being the duly qualified, elected and acting Clerk of the County Commission of Wood County, West Virginia (the "County Commission"), does hereby certify that the foregoing Resolution was duly adopted by the County Commission at its regular meeting duly held, pursuant to proper notice thereof, on November 21, 2016, a quorum being present and acting throughout, and which Resolution has not been modified, amended or revoked and is a true, correct and complete copy thereof as of this 21st day of November, 2016.

By: Mark Rhodes

Name: Mark Rhodes

Title: County Clerk

Mark Rhodes
WOOD County 02:40:38 PM
Instrument No 8732787
Date Recorded 11/21/2016
Document Type OJD
Pages Recorded 7
Book-Page 72-428

NOVEMBER 21, 2016

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

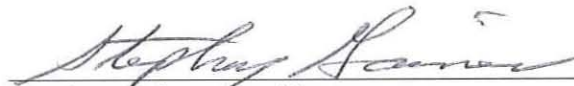
IN RE: THE COUNTY COMMISSION DID HEREBY REQUIRE THE
DEVELOPER OF THE PROPOSED EMERSON COMMONS TIF
DISTRICT TO SEND CERTIFIED NOTICES TO PROPERTY
OWNERS WITHIN THE PROPOSED DISTRICT

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 REQUIRE the developer of the proposed Tax Increment Financing (TIF) Zone for Emerson Commons, Emerson Commons, LLC, to notify property owners within the proposed district by certified mail that their property is affected.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



Stephen Gainer, President



David Blair Couch, Commissioner



Robert K. Tebay, Commissioner

M/3527

Mark Rhodes
WOOD County 02:47:29 PM
Instrument No 8732790
Date Recorded 11/21/2016
Document Type CDD
Pages Recorded 1
Book-Page 72-437

LDC
FSD

Wood County Commission

Erroneous Assessment Application

Tax Type: **Real Estate**

Description

LOT #29 J W DUDLEY ADN 50X125

Tax Ticket: **24040**

Tax Year: **2012**

Upon the application of **PENCE FRED** whose address is **1007 24TH ST PARKERSBURG, WV 26101-** aggrieved by an erroneous assessment in **PARKERSBURG District (05) Map 54 Parcel 00180000**, in the County of Wood, for the **2012** 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 **2012** 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 IN CLASS 4 RENTAL AND SHOULD HAVE BEEN CLASS 2 OWNER OCCUPIED.


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
07/01/2012	BILLING	4	587.12	2.912320	4	20,160
11/16/2016	PENDING EXONERATION	4	-293.56	2.912320	4	0
Adjusted Net Taxes			293.56	Adjusted Net Value		20,160 ✓

Map 54 Parcel 00180000


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 November 21, 2016

RECEIVED

NOV 17 2016

County Administrator

Mark Rhodes
WOOD County 03:02:21 PM
Instrument No 8732796
Date Recorded 11/21/2016
Document Type 000
Pages Recorded 1
Book-Page 72-441

By: Teresa Murray

Application Printed On

Wednesday, November 16, 2016 11:39 am

Wood County Commission

Erroneous Assessment Application

Tax Type: **Real Estate**

Description

LOT #29 J W DUDLEY ADN 50X125

Tax Ticket: **23975**

Tax Year: **2013**

Upon the application of **PENCE FRED** whose address is **1007 24TH ST PARKERSBURG, WV 26101-** aggrieved by an erroneous assessment in **PARKERSBURG** District (05) Map 54 Parcel 00180000, 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.

PROPERTY WAS IN CLASS 4 RENTAL AND SHOULD HAVE BEEN CLASS 2 OWNER OCCUPIED.

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
07/01/2013	BILLING	4	597.64	2.929600	4	20,400
11/16/2016	PENDING EXONERATION	4	-298.82	2.929600	4	0
Adjusted Net Taxes			298.82	Adjusted Net Value		20,400

Map 54 Parcel 00180000


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 November 21, 2016

RECEIVED

NOV 17 2016

Mark Rhodes
WOOD County 03:04:01 PM
Instrument No 8732797
Date Recorded 11/21/2016
Document Type CDD
Pages Recorded 1
Book-Page 72-442

By: Teresa Murray

Application Printed On

Wednesday, November 16, 2016 11:41 am

Wood County Commission

Erroneous Assessment Application

Tax Type: **Real Estate**

Description

LOT #29 J W DUDLEY ADN 50X125

Tax Ticket: **23951**

Tax Year: **2014**

Upon the application of **PENCE FRED** whose address is **1007 24TH ST PARKERSBURG, WV 26101-** aggrieved by an erroneous assessment in **PARKERSBURG District (05) Map 54 Parcel 00180000**, 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 IN CLASS 4 RENTAL AND SHOULD HAVE BEEN CLASS 2 OWNER OCCUPIED.

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	604.40	2.936800	4	20,580
11/16/2016	PENDING EXONERATION	4	-302.20	2.936800	4	0
Adjusted Net Taxes			302.20	Adjusted Net Value		20,580 ✓

Map 54 Parcel 00180000 ✓

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 November 21, 2016

RECEIVED

NOV 17 2016

Mark Rhodes
WOOD County 03:05:39 PM
Instrument No 8732798
Date Recorded 11/21/2016
Document Type 000
Pages Recorded 1
Book-Page 72-443

By: Teresa Murray

Application Printed On

Wednesday, November 16, 2016 11:44 am

Wood County Commission

Erroneous Assessment Application

Tax Type: **Real Estate**

Tax Ticket: **25216**

Tax Year: **2016** ✓

Description

TCT 4-A LOT 150X50 LOT 150X
50 TCT 290X6 LOT 150X50 DUDLEY
RD & LOTS #77 THRU #84 INCL &

Upon the application of **ROMAN CATHOLIC DIOCESE** whose address is **2500 DUDLEY AVE PARKERSBURG, WV 26101-0010** aggrieved by an erroneous assessment in **PARKERSBURG District (05)** Map 47 Parcel 000B0000, in the County of Wood, for the **2016** 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 **2016** tax year.

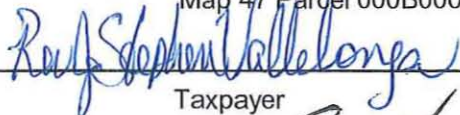
If the taxes have been paid the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the the affected tax year, the Sheriff shall allow a credit on future taxes payable.

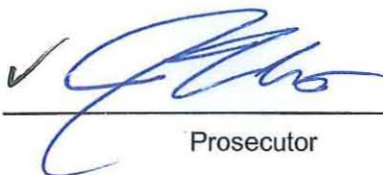
DUE TO A CLERICAL ERROR, THE ABOVE MENTIONED PROPERTY WAS OVER ASSESSED FOR TAX YEAR 2016. THE TAXABLE SPLIT PERCENTAGES WERE NOT UPDATED.


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
07/01/2016	BILLING	4	2,707.54	2.955500	4	91,610
09/19/2016	PENDING EXONERATION	4	-2,217.82	2.955500	4	-75,040
Adjusted Net Taxes			489.72	Adjusted Net Value		16,570

Map 47 Parcel 000B0000


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 November 21, 2016

RECEIVED

OCT 20 2016

County Administration

Mark Rhodes
WOOD County 03:06:49 PM
Instrument No 8732799
Date Recorded 11/21/2016
Document Type CDO
Pages Recorded 1
Book-Page 72-444

By: Tessa Miller

Application Printed On

Monday, September 19, 2016 3:53 pm

Wood County Commission

Erroneous Assessment Application

Tax Type: Personal Property

Tax Ticket: 605819

Tax Year: 2016

Upon the application of **PLEASANT VIEW BAPTIST CHURCH** whose address is **2175 PETTYVILLE RD PARKERSBURG, WV 26101-8348** aggrieved by an erroneous assessment in LUBECK District (03) , in the County of Wood, for the **2016** 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 **2016** 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 AN ASSESSMENT FORM WAS SENT IN AND WE ASSESSED THE VEHICLES. THE VEHICLES SHOULD BE TAX EXEMPT FOR PLEASANT VIEW BAPTIST CHURCH. 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	Net Value	
07/01/2016	BILLING	3	68.86	2.206800	3	3,120	
09/27/2016	PENDING EXONERATION	3	-68.86	2.206800	3	-3,120	
Adjusted Net Taxes			0.00	Adjusted Net Value			0

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 November 21, 2016

RECEIVED

OCT 19 2016

County Administrator

Mark Rhodes
WOOD County 03:07:54 PM
Instrument No 8732800
Date Recorded 11/21/2016
Document Type 000
Pages Recorded 1
Book-Page 72-445

By: Sarah Edelen

Application Printed On

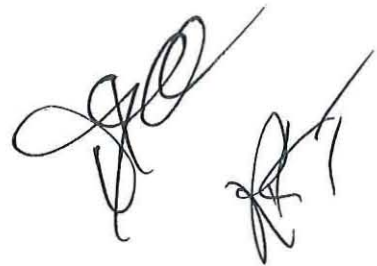
Tuesday, September 27, 2016 4:21 pm

Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
6662	STEPHNSA	STEPHENS AUTO CENTER	REGULAR	11/17/2016	27,749.00	

E-911 FUND Bank Id 107 Totals 27,749.00

Report Totals 27,749.00

Handwritten signature and initials in the bottom right corner of the page.

Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
2057	DENTAL	RENAISSANCE	REGULAR	11/16/2016	1,558.33	
2058	DENTAL	RENAISSANCE	REGULAR	11/16/2016	2,587.56	
GENERAL FUND Bank Id 101 Totals					4,145.89	
Report Totals					4,145.89	



Check Register Report for Wood County Commission




Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
2052	IRS-PAY	INTERNAL REVENUE SERVICE	REGULAR	11/15/2016	0.00	
2053	IRS-PAY	INTERNAL REVENUE SERVICE	REGULAR	11/15/2016	97,411.28	
2054	CHILD	CHILD SUPPORT ENF DIV	REGULAR	11/15/2016	1,131.39	
2055	EMPOWER	EMPOWER RETIREMENT	REGULAR	11/15/2016	45.00	
162076	NRS	NATIONWIDE RETIREMENT SOLUTIONS	REGULAR	11/15/2016	2,880.83	
162077	PHEAA	PHEAA	REGULAR	11/15/2016	389.50	
162078	PUBLIC DE	ONE COMMUNITY FEDERAL CREDIT UNION	REGULAR	11/15/2016	13,850.00	
162080	AAP	ADVANCE AUTO PARTS	REGULAR	11/15/2016	36.42	
162081	ATKICARA	ATKINSON CARA	REGULAR	11/15/2016	43.74	
162082	ATLAS	ATLAS STEEL & SUPPLY	REGULAR	11/15/2016	238.69	
162083	AUTOPLUS	AUTOPLUS	REGULAR	11/15/2016	67.83	
162084	BEARELIZ	BEARY ELIZABETH	REGULAR	11/15/2016	88.02	
162085	BFS PETRO	BFS PETROLEUM	REGULAR	11/15/2016	49.96	
162086	BOBBARKER	BOB BARKER COMPANY INC	REGULAR	11/15/2016	187.04	
162087	BOSLEY	BOSLEY RENTAL & SUPPLY INC	REGULAR	11/15/2016	190.00	
162088	BREWER	BREWER & CO. OF WV, INC.	REGULAR	11/15/2016	375.00	
162089	CANON	CANON FINANCIAL SERVICES, INC	REGULAR	11/15/2016	151.00	
162090	CHAMPION OUTI	CHAMPION OUTPUT SOLUTIONS	REGULAR	11/15/2016	927.92	
162091	CRYSTAL	CRYSTAL SPRING WATER	REGULAR	11/15/2016	20.00	
162092	DOTSLESL	DOTSON LESLIE RENEE	REGULAR	11/15/2016	40.50	
162093	ENGLEFIELD	ENGLEFIELD OIL COMPANY	REGULAR	11/15/2016	8,109.21	
162094	ES&S	ES&S	REGULAR	11/15/2016	876.75	
162095	FINLEY FI	FINLEY FIRE EQUIPMENT	REGULAR	11/15/2016	2,947.50	
162096	GALLS	GALLS	REGULAR	11/15/2016	97.59	
162097	GIVEPENN	GIVENS PENNY G.	REGULAR	11/15/2016	69.12	

Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
162098	GOUDYPHD	TONY R. GOUDY, PH D	REGULAR	11/15/2016	300.00	
162099	HUMANE SO	HUMANE SOCIETY	REGULAR	11/15/2016	19,250.00	
162100	JOHNBARB	JOHNSTON BARBARA A.	REGULAR	11/15/2016	51.30	
162101	KAESER	KAESER & BLAIR INC	REGULAR	11/15/2016	307.00	
162102	KESTERSON	KESTERSON CLEANERS	REGULAR	11/15/2016	395.29	
162103	KINCHELOE	KINCHELOE MOTORS INC.	REGULAR	11/15/2016	763.70	
162104	LAMP	LAMP PESTPROOF	REGULAR	11/15/2016	140.00	
162105	MAHONE TI	MAHONE TIRE CO	REGULAR	11/15/2016	562.36	
162106	MATHENY M	MATHENY MOTOR TRUCK CO	REGULAR	11/15/2016	309.40	
162107	MATHENYF	MATHENY FIRE & EMERGENCY	REGULAR	11/15/2016	1,211.29	
162108	MCGUFFEY	MCGUFFEY TENTS	REGULAR	11/15/2016	1,860.00	
162109	MID-OHIOVRA	MID-OHIO VALLEY REGIONAL AIRPORT	REGULAR	11/15/2016	850.00	
162110	MILLER CO	MILLER COMMUNICATIONS IN	REGULAR	11/15/2016	402.00	
162111	NOLANS	NOLAN'S SERVICES LLC	REGULAR	11/15/2016	7,948.47	
162112	ODEPOT	OFFICE DEPOT	REGULAR	11/15/2016	262.76	
162113	P-LIBRARY	PARKERSBURG & WOOD COUNTY PUBLIC LIBRARY	REGULAR	11/15/2016	45,823.30	
162114	PLANET	PLANET TECHNOLOGIES	REGULAR	11/15/2016	7,560.96	
162115	REGIONALJ	WV REGIONAL JAIL & CORRECTIONAL FACILITY	REGULAR	11/15/2016	223,204.50	
162116	RICOH	RICOH USA INC	REGULAR	11/15/2016	271.00	
162117	RIS	RECORDS IMAGING & STORAGE INC	REGULAR	11/15/2016	1,043.50	
162118	SHRISAMM	SHRIVER SAMMATHA A.	REGULAR	11/15/2016	39.96	
162119	SOFTWARES	SOFTWARE SYSTEMS INC	REGULAR	11/15/2016	1,127.00	
162120	STUARTOIL	STUART OIL COMPANY	REGULAR	11/15/2016	4.50	
162121	SUDDENLINKD	SUDDENLINK	REGULAR	11/15/2016	134.20	
162122	T&S	T&S LAWN-LANDSCAPE INC	REGULAR	11/15/2016	104.00	

Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
162123	THE INVESTIGA1	THE INVESTIGATIVE SOLUTIONS C/O SHERRI	REGULAR	11/15/2016	300.00	
162124	TRANSUNION	TRANSUNION RISK AND ALTERNATIVE DATA	REGULAR	11/15/2016	111.00	
162125	UNITED BANK	UNITED BANKCARD CENTER	REGULAR	11/15/2016	881.70	
162126	USBANKEQUIP	US BANK EQUIPMENT FINANCE	REGULAR	11/15/2016	499.00	
162127	VERIZONW	VERIZON WIRELESS	REGULAR	11/15/2016	2,900.27	
162128	WHITCHRI1	WHITTAKER CHRISTOPHER H.	REGULAR	11/15/2016	16.74	
162129	WVCGSIRP	WVCORP	REGULAR	11/15/2016	157,032.00	
GENERAL FUND Bank Id 101 Totals					605,891.49	
Report Totals					605,891.49	