

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

#1 COURT SQUARE, SUITE 203
PARKERSBURG, WV 26101

IN RE: MINUTES OF MEETING HELD
THURSDAY, AUGUST 1, 2019

PRESENT: DAVID BLAIR COUCH, PRESIDENT
ROBERT K. TEBAY, COMMISSIONER
JAMES COLOMBO, 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 minutes of July 25 and 29, 2019.

AGENDA AND DISCUSSION ITEMS

At 9:30A.M., Kent Leonhardt, West Virginia Agriculture Commissioner, met with the County Commission to update them on legislation that was recently passed regarding agriculture.

At 10:14 A.M., the County Commission, upon motion of David Blair Couch, seconded by James E. Colombo and passed, upon prior adjournment of the regular session, convened in EXECUTIVE SESSION upon authority granted by the West Virginia Code, Chapter 6, Article 9A, Sections 4, as amended. David Blair Couch, President of the Commission and James E. Colombo, Commissioner, met with Marty Seufer, County Administrator, Rick Woodyard, E-911 Director and Pat Lefebure, Wood County Prosecuting Attorney. All those present proceeded to discuss the matters for which the said

EXECUTIVE SESSION was had, being for personnel. The Commission having concluded said discussion, the said EXECUTIVE SESSION adjourned at 10:22 o'clock A.M. (Order M/4148)

At 10:47 A.M., the County Commission, upon a motion duly made, seconded and passed, approved the hiring of Megan Melrose as a part-time employee for the Wood County Extension Office.

Having no scheduled appointments or business to attend to, the County Commission adjourned at 10:58 A.M.

ORDERS APPROVED AND ATTACHED TO THESE MINUTES

M/4145, M/4146, M/4147 and M/4148

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

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David Blair Couch, President

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Robert K. Tebay, Commissioner

A stylized signature in blue ink, written over a horizontal line.

James Colombo, Commissioner

Wood County Commission Meeting
Held August 1, 2019

Please Print

1.	Kent Leonhardt Commissioner of Agriculture
2.	Norma Bailey WVDA
3.	Rick Woodman
4.	
5.	
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20.	



Wood County Commission
Agenda

8/1/2019

1 Court Square, Suite 203
Parkersburg, WV 26101

9:30 A.M.	Consider executing Family Court Memorandum of Understanding	
	Update on legislation that passed concerning agriculture	Kent Leonhardt, WV Dept. of Agriculture
	Discuss personnel matter at 911 Center	
	Consider Request to hire Megan Melrose as part time help for the Wood County Extension Office - \$9.00/hr	
	Administrator's Report	Marty Seuffer, 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

AUGUST 1, 2019

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 \$33,318.98 WHICH REPRESENTS REIMBURSEMENT IN REGARD TO THE WV DIVISION OF CRIMINAL JUSTICE SERVICES COMMUNITY CORRECTIONS GRANT 19-CC-26.

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 thirty-three thousand three hundred eighteen dollars and ninety-eight cents (\$33,318.98) which represents reimbursement to Wood County for expenses incurred during the month of May, 2019, in regard to the West Virginia Division of Criminal Justice Services Community Corrections Grant Number 19-CC-26. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 75, at Page 47 and bearing the date of June 13, 2019, at which time David Blair Couch, in his official capacity as President, and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

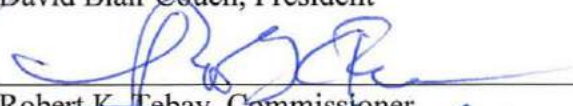
Documentation pertaining to the WVDCJS Community Corrections Grant is on file in the Office of the County Administrator.

APPROVED:

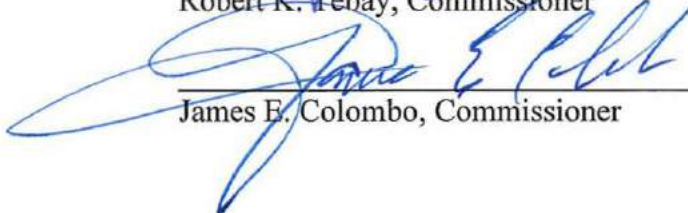
THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Robert K. Tehay, Commissioner



James E. Colombo, Commissioner

M/4145

Mark Rhodes
WOOD County 01:38:46 PM
Instrument No 88179022
Date Recorded 08/01/2019
Document Type CDD
Pages Recorded 1
Book+Page 75-54

AUGUST 1, 2019

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 \$6,488.88
REPRESENTS REIMBURSEMENT IN REGARD TO THE VICTIMS
OF CRIME ASSISTANCE GRANT NUMBER 16-VA-114.

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 six thousand four hundred eighty-eight dollars and eighty-eight cents (\$6,488.88) which represents reimbursement to Wood County for expenses incurred during the month of May, 2019, in regard to the Victims of Crime Assistance Grant Number 16-VA-114. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 75, at Page 47 and bearing the date of June 17, 2019, at which time David Blair Couch, in his official capacity as President, and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

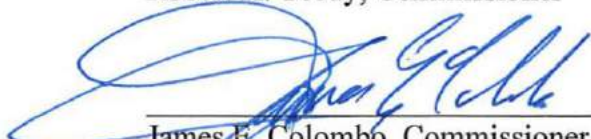
Documentation pertaining to the WVDCJS Victims of Crime Advocate Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President

Robert K. Tebay, Commissioner

James E. Colombo, Commissioner

M/4146

WVDCJS
Instrument No 88179019
Date Recorded 08/01/2019
Document Type CDD
Pages Recorded 1
Book-Page 75-54
Mark Rhodes

AUGUST 1, 2019

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE
A PAYMENT FOR EMERSON COMMONS TIF DISTRICT.

ORDER

On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by James E. Colombo and made unanimous by David Blair Couch, did hereby AUTHORIZE Requisition for Payment Number Sixteen (16) for the Emerson Commons Tax Increment Financing (TIF) District. Said payment is in the amount of seven hundred ninety-nine dollars and sixty-three cents (\$799.63).

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

APPROVED:

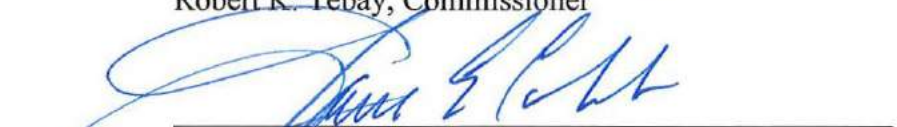
THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Robert K. Tebay, Commissioner



James E. Colombo, Commissioner

M/4147

REQUISITION FOR PAYMENT FROM
PROJECT FUND

\$4,700,000

The County Commission of Wood County
Tax Increment Revenue Bonds
(Emerson Commons Project No. 1)
Series 2017 (TAXABLE)

REQUISITION FOR PAYMENT NO. 16

The County Commission of Wood County, a public corporation and governing body of Wood County, a political subdivision of the State of West Virginia (the "Issuer"), and Emerson Commons LLC, a West Virginia limited liability company (the "Developer") by their duly Authorized Officers, hereby certify, in connection with this Requisition for Payment from the Project Fund (the "Requisition") under an Trust Indenture for the above captioned Bonds (the "Bonds"), dated as of July 1, 2017 (the "Indenture") between the Issuer and WesBanco Bank, Inc., as trustee thereunder (the "Trustee") and a Development Agreement (the "Development Agreement"), dated July 21, 2017, by and between the Issuer and the Developer, that:

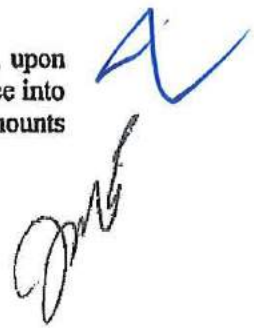
1. Terms used herein and not otherwise defined herein shall have the meanings given such terms in the Indenture and in the Development Agreement.

2. The amount requested to be disbursed by this Requisition: (a) is a portion of the Costs of the Project authorized for funding under the Indenture and Development Agreement; (b) includes only payments for work, materials, equipment and other costs that constitute capital costs of the TIF Project which have been incurred and remain unpaid; and (c) is an authorized expenditure under the Project Plan for the Development District and the TIF Act.

3. The total amount requested to be disbursed pursuant to this Requisition is \$799.63 As set forth in Schedule I attached hereto, of the total amount of such disbursement:

- (a) \$799.63 is to be paid to the Developer as reimbursement to the Developer for one or more invoices or statements, each of which was previously paid by the Developer to an entity that is not affiliated with the Issuer or the Developer; and
- (b) \$ is to be paid to one or more third party payees, each of which are not affiliated with the Issuer or the Developer (including any mortgagee or trust deed beneficiary, contractor or supplier of materials), or to be paid on a joint basis to the Issuer or the Developer and such a third party payee with respect to an expense previously incurred but not yet paid.

4. The Trustee is directed to forward this Requisition to the Purchasers and, upon receipt of requested funds from the Purchasers and the deposit of such funds by the Trustee into the Project Fund to thereafter disburse from the Project Fund to the parties and in the amounts



indicated in this Requisition.

5. In connection with the foregoing request and authorization, the undersigned authorized representative of the Issuer does hereby certify to the Trustee that:

(a) the obligations in the stated amounts have been incurred by the Issuer and are presently due and payable and each item hereof is a proper charge against the Project Fund and has not been previously paid from the Project Fund;

(b) such costs are valid "costs" of a "project" under the Act and no part thereof was included in any other requests previously filed with the Bond Trustee;

(c) there has not been filed with or served upon the Issuer any notice of claim of lien, right to a lien or attachment upon, or claims affecting the right of any person, firm or corporation named above, to receive payment of any of the amounts payable to any of the persons named above, that has not been released or will not be released simultaneously with the payment of such obligation; and

(d) this statement and all exhibits hereto shall be conclusive evidence of the facts and statements set forth herein.

In either event, the amounts set forth herein and in Schedule I attached hereto are supported by the attached copies of invoices or statements.

[Signature page follows this page.]

A handwritten signature in black ink, appearing to be "Dmit", is located in the bottom right corner of the page.

IN WITNESS WHEREOF, this Requisition has been duly executed by the Issuer and by the Developer by their duly Authorized Officers this Aug 1, 2019

THE COUNTY COMMISSION OF
WOOD COUNTY

By: [Signature]
Its President

EMERSON COMMONS LLC

By: [Signature]
Its Manager

Schedule I
to Requisition

REIMBURSEMENT AND THIRD PARTY PAYMENTS

- (1) Total Amount of disbursement pursuant to this Requisition: \$799.63
- (2) Reimbursement to the Developer:

<u>Vendor</u>	<u>Description of Expense</u>	<u>Date of Payment</u>	<u>Amount</u>	<u>Payee Name(s)/ Address(es)</u>
1.				
TOTAL				
2.	Payment to third party payees:			
<u>Vendor</u>	<u>Description of Expense</u>	<u>Amount</u>	<u>Payee Name(s)/ Address(es)</u>	
Emerson Commons, LLC	Site Work / WVDOT	\$799.63	101 Wyndham Knob Parkersburg, WV 26104	

The items listed for reimbursement to the Developer or the Issuer or payment to third party payees are supported by attached copies of invoices or statements.

Schedule I
to Requisition
(continued)

(Attached) Copies of Invoices or Statements



HF Draw Open
Draw Number

15

Category	Vendor	Invoice Number	Invoice Amount	Category Total
Legal				
Total Legal				0.00
Project Management				
Total Project Management				0.00
Drainage and Sediment Control				
Total E & S Control				0.00
Earthwork				
Total Earth Work				0.00
Development Roads - Onsite				
Total Development Roads - Onsite				0.00
Emerson Avenue w/ Signal	Emerson Concrete, LLC		799.63	
Total Emerson Ave. w/ Signal				799.63
Misc. Site Features				
Total Misc. Site Features				0.00
Water Line				
Total Water Line				0.00
Sanitary Sewer				
Total Sanitary Sewer				0.00
Misc. Utilities				
Total Misc. Utilities				0.00
Storm Water				
Total Storm Water				0.00
Engineering Design				
Total Engineering Design				0.00
Construction Management				
Total Construction Management				0.00
Gas Technical Engineering				
Total Geotechnical Engineering				0.00
Eco and Environmental				
Total Eco and Environmental				0.00
Utility Relocation / Fees				
Total Utility Relocation / Fees				0.00
Wetland Mitigation				
Total Wetland Mitigation				0.00
Miscellaneous				
Quantitative Change Orders				
Total Miscellaneous				0.00
TOTAL DRAW NUMBER 15				799.63

Invoice
July 17, 2019

Payable to:

Emerson Commons, LLC
101 Wyndham Know
Parkersburg, West Virginia 26104

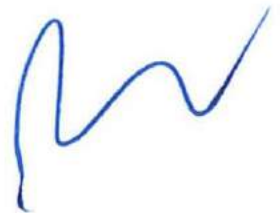
Description of Services

Reimbursement for payment to WVDOT in TIF Requisition #15 (original invoice attached)

Signal Installation on Emerson Avenue

Total Invoice

\$799.63





WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
Charleston, West Virginia 25305-0430 • (304) 558-3505

Byrd E. White, III
Secretary of Transportation

June 13, 2019

Jimmy Wriston, P. E.
Deputy Secretary/
Acting Commissioner

Mr. Joseph Pope
Emerson Commons, LLC
101 Wyndham Knob
Parkersburg, West Virginia 26104

Dear Mr. Pope:

The Division of Highways received bids on June 11, 2019 for the installation of a traffic signal at the intersection of WV 68 (Emerson Avenue) with CR 4/6 (Jesterville Road) and the entrance to Emerson Commons near Parkersburg, Wood County.

There were four bidders, with the lowest bid being submitted by Davis H. Elliot Construction Company, Inc. The contractor's bid on this project was \$135,500.00, and the breakdown of the cost is as follows:

Contractor's Bid Price.....	\$135,500.00
+ 10% Engineering & Contingencies.....	\$13,550.00
State Supplied Poles & Luminaire Arms (4X\$3,800).....	\$12,800.00
	\$161,850.00

In accordance with the agreement dated September 19, 2018, Emerson Commons, LLC agreed to pay 100% of the actual construction costs. Therefore, before construction can begin, the Division of Highways must receive a check in the amount of \$161,850.00 from Emerson Commons, LLC. We can wait 30 days from the letting date before awarding the contract, which means we must receive the check for \$161,850.00 in our office by July 11, 2019. Enclosed for your information are the contract plans and bid breakdown for this signal installation. Please make the check payable to West Virginia Division of Highways and mail it to my attention at the address below:

West Virginia Division of Highways
Traffic Engineering Division
Building 5, Room A-550
1900 Kanawha Blvd., E.
Charleston, WV 25305-0430

**If you need any additional information before transmitting the funds, please call me
or Don Meadows of this office at (304) 558-3063.**

Very truly yours,

A handwritten signature in black ink, appearing to read "Chady L. Cramer".

Chady L. Cramer, P. E.

Director - Traffic Engineering Division

Attachments

A handwritten signature in blue ink, consisting of a large, stylized "C" followed by a checkmark-like stroke.

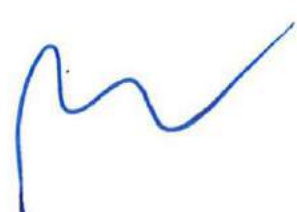
Emerson Commons Signal
Wood County
(Letting Date 6/11/2012)

Low Bid (Davis H. Elliot Construction Company, Inc.)	\$135,500.00
ENC 10%.....	\$ 13,550.00
State Supplied Poles and Luminaire Arms (4X\$3,800.00)	<u>\$ 12,800.00</u>
Total.....	\$ 161,850.00

Maximum amount payable by developer 100%..... \$ 161,850.00
(Per agreement dated 9/19/2018)

Due from developer... .. \$ 161,850.00

Note: Engineers Estimate \$166,800.00 w/o ENC & State Supplied Poles

A handwritten signature in blue ink, consisting of a stylized 'M' followed by a checkmark-like flourish.



Division of Highways

08/11/2019 10:00:13

Page 1 of 1

Vendor Ranking

Call Order: 026 Contract ID: 1814301 Counties: WOOD
 Letting Date: June 11, 2019 10:00 AM District: DISTRICT THREE (3)
 Contract Time: 10/18/19 COMPLETION Date: Name:

Project:

Contract Description: EMERSON COMMONS SIGNAL

Rank	Vendor Estimate	Total Bid	Percent of Low Bid	Percent of Estimate
1	54-045223 DAVIS H. ELLIOT CONSTRUCTION COMPANY, INC.	\$155,500.00	100.00%	81.24%
2	55-054918 WEST VERMONT SIGNAL AND LIGHT, INC.	\$190,300.00	102.87%	89.57%
3	52-170454 PRITCHARD SIGNAL & LIGHT COMPANY	\$157,551.70	101.25%	84.49%
4	55-0514471 Engineer's Estimate	\$188,800.00	122.40%	100.00%
	SPECIALTY GROUPS, INC.	\$188,100.00	121.29%	100.77%

Mark Rhodes
 WOOD County 01:53:55 PM
 Instrument No 88179024
 Date Recorded 08/01/2019
 Document Type 000
 Pages Recorded 12
 Book-Page 75-54

AUGUST 1, 2019

IN RE: EXECUTIVE SESSION OF THE WOOD COUNTY COMMISSION

This 1ST day of August, 2019 at 10:14 o'clock A.M., in Room 203, of the Wood County Courthouse, Parkersburg, West Virginia, upon motion of David Blair Couch, seconded by James E. Colombo, County Commissioners, and passed, upon prior adjournment of the regular session, convened in EXECUTIVE SESSION upon authority granted by the West Virginia Code, Chapter 6, Article 9A, Sections 4, as amended:


WHEREUPON, the said David Blair Couch, President of the Commission and James E. Colombo, Commissioner, met with Marty Seufer, County Administrator, Rick Woodyard, E-911 Director, and Pat Lefebure, Wood County Prosecuting Attorney.


All those present proceeded to discuss the matters for which the said EXECUTIVE SESSION was had, being for personnel.

The Commission having concluded said discussion, the said EXECUTIVE SESSION adjourned at 10:22 o'clock A.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President

Robert K. Tebay, Commissioner

James E. Colombo, Commissioner

M/4148

Mark Rhodes
WOOD COUNTY 10:57:11 AM
Instrument No 88178774
Date Recorded 08/01/2019
Document Type CDD
Pages Recorded 1
Book-Page 75-54