

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

#1 COURT SQUARE, SUITE 203
PARKERSBURG, WV 26101

IN RE: MINUTES OF MEETING HELD
MONDAY, FEBRUARY 11, 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.

AGENDA AND DISCUSSION ITEMS

At 9:34 A.M., the County Commission received no sealed bids for the demolition of property located at 720 Hill Street, Parkersburg, WV. The County Commission, upon a motion duly made, seconded and passed, authorized Sarah Farnsworth, Compliance Officer, to obtain written bids. (Order A/4064)

At 9:35 A.M., the County Commission discussed the option they have to take over the Memorial Toll Bridge in Parkersburg, WV. The City of Parkersburg is no longer interested in maintaining ownership of said bridge. The County Commission, upon a motion duly made, seconded and passed, declined the offer to take on ownership of the bridge. (Order M/4065)

At 10:00 A.M. , the County Commission met with Brian Farkas, Executive Director of the West Virginia Conservation Agency. They discussed watershed flood control dams and possible updates to the operation and maintenance agreements. He stated they need a new agreement with the County for the annual Pond Run Cleanup in which the County participates.

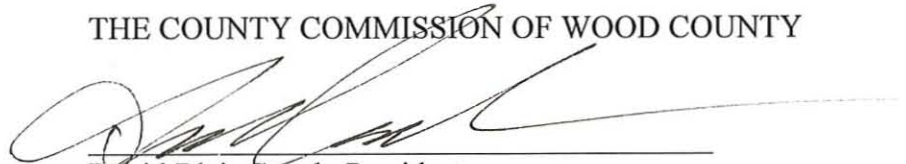
Having no scheduled appointments or business to attend to, the County Commission adjourned at 12:00 Noon.

ORDERS APPROVED AND ATTACHED TO THESE MINUTES

M/4064 and M/4065

APPROVED:

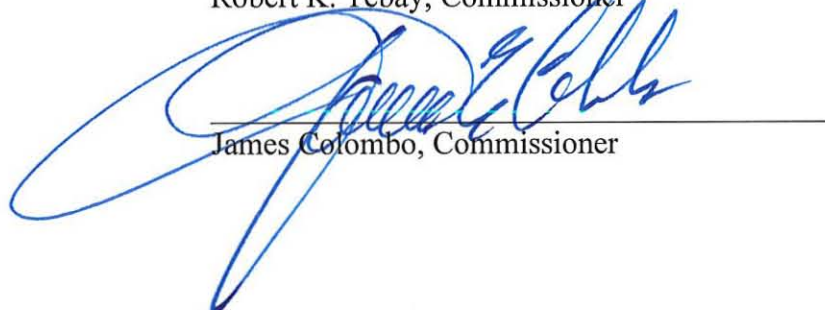
THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Robert K. Tebay, Commissioner



James Colombo, Commissioner

To listen to this meeting, please refer to DVD labeled February 11, 2019.

Wood County Commission Meeting
Held February 11, 2019

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Wood County Commission
Agenda

2/11/2019

1 Court Square, Suite 203
Parkersburg, WV 26101

9:30 A.M.	Discuss and consider obtaining ownership of Memorial Toll Bridge	
	Bid opening – demolition and removal of structure, debris and cleanup of 720 Hill Street, Parkersburg	
10:00 A.M.	Discuss watershed flood control dams and possible updates to operation and maintenance agreements	Brian Farkas, Executive Director – WV Conservation Agency
	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



Do I need a permit to remove wood debris?

Landowners can do the following to clean and open a channel without obtaining a permit:

- Fallen trees may be pulled from a stream by vehicle or motorized equipment from **top of streambanks** using winches, chains or cables.
- Handheld tools like chainsaws, axes and handsaws may be used to cut debris in the waterway into smaller pieces.
- Downed trees still attached to streambanks can be cut to the stump. Do not remove the stumps. They keep streambanks from eroding.
- All trees and brush removed from the waterway must be removed from the floodplain.

A permit is required if the work:

- Will disturb the stream bed or bank.
- Requires the use of machinery like excavators or backhoes in the stream channel or **below the top** of the stream bank.
- Is in a stream with endangered species.

Who We Are

About Us

The West Virginia Conservation Agency is the state government agency responsible for promoting and protecting land, water and soil resources. It provides assistance to the state's 14 conservation districts and is overseen by the State Conservation Committee.

Contact Us

Phone: 304.558.2204

Web: www.wvca.us



Other Key Contacts

U.S. Fish and Wildlife Service:
304.636.6586

U.S. Army Corps of Engineers Pittsburgh office:
412.395.7155

U.S. Army Corps of Engineers Huntington office:
304.399.5710

WV Division of Natural Resources Office of Land and Streams:
304.558.3225



West Virginia
Conservation Agency

1900 Kanawha Blvd. E.
Charleston, WV 25305



REMOVAL OF WOOD DEBRIS

Your questions answered



West Virginia
Conservation Agency



WEST VIRGINIA CONSERVATION AGENCY



West Virginia
Conservation Agency
www.wvca.us

BRIAN FARKAS
EXECUTIVE DIRECTOR

1900 Kanawha Blvd. E.
Charleston, WV 25305

Phone: (304) 558-2204
Cell: (304) 549-2602
Fax: (304) 558-1635
Email: bfarkas@wvca.us

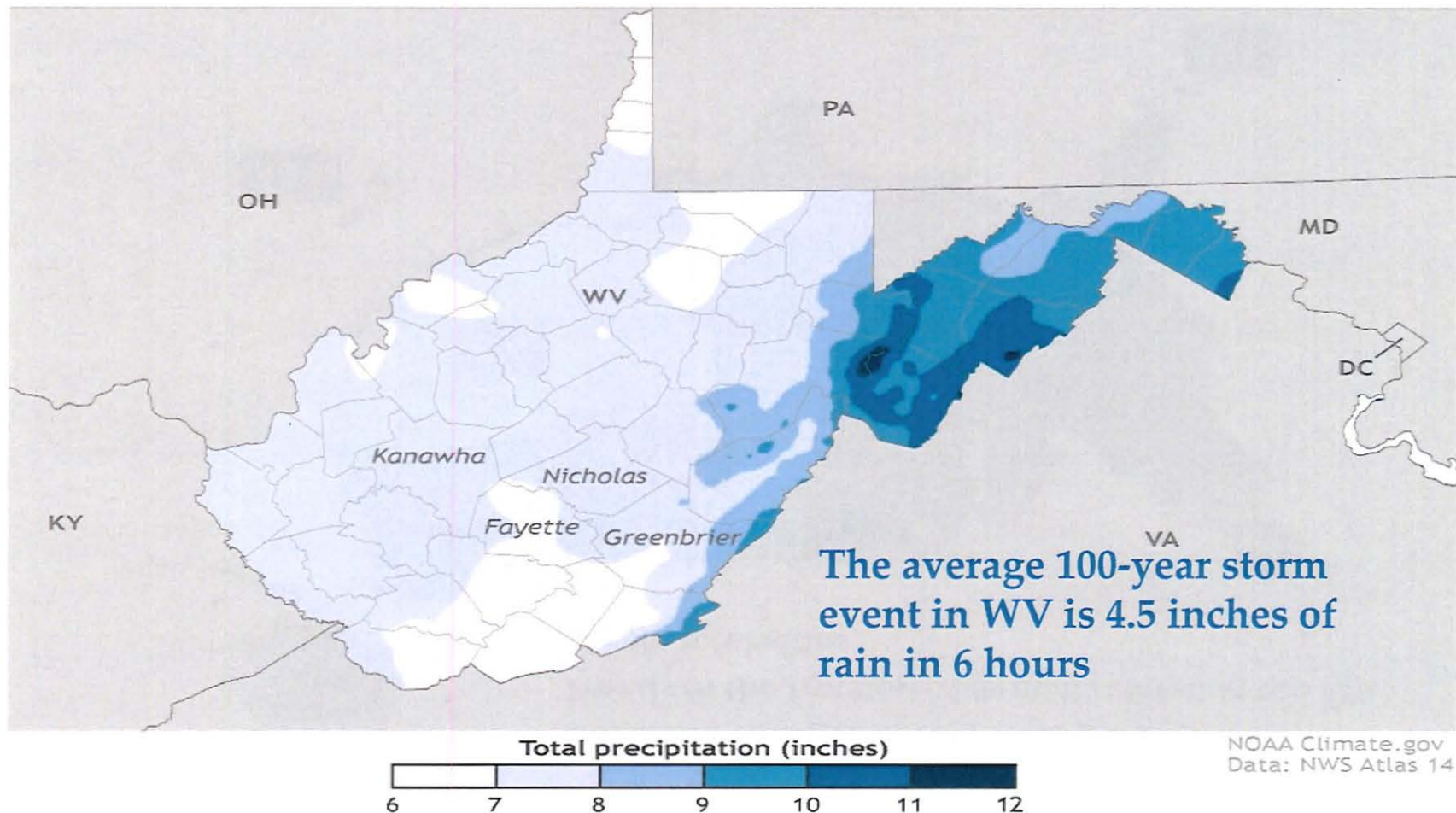


Wood, Ritchie, Roane County Dams



West Virginia Conservation Agency

Amount of rainfall over 24-hour period to qualify as a 1-in-1,000 year storm event



Highest rainfall in 24-hour period: 19 inches in Rockport, July 18, 1889



Keeping People and Property Safe

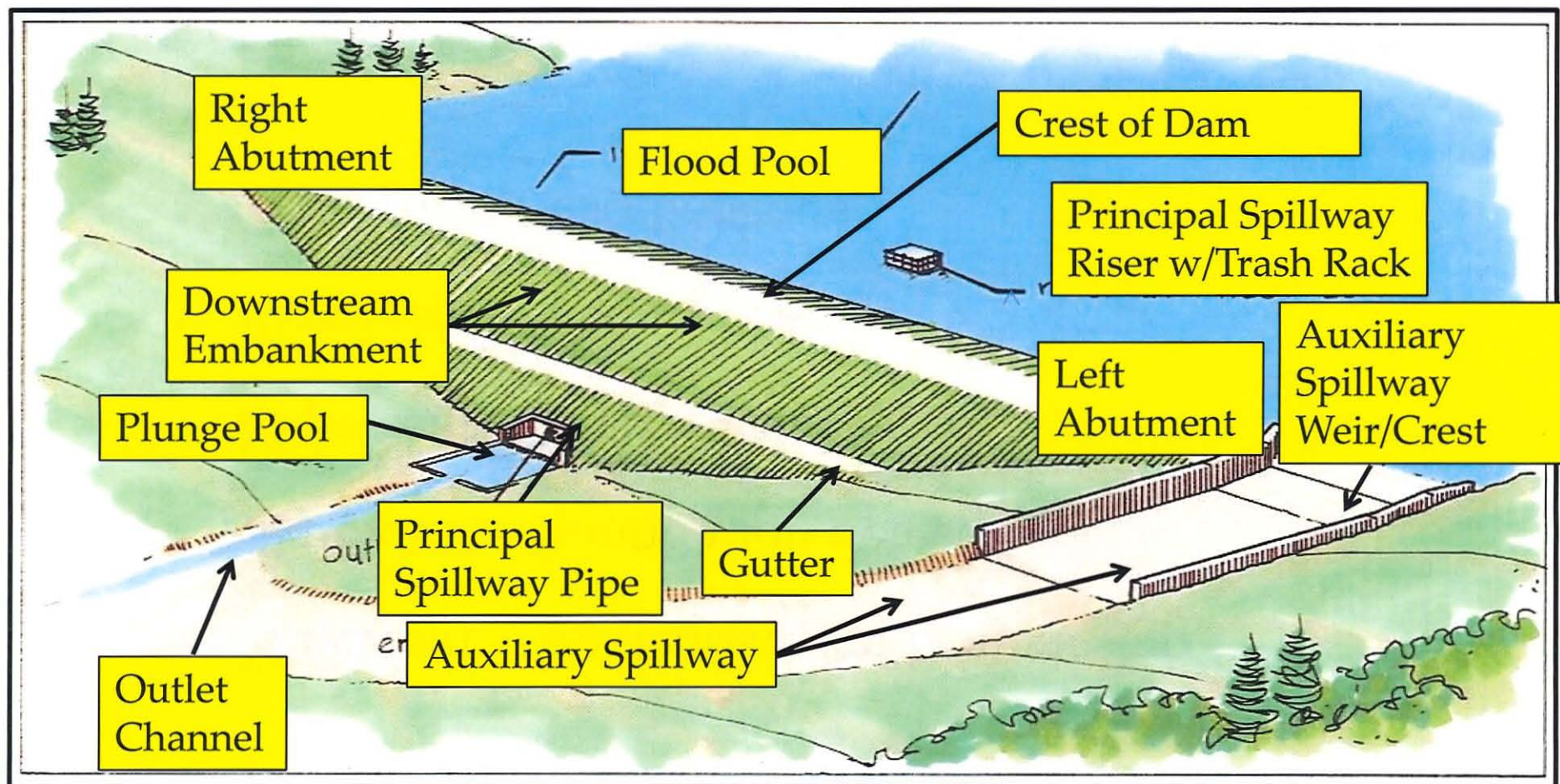
Dam Facts



- 170 high-hazard small watershed dams in WV
- 100-year storm event protection
- \$90 million a year in flood protection
- 21 owned by State Conservation Committee
- 13 of 14 conservation districts host dams
- **Nearly 60 percent of WV residents protected by the dams!**



Typical Dam Features



Dam Maintenance

Conservation District	Number of Dams	Dollars Spent FY18
Capitol	4	\$16,966.70
Eastern Panhandle	8	\$12,031.87
Elk	6	\$2,223.61
Greenbrier Valley	2	\$12,586.00
Guyan	1	\$0
Little Kanawha	7	\$17,300.00
Monongahela	14	\$51,594.30
Northern Panhandle	18	\$82,480.45
Potomac Valley	73	\$233,925.00
Southern	14	\$44,250.00
Tygarts Valley	1	\$15,923.75
West Fork	15	\$18,142.50
Western	7	\$24,000.00
		\$531,424.18



Repairs needed

Dam	Repairs/Investigations Needed
Pocatalico 14	Wet area at bottom left downstream face
Pond Run	Sediment outlet channel
North Fork Hughes River	Boom w/anchor installed



5-year maintenance/repair estimates

Dam	2018	2019	2020	2021	2022	Total
Walker Creek/ Mountwood Park	\$3,000.00	\$2,600.00	\$2,600.00	\$2,600.00	\$2,600.00	
Bonds Creek/ Tracy Lake	\$3,000.00	\$1,900.00	\$1,900.00	\$1,900.00	\$1,900.00	
North Fork Hughes River	\$78,000.00	\$65,000.00 Boom \$1,100.00	\$1,100.00	\$1,100.00	\$1,100.00	
Pocatalico 14	\$1,100.00	\$20,000.00 Channel \$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	
Pond Run 01	\$5,000.00	\$6,000.00 Channel \$2,200.00	\$2,200.00	\$2,200.00	\$2,200.00	
Lower Pond Run Channel	\$1,500.00	\$500.00	\$500.00	\$500.00	\$500.00	
Pullman	\$3,000.00	\$1,700.00	\$1,700.00	\$1,700.00	\$1,700.00	
Yearly Total	\$94,600.00	\$103,000.00	\$12,000.00	\$12,000.00	\$12,000.00	Estimate \$233,600.00



Pond Run Channel sediment issue





**Operation, Maintenance and Repair
Funding Agreement**

THIS AGREEMENT, made this _____ day of _____, 1999, by and between the Little Kanawha Soil Conservation District, Wood County Commission, City of Vienna, City of Parkersburg, and the West Virginia Soil Conservation Agency.

THE PURPOSE of this Funding Agreement is to reflect the funds agreed to by all Sponsors to complete the needed Operation and Maintenance work on Pond Run Watershed Structures; in accordance with the Operation and Maintenance agreements with the USFS.

City of Vienna -----	\$ 7,908.00
City of Parkersburg-----	\$ 160.00
Wood County Commission-----	\$ 1,932.00
WV Soil Conservation Agency/Little Ka-----	\$10,000.00

It is Mutually agreed that:

1. All sponsors agree to provide funding to the Little Kanawha Soil Conservation District on an annual basis. The request by Little Kanawha Soil Conservation District will be a letter requesting these funds in accordance with the list above.
2. WV Soil Conservation Agency/Little Kanawha Soil Conservation District will be responsible to schedule and complete all OM&R work according to the annual OM&R inspection reports as determined by the WV Soil Conservation Conservation Technician.
3. This agreement reflects the maximum amount of funds that shall be requested from any of the parties herein without a written amendment agreed to and signed by all parties.
4. All parties listed above will attend the scheduled OM&R inspections on an annual basis.
5. These funds are to be used for normal OM&R in accordance with the annual inspection reports. As required by the OM&R Agreements, any repairs requiring USDA-Natural Resources Conservation Service review and approval will be coordinated by the WV Soil Conservation Agency and the Little Kanawha Soil Conservation District.

LITTLE KANAWHA SOIL CONSERVATION DISTRICT

By: Shelly S. Newberry

Title: Chairman

Date: June 10, 1999

This action authorized at an
official meeting of the
Little Kanawha SCD on
the 10 day of June, 1999.
in the State of West Virginia.

Attest:

James W. Hester
(Signature)

Administrative Assistant
(Title)

WEST VIRGINIA STATE SOIL CONSERVATION AGENCY

By: James W. Hester

Title: EXEC. DIRECTOR

Date: 7-28-99

WEST VIRGINIA CONSERVATION AGENCY

Cost Share Agreement
for the
Operation, Maintenance and Repair Program

THIS AGREEMENT is made this _____ day of _____, 2008, by and between the Little Kanawha Conservation District, Wood County Commission and the City of Parkersburg.

THE PURPOSE of this Agreement is to reflect the cost share as agreed to by all sponsor(s) to complete the needed operation, maintenance and repair work (OM&R) on the Lower Pond Run Channel. All work will be in accordance with the Operation, Maintenance and Repair Agreements between the sponsor(s) and NRCS.

Wood County Commission	-----	\$5,000.00
City of Parkersburg	-----	\$ 435.00
Little Kanawha CD	-----	\$5,435.00
TOTAL	-----	\$10,870.00

It is Mutually agreed that:

1. All sponsors agree to provide funding to the Little Kanawha Conservation District on an annual basis. The request by Little Kanawha Conservation District will be a letter requesting these funds accordance with the list above.
2. The Little Kanawha Conservation District will work with the West Virginia Conservation Agency, Conservation Technician, to schedule and complete all OM&R work according to the annual inspection reports.
3. This Agreement reflects the maximum amount of funds that shall be requested from any of the parties herein without a written amendment agreed to and signed by all parties.
4. All parties listed above will be invited to attend the scheduled OM&R inspections on an annual basis.
5. These funds are to be used for normal OM&R in accordance with the annual inspection reports for the Lower Pond Run Channel within the City of Parkersburg and Wood County. As required by the OM&R Agreements, any repairs requiring NRCS review and approval will be coordinated by the West Virginia Conservation Agency, Conservation Technician and the Little Kanawha Conservation District.

LITTLE KANAWHA CONSERVATION DISTRICT

By: Mary C. Dato
Title: Chairman
Date: 2/21/08

This action authorized at an
official meeting of the
Little Kanawha Conservation District on
the 12 day of February, 2008,
in the State of West Virginia.

Attest:

[Signature]
(Signature)
Administrative Officer
(Title)

MEMORANDUM

To: State Conservation Committee

From: Brian Farkas, Executive Director, West Virginia Conservation Agency

Subject: Attorney General's opinion on small watershed dams

This memorandum is to update you on the state Attorney General office's formal opinion involving the operation and maintenance of West Virginia's small watershed flood-control dams.

The State Conservation Committee authorized me to seek the AG's opinion after two county commissions, who both had signed operation and maintenance "sponsorship" agreements to provide funding annually to maintain dams in their respective counties, announced they would no longer honor those agreements.

One county cited budget concerns and the second said the agreement was invalid per WV Code §11-8-26, **Unlawful Expenditures by Local Fiscal Body**. The two had annually contributed \$5,000 each toward operation and maintenance costs. Their decisions, in effect, shifted annual operation and maintenance costs to the SCC/WVCA.

The issue can be summed up in three questions:

1. *Whether sponsorship agreements are enforceable against local government sponsoring organizations as a matter of state or federal law, and if not, what elements must a sponsorship agreement include to be enforceable?*
2. *Whether the Agencies (SCC/WVCA) are required to fulfill the requirements of any sponsorship agreements that are not enforceable against local government sponsoring organizations, and whether state law authorizes the Agencies to enter agreements regarding dam and channel maintenance or otherwise provide for inspection, maintenance, or repair of these structures?*
3. *Whether local governments or private landowners who own the land on which these structures are built are liable for maintenance or emergency repairs as a matter of state law?*

An AG's opinion is a legal interpretation of existing law and can be relied on by the SCC/WVCA, absent a court's ruling.

West Virginia's 170 small-watershed-flood-control dams were built under the U.S. Department of Agriculture's small watershed program. The program required sponsorship agreements, often between local governments and conservation districts. In agreeing to become sponsors, the local entities also entered into operation and maintenance agreements to ensure funding would be provided to maintain and repair the dams.

In the early 2000s, the SCC was added to these agreements to match local government funding for operation and maintenance. In many cases, conservation districts were specifically exempted from fiscal responsibility for maintaining the dams. Districts, however, remain involved with the dams.

Attorney General's responses to Question 1:

Based on its research, the AG's office believes the sponsorship agreements in their current format are not enforceable. Local government sponsors are not bound to provide funding to maintain the dams because the agreements create ongoing debts in violation of Article 10 of the WV Constitution.

The AG's office also does not believe any federal requirement or Natural Resources Conservation policy would "salvage any sponsorship agreement" that would otherwise be void under Article 10 of the WV Constitution.

Counties and cities are given the authority in state law, WV Code §7-1-3u, to protect people and property from flooding. Given this authority, the Attorney General's office writes that counties and cities can voluntarily enter into agreements covering the operation and maintenance of flood-control structures in their respective jurisdictions.

A solution to overcome the constitutional and legal questions would be to renegotiate new agreements with language provided in the Attorney General's opinion.

Since the SCC/WVCA was amended into these agreements in the 2000s, and the conservation districts were financially exempted, the proposal would be for the WVCA to approach each of the financial sponsors about signing new agreements.

The respective districts will be asked to participate in the negotiations.

Before the two county commissions withdrew their support, local sponsors provided about \$221,000 a year toward operation and maintenance costs. The SCC/WVCA matched that amount.

Question 2:

The sponsorship agreements in their current format also are not binding on the SCC/WVCA. The reasons are similar for why the agreements are not binding on local governments.

The argument could also be made that the operation and maintenance agreements are not binding on any party who signed them.

One item noted in the AG's opinion is if ongoing financial commitments are considered a debt as defined by Article 10 of the WV Constitution, then the SCC/WVCA would be barred from voluntarily taking on the debt to maintain these flood-control structures.

Again, the solution would be to renegotiate the funding agreements.

Another solution would be to seek legislative budget authority to create a dedicated revenue stream to maintain the dams.

Given the answers to Questions 1 and 2, the SCC/WVCA is only responsible for the operation and maintenance of the 21 dams it owns. It does not have a responsibility to provide funding for the remaining dams.

Having said that, SCC/WVCA can voluntarily enter into revised agreements with local governments to operate and maintain the dams.

Question 3:

There is not a straightforward answer to this question. The solution rests with the Legislature to clarify property rights involving easements and deeds.

There is a substantial number of dams that were built on private property. Before construction, easements were obtained that gave the local government or conservation district access to the land for operation and maintenance purposes.

The SCC/WVCA is not a named party in many of these deeds, and does not have a defined right to access the private property.

West Virginia's Dam Control Act, WV Code §22-14, lists an "owner" as any person who:

1. Holds legal possession, ownership or partial ownership of an interest in a dam, its appurtenant works or the real property the dam is situated upon;
2. Has a lease, easement or right-of-way to construct, operate or maintain a dam; or
3. Is a sponsoring organization with existing or prior agreement with the Natural Resources Conservation Service for a dam or its appurtenant works constructed with assistance from Public Law 78-534, Section 13 of the Flood Control Act of 1944; Public Law 83-566, the Watershed Protection and Flood Prevention Act of 1954; the pilot watershed program authorized under the heading "Flood Prevention" of the Department of Agriculture Appropriation Act of 1954, Public Law 156, 67 Stat. 214; or Subtitle H of Title XV of the Agriculture and Flood Act of 1981, commonly known as the Resource Conservation and Development Program, 16 U. S. C. §3451: Provided, That the owner of the land upon which a dam is owned, maintained or operated by a sponsoring agency, such as a conservation district or other political subdivision of the state, is not responsible for or liable for repairs, maintenance or damage arising from the regular operation, maintenance, deficiencies or ownership of the dam. The owner of the land shall not be cited as a noncompliant dam owner for any deficiencies of the dam, so long as the owner of the land does not intentionally damage or interfere with the regular operation and maintenance of the dam.

Local governments and districts can be viewed as "owners" in cases where they hold easements or have signed sponsorship agreements.

The law says private property owners are not liable for operation and maintenance costs for these small watershed dams as long as they don't "intentionally damage or interfere with the regular operation and maintenance of the dam."

Given current law, the AG's opinion states liability to maintain the dams may become the responsibility of all parties that have ownership interest in the dam.

The opinion also says if a "sponsor" challenged and won on whether its ongoing support constituted a debt in violation of Article 10 of the WV Constitution, then the burden of operating and maintaining the dam may fall on the private land owner.

A legislative solution would need to involve the Department of Environmental Protection, which enforces the state's dam safety law.

Recommendations:

Based on the opinion, the following recommendations are being offered for SCC consideration:

1. Approach local government sponsors and renegotiate support agreements that would withstand court challenges.
2. Ask the Legislature to amend the state's conservation law, WV Code §19-21A, to clarify and authorize the SCC and WVCA involvement with the operation and maintenance of the dams.
3. WVCA seek an increase in dam funding with the new dollars dedicated to ensuring the dams are properly maintained.
4. Ask the Legislature clarify property rights involving easements and deeds.

Program: OM&R Funding
Watershed:
Agreement #:

**XXXXX Dam
Operation, Maintenance Funding Agreement**

THIS AGREEMENT, made this _____ day of _____, 2018, by and between the XXXX County Commission, XXXXX Conservation District, and the West Virginia Conservation Agency.

AUTHORITY: WVCA: W.Va. Code 19-21A-4
 XXX County Commission: W. Va. Code 7-1-3i

THE PURPOSE of this agreement is to recognize the need for ongoing operation, maintenance and inspection for critical infrastructure and to provide annual funding to operate and maintain the flood control structure known as the XXXXX dam located in the XXXX Watershed.

It is Mutually agreed that:

Each party agrees to pay 50 percent of the actual annual operation and maintenance cost for the structures covered under this agreement.

This agreement shall run on a 12-month fiscal year, July 1 to June 30. This agreement may be extended for up to five years by mutual consent of each party.

All sponsors agree to provide funding to the XXX Conservation District on an annual basis to address the operation and maintenance of the structures covered under this agreement.

The XXXX shall send a letter in January of each year requesting these funds in accordance with the list above.

As part of the request, the XXXX Conservation District, in collaboration with the West Virginia Conservation Agency, shall make a report to the XXXX County Commission on prior fiscal year's operation and maintenance work, and provide a projection of work that will be performed during the upcoming fiscal year.

All parties listed above shall attend the scheduled operation and maintenance inspections on an annual basis at a time mutually agreed to by the parties.

Any costs outside of the regular operation and maintain will be negotiated and become part of a separate agreement between the parties.

West Virginia Conservation Agency funding is subject to annual appropriations from the WV Legislature.

XXX County Commission's funding is subject to annual appropriations.

This agreement reflects the entire understanding between the parties. Any changes to this agreement shall be in writing and signed by all parties.

This agreement is governed by West Virginia law. If any part of this agreement is declared to be invalid by a body having competent jurisdiction, the remaining terms and conditions of the agreement survive in their entirety.

XXX COUNTY COMMISSION

By: _____

Title: _____

Date: _____

This action authorized at an
Official meeting of the
XXXXXX County Commission on
the ____ day of _____, 2018,
in the State of West Virginia.

Attest:

(Signature)

(Title)

XXX CONSERVATION DISTRICT

By: _____

Title: _____

Date: _____

This action authorized at an
Official meeting of the
XXXXXXX Conservation District on
the ____ day of _____, 2018,
in the State of West Virginia.

Attest:

(Signature)

(Title)

WEST VIRGINIA CONSERVATION AGENCY

By: _____

Title: _____

Date: _____

WEST VIRGINIA CODE

§7-1-3u. Authority of counties and municipalities to treat streams to prevent floods.

To protect people and property from floods, counties and municipalities are hereby empowered to rechannel and dredge streams; remove accumulated debris, snags, sandbars, rocks and any other kinds of obstructions from streams; straighten stream channels; and carry out erosion and sedimentation control measures and programs.

For stream treatment to prevent floods as provided in this section, counties and municipalities are hereby further empowered to levy, within all constitutional and statutory limitations; acquire property by purchase, exercise of the right of eminent domain, lease, gift or grant; accept any and all benefits, moneys, services and assistance which may be available from the federal and state government or any private source; issue and sell bonds within the constitutional and statutory limitations prescribed by law for the issuance and sale of bonds by counties and municipalities for public purposes generally. Any such levy shall be equal and uniform throughout the county or municipality.

The power and authority granted in this section, may be exercised by any county or municipality in cooperation with each other or separately as provided in section three-i of this article. Any county or municipality which exercises any power or authority set forth in this section shall comply with all applicable provisions of federal and state laws and rules and regulations lawfully promulgated thereunder.

The term "stream" as used in this section means any watercourse, whether natural or man-made, distinguishable by banks and a bed, regardless of their size, through which water flows continually or intermittently, regardless of its volume.

**AGREEMENT
CONCERNING STREAM RESTORATION, BANK STABILIZATION AND
BLOCKAGE REMOVAL SERVICES BETWEEN
THE WEST VIRGINIA CONSERVATION AGENCY, THE XXX CONSERVATION
DISTRICT AND
THE XXX COUNTY COMMISSION**

THIS AGREEMENT is made this ____ day of _____, 201X by and between the West Virginia Conservation Agency, an agency of the State Conservation Committee, (WVCA), the XXX Conservation District, (XXX) and the XXX County Commission, a political subdivision of the State of West Virginia, (XXX). Authority to enter into this Agreement is found in W.Va. Code §19-21A-4 and W.Va. Code §7-1-3u, *Authority of counties and municipalities to treat streams to prevent floods.*

WHEREAS, there exists a substantial need to protect people and property from floods and/or to minimize stream bank erosion; and

WHEREAS, counties and municipalities have the authority to undertake works of improvement to protect people and property from floods through a variety of methods, including the rechanneling and dredging of streams; removal of accumulated debris, snags, sandbars, rocks and any other kinds of obstructions; and to carry out erosion and sedimentation control measures and programs; and

WHEREAS, the WVCA has the technical expertise to assist counties and municipalities with meeting this authority; and

WHEREAS, the need for such assistance can best be met through cooperative efforts of the XXX, XXX and the WVCA, including such actions as the financial cost-sharing of work to meet shared objectives relating to the protection of people and property from flooding; and

NOW, THEREFORE, it is hereby agreed between the parties as follows:

I. DEFINED TERMS

As used throughout this Memorandum, the following terms have the meaning set forth below:

“West Virginia Conservation Agency” means the administrative office of the State Conservation Committee as provided for by W.Va. Code §19-21A-4.

“Executive Director of the WVCA” means the Administrator of the West Virginia Conservation Agency as set forth in W.Va. Code §19-21A-4.

“XXX Conservation District” means a political subdivision of the state, organized in accordance with the provisions of W.Va. Code §19-21A-4.

“**XXX** County Commission,” means a political subdivision of the state created and defined by W. Va. Code §7-1-1.

“Stream” means any watercourse, distinguishable by banks and a bed, regardless of its size, which water flows continually or intermittently, regardless of its volume.

“In-kind” refers to payment, distribution or substitution of goods and services in lieu of money.

II. COVENANTS

A. Scope and Term. This agreement covers all work necessary to design and construct projects contemplated under W.Va. Code §7-1-3u.

B. Cost Share Funding. The WVCA, **XXX** and **XXX** have agreed to jointly fund work in accordance with a funding formula that will be negotiated for each project and discussed in a Statement of Work, which will be developed for each planned project.

C. The **XXX** may provide “in-kind” services or goods in lieu of cash payments to complete projects contemplated under this agreement.

D. None of the stream or bank stabilization projects contemplated under this agreement involve the taking of land through eminent domain.

III. FUNDING CONTINGENCY

This agreement is contingent upon funding availability.

IV. THE **XXX SHALL:**

1. Identify and prioritize potential sites.
2. Provide an agreed upon portion of cost-share funding, as determined by the negotiated funding formula for each project and contracting services associated with each project.
3. Land Rights/Permits: Obtain all necessary land rights and permits to complete the identified project.
4. Advertise and award contracts to complete the agreed upon projects.
5. Identify temporary and permanent disposal sites in the county.

V. THE WVCA SHALL:

1. Provide technical assistance for the permit, design and construction oversight.

2. Provide an agreed upon portion of cost-share funding, as determined by the negotiated funding formula for each project.

VI. THE XXX SHALL:

Provide an agreed upon portion of cost-share funding, as determined by the negotiated funding formula for each project and administrative support for each project. The district's cost-share amount will come from state funds on hand in district accounts, and not from the district's general or operating accounts.

VII: PROJECTS

1. A committee representing XXX, WVCA and XXX will meet to discuss XXX's potential site list to determine project suitability and funding availability, and to prepare a recommendation.

2. XXX may reject the committee's recommendation on a project and may elect to complete said project at its own cost. In such cases, to the extent practicable, WVCA will provide technical assistance, but no cost-share funding.

VII. PRINCIPAL CONTACTS:

XXX County Commission

West Virginia Conservation Agency

Gene Saurborn

Director of Watershed Projects

201 Scott Avenue

Morgantown, WV 26508

Phone: (304) 285-3118

Email: gsaurborn@wvca.us

XXX Conservation District

VIII. BILLING AND PAYMENT

1. WVCD and XXX agree to pay their portion of the cost-share funding, within forty-five (45) days of receipt of both 1) a satisfactory final inspection of the project by WVCA, and 2) a properly documented and complete invoice.
2. XXX agrees to pay its portion of the cost share funding, within forty-five (45) days of receipt of both 1) a satisfactory final inspection of the project by WVCA, and 2) a properly documented and complete invoice.

VIII. AMENDMENTS

This Agreement may be amended upon the terms reached in conference upon notice by each party to the other. Such amendment conference shall be attended by the President of the XXX, the Executive Director WVCA, and the XXX chairman or their respective designees, and held within ten (10) days after the giving of notice as aforesaid, should any party fail to attend a properly noticed amendment conference, the proposed amendment shall not act to amend this Agreement. For an amendment to take effect it shall be 1) in writing, 2) attached to this Agreement as an addendum hereto, and 3) include the signature of each party to this Agreement.

IX. TERMINATION

This Agreement becomes effective on the date indicated below and will remain in effect until amended or terminated. Each party may seek to terminate this agreement at any time, provided that at least thirty (30) days prior written notice of the effective date of termination is given to the other parties.

X. NOTICE.

Any notices required to be given under this Agreement shall be delivered in person or sent by certified or registered mail

to XXX at:
XXX County Commission

to the WVCA at:
WV Conservation Agency
Attn: Brian Farkas, Executive Director
1900 Kanawha Blvd., East
Charleston WV, 25305

XI. MISCELLANEOUS

This agreement does not confer any rights or benefits on any third party.

This agreement shall be governed by the laws of West Virginia.

The terms of this agreement are not intended to alter, amend, or rescind any provisions of State law. Any provision of this agreement, which conflicts with State law, will be null and void.

Insofar as any condition or term of this agreement is found, by a court of competent jurisdiction, to be unlawful, the remaining terms and conditions remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding and Agreement to be executed by their duly authorized representatives as of the date first above written.

XXX COUNTY COMMISSION

By: _____
PRESIDENT

XXX CONSERVATION DISTRICT

By: _____
CHAIRMAN

WEST VIRGINIA CONSERVATION AGENCY

By: _____
BRIAN FARKAS
EXECUTIVE DIRECTOR

FEBRUARY 11, 2019

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION RECEIVED NO BIDS FOR THE
DEMOLITION OF 720 HILL STREET, PARKERSBURG

ORDER

On this date, the County Commission of Wood County, at 9:30 A.M., did hereby RECEIVE NO sealed bids for the demolition of property located at 720 Hill Street, Parkersburg, West Virginia. The Bid opening was pursuant to a Legal Notice appearing in the Parkersburg News and Sentinel on January 28, 2019 and February 4, 2019.

The County Commission, upon a motion made by Robert K. Tebay, seconded by David Blair Couch and made unanimous by James E. Colombo, did hereby AUTHORIZE the Wood County Compliance Office to obtain written bids to determine which company will be engaged to perform said work.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Robert K. Tebay, Commissioner



James E. Colombo, Commissioner

M/4064

Mark Rhodes
WOOD COUNTY 12:15:07 PM
Instrument No 8814567
Date Recorded 02/11/2019
Document Type CDD
Pages Recorded 1
Book-Page 75-31

FEBRUARY 11, 2019

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY DECLINE AN OPTION TO
RETAIN THE MEMORIAL TOLL BRIDGE

ORDER

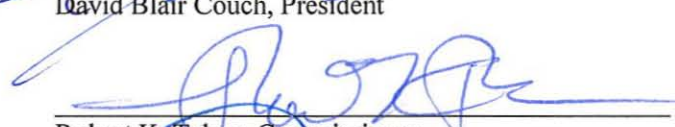
On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by James E. Colombo and made unanimous by Robert K. Tebay, did hereby DECLINE its option to retain ownership of the Memorial Toll Bridge in Parkersburg, Wood County, West Virginia.

As per West Virginia State Code 17-17-37, the Wood County Commission was notified by the West Virginia Department of Transportation Division of Highways that the City of Parkersburg, West Virginia passed a Resolution to divest itself of said bridge

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President

Robert K. Tebay, Commissioner

James E. Colombo, Commissioner

M/4065

Mark Rhodes
WOOD County 12:13:57 PM
Instrument No 8814566
Date Recorded 02/11/2019
Document Type CDD
Pages Recorded 1
Book-Page 75-31

Wood County Commission

Erroneous Assessment Application

Tax Type: **Personal Property**

Tax Ticket: **840289** ✓

Tax Year: **2018** ✓

Upon the application of **STANLEY KAYLA** whose address is **199 GREENBRIER AVE WILLIAMSTOWN, WV 26187-8281** aggrieved by an erroneous assessment in **WILLIAMS District (12)**, in the County of Wood, for the **2018** 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 **2018** 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.

The above mentioned tax ticket is incorrect due ta a clerical error. The taxpayer was assessed in (Pleasants County) for tax year (2018)and paid there.

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
07/01/2018	BILLING	3	166.76	2.365200	3	7,050
12/11/2018	PENDING EXONERATION	3	-166.76	2.365200	3	-7,050
Adjusted Net Taxes			0.00	Adjusted Net Value 0		

Kayla B. Morris
Taxpayer (Stanley)
T HOUR # - 304-588-2623

[Signature]
Prosecutor

[Signature]
Assessor

[Signature]
Commissioner

[Signature]
County Commission President

[Signature]
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 February 11, 2019

RECEIVED

JAN 10 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 12:16:29 PM
Instrument No 8814568
Date Recorded 02/11/2019
Document Type 000
Pages Recorded 1
Book-Page 75-31

By: Don Grimm

Application Printed On

Tuesday, December 11, 2018 11:26 am

Wood County Commission

Erroneous Assessment Application

Tax Type: **Real Estate**

Tax Ticket: **21871** ✓

Tax Year: **2018** ✓

Description

LOT EMERSON AVE & LOT 95.49X
188.70X110.32X255.68

Upon the application of **MC CARTER HEATHER A** whose address is **4315 EMERSON AVE PARKERSBURG, WV 26104-1217** aggrieved by an erroneous assessment in **PARKERSBURG District (05)** Map 18 Parcel 00H20000, in the County of Wood, for the **2018** 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 **2018** 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 TAXED AS CLASS 4 RENTAL AND SHOULD HAVE BEEN CLASS 2 RESIDENTAL.

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
07/01/2018	BILLING	4	3,083.98	3.115120	4	99,000
01/09/2019	PENDING EXONERATION	4	-1,542.00	3.115120	4	0
			Adjusted Net Taxes			Adjusted Net Value
			1,541.98			99,000

Map 18 Parcel 00H20000

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 February 11, 2019

RECEIVED

JAN 17 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 12:20:16 PM
Instrument No 8814569
Date Recorded 02/11/2019
Document Type COO
Pages Recorded 1
Book-Page 75-31

Application Printed On

Wednesday, January 9, 2019 9:46 am

By: Connie Mcatee

Wood County Commission

Erroneous Assessment Application

Tax Type: **Personal Property**

Tax Ticket: **801929**

Tax Year: **2018**

Upon the application of **KINETIC HEALTH CARE** whose address is **2200 GRAND CENTRAL AVE STE 105 VIENNA, WV 26105**- aggrieved by an erroneous assessment in VIENNA District (10) , in the County of Wood, for the **2018** 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 **2018** 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.

THE ABOVE MENTIONED TAX TICKET IS INCORRECT DUE TO A CLERICAL ERROR. THE FLEET SHEET THAT WAS SUBMITTED WAS INCORRECT FOR 2018. THE REVISED ASSESSED VALUE REFLECTS AN ACCURATE ASSESSMENT.

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
07/01/2018	BILLING	4	553.90	3.098520	4	17,876
11/29/2018	PENDING EXONERATION	4	-376.48	3.098520	4	-12,150
			Adjusted Net Taxes			Adjusted Net Value
			177.42			5,726

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 February 11, 2019

RECEIVED

JAN 10 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 12:22:36 PM
Instrument No 8814571
Date Recorded 02/11/2019
Document Type 000
Pages Recorded 1
Book-Page 75-31

By: Sarah Edelen

Application Printed On

Thursday, November 29, 2018 3:17 pm

Wood County Commission

Erroneous Assessment Application

Tax Type: **Personal Property**

Tax Ticket: **823937** ✓

Tax Year: **2018** ✓

Upon the application of **TENNEY MACIE** whose address is **313 HAPPY VALLEY RD PARKERSBURG, WV 26104-7125** aggrieved by an erroneous assessment in **CLAY District (01)**, in the County of Wood, for the **2018** 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 **2018** 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.

The above mentioned tax ticket is incorrect due to a clerical error. (Macie Tenney) assessment card was incorrect for (2018) The revised assessed value reflects an accurate assessment. **TRADED IN 02/24/17 JKL**

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
07/01/2018	BILLING	3	50.74	2.365200	3	2,145
07/20/2018	PENDING EXONERATION	3	-50.74	2.365200	3	-2,145
			Adjusted Net Taxes			Adjusted Net Value
			0.00			0

Macie Tenney
Taxpayer

Phone # - 304 893 8044

[Signature]
Prosecutor

[Signature]
Assessor

[Signature]
Commissioner

[Signature]
County Commission President

[Signature]
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 **February 11, 2019**

RECEIVED

JAN 10 2018

County Administrator

RECEIVED

FEB. 08 2018

County Administrator

Mark Rhodes
WOOD County 12:23:46 PM
Instrument No 8814572
Date Recorded 02/11/2019
Document Type 000
Pages Recorded 1
Book-Page 75-31

Wood County Commission

Erroneous Assessment Application

Tax Type: **Real Estate**

Description

LOT 22 OF SOUTH PARK VILLA

Tax Ticket: **9937** ✓

Tax Year: **2018** ✓

Upon the application of **SMITH JANLYN J** whose address is **1351 FOX RUN RD MARYSVILLE, OH 43040**- aggrieved by an erroneous assessment in LUBECK District (03) Map 202 Parcel 00220000, in the County of Wood, for the **2018** 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 **2018** 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.

The above-mentioned tax ticket is incorrect due to a clerical error. The mobile home assessed on this tax ticket was also assessed as a personal property mobile home. The mobile home should not be considered real estate because Gary Naylor owns the mobile home (TY 2018 #846025)

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
07/01/2018	BILLING	3	147.60	2.365200	3	6,240
01/04/2019	PENDING EXONERATION	3	-88.00	2.365200	3	-3,720
			Adjusted Net Taxes			Adjusted Net Value
			59.60			2,520

Map 202 Parcel 00220000

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 February 11, 2019

RECEIVED

JAN 7 0 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 12:25:22 PM
Instrument No 8814574
Date Recorded 02/11/2019
Document Type 000
Pages Recorded 1
Book-Page 75-31

By: Connie Mcatee

Application Printed On

Friday, January 4, 2019 3:44 pm

Wood County Commission

Erroneous Assessment Application

Tax Type: **Real Estate**

Tax Ticket: **37125**

Tax Year: **2018**

Description

TCT .154-A LAUREL FORK OF
WORTH CR

Upon the application of **HARDMAN DANNY E** whose address is **2177 LOVE HILL RD WAVERLY, WV 26184-3275** aggrieved by an erroneous assessment in UNION District (09) Map 490 Parcel 0G1B0000, in the County of Wood, for the **2018** 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 **2018** 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.

MOBILE HOME WAS REMOVED FROM PROPERTY PRIOR TO JULY 1ST.

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	
07/01/2018	BILLING	2	125.60	1.182600	2	10,620	
12/04/2018	PENDING EXONERATION	2	-121.34	1.182600	2	-10,260	
Adjusted Net Taxes			4.26	Adjusted Net Value			360

Map 490 Parcel 0G1B0000

 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 February 11, 2019

RECEIVED

JAN 10 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 01:29:16 PM
Instrument No 8814581
Date Recorded 02/11/2019
Document Type 000
Pages Recorded 1
Book-Page 75-31

By: Teresa Murray

Application Printed On

Tuesday, December 4, 2018 9:23 am

Wood County Commission

Erroneous Assessment Application

Tax Type: **Personal Property**

Tax Ticket: **846272** ✓

Tax Year: **2018** ✓

Upon the application of **WHEELER BRENDA** whose address is **912 29TH ST VIENNA, WV 26105-** aggrieved by an erroneous assessment in **PARKERSBURG District (05)** , in the County of Wood, for the **2018** 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 **2018** 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.

The above mentioned tax ticket is incorrect due to a clerical error. The mobile home assessed on this tax ticket was sold on 4/3/2017. A supplemental tax ticket has been created for the new owner, Randy Lockhart.

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	
07/01/2018	BILLING	2	155.52	1.557560	2	9,984	
12/17/2018	PENDING EXONERATION	2	-155.52	1.557560	2	-9,984	
Adjusted Net Taxes			0.00	Adjusted Net Value			0

Brenda Wheeler

Taxpayer

304-893-9573

[Signature]
Prosecutor

[Signature]
Assessor

[Signature]
Commissioner

[Signature]
County Commission President

[Signature]
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 February 11, 2019

RECEIVED

JAN 10 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 01:31:29 PM
Instrument No 8814585
Date Recorded 02/11/2019
Document Type 000
Pages Recorded 1
Book-Page 75-31

By: Stacey Fleak

Application Printed On

Monday, December 17, 2018 2:38 pm

Wood County Commission

Erroneous Assessment Application

Tax Type: **Personal Property**

Tax Ticket: **802241** ✓

Tax Year: **2018** ✓

Upon the application of **LEE JOHN** whose address is **300 BELLE MEADOW DR MARIETTA, OH 45750-9243** aggrieved by an erroneous assessment in **WILLIAMS District (12)** , in the County of Wood, for the **2018** 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 **2018** 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.

The above mentioned tax ticket is incorrect due to a clerical error. The (airplane) was assessed twice. The revised tax amount reflects an accurate assessment.

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
07/01/2018	BILLING	3	112.12	2.365200	3	4,740
12/13/2018	PENDING EXONERATION	3	-112.12	2.365200	3	-4,740
Adjusted Net Taxes			0.00	Adjusted Net Value		

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 February 11, 2019

RECEIVED

JAN 10 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 01:33:17 PM
Instrument No 8814584
Date Recorded 02/11/2019
Document Type 030
Pages Recorded 1
Book-Page 75-31

By: Don Grimm

Application Printed On

Thursday, December 13, 2018 2:44 pm

Wood County Commission

Erroneous Assessment Application

Tax Type: **Personal Property**

Tax Ticket: **801528** ✓

Tax Year: **2018** ✓

Upon the application of **ALLIED TRUCK LEASING LLC** whose address is **PO BOX 5455 VIENNA, WV 26105**- aggrieved by an erroneous assessment in SLATE District (06) , in the County of Wood, for the **2018** 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 **2018** 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.

THE ABOVE MENTIONED TAX TICKET IS INCORRECT DUE TO A CLERICAL ERROR. THE FLEET SHEET THAT WAS SUBMITTED WAS INCORRECT FOR 2018. THE REVISED ASSESSED VALUE REFLECTS AN ACCURATE ASSESSMENT.

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
07/01/2018	BILLING	3	22,948.54	2.365200	3	970,258
12/04/2018	PENDING EXONERATION	3	-7,867.62	2.365200	3	-332,641
Adjusted Net Taxes			15,080.92	Adjusted Net Value		637,617

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 February 11, 2019

RECEIVED

JAN 10 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 01:34:26 PM
Instrument No 8814585
Date Recorded 02/11/2019
Document Type CDD
Pages Recorded 1
Book-Page 75-31

Application Printed On

Tuesday, December 4, 2018 12:23 pm

By: Sarah Edelen

Wood County Commission

Erroneous Assessment Application

Tax Type: **Personal Property**

Tax Ticket: **622541**

Tax Year: **2016**

Upon the application of **LEEK TONY** whose address is **64 DIAMOND DR DAVISVILLE, WV 26142-** aggrieved by an erroneous assessment in **CLAY District (01)**, in the County of Wood, for the **2016** tax year.

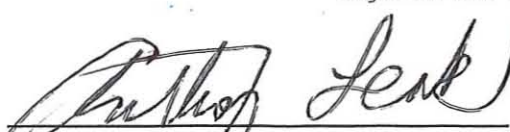
The County Commission therefore, orders that the said applicant be and hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the **2016** tax year.

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 AN APPRAISAL ERROR THE ABOVE MENTIONED PROPERTY WAS INCORRECTLY ASSESSED AS A 2012 MOBILE HOME. THE MOBILE HOME IS A 1998 MODEL AND HAS BEEN REASSESSED FOR TAX YEAR 2016. SUPPLEMENTAL TICKET#80004921 REFLECTS AN ACCURATE ASSESSMENT.

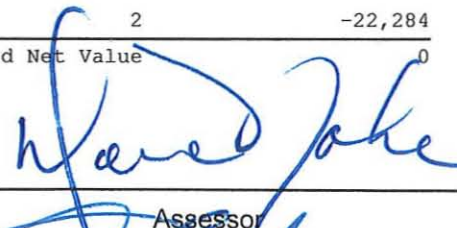
All of which is ordered to be certified to the Auditor of the State of West virginia and the Sheriff of WOOD County

Date	Transaction Type	Class	Amount	Tax Rate	Tax Class	Net Value
07/01/2016	BILLING	2	245.88	1.103400	2	22,284
04/04/2017	PENDING EXONERATION	2	-245.88	1.103400	2	-22,284
Adjusted Net Taxes			0.00	Adjusted Net Value		



Taxpayer

304-615-6656


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 February 11, 2019

RECEIVED

JAN 17 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 01:35:30 PM
Instrument No 8814586
Date Recorded 02/11/2019
Document Type 030
Pages Recorded 1
Book-Page 75-31

By: Stacey Fleak

Application Printed On

Friday, January 11, 2019 1:17 pm

Wood County Commission

Erroneous Assessment Application

Tax Type: **Real Estate**

Tax Ticket: **21870**

Tax Year: **2018**

Description

PT LOT 44.2X234.03X187.96X
208.5 EMERSON AVE (HOUSE)

Upon the application of **MC CARTER HEATHER A** whose address is **4315 EMERSON AVE PARKERSBURG, WV 26104-1217** aggrieved by an erroneous assessment in PARKERSBURG District (05) Map 18 Parcel 00H10000, in the County of Wood, for the **2018** 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 **2018** 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 TAXED AS CLASS 4 RENTAL AND SHOULD HAVE BEEN CLASS 2 RESIDENTIAL.

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
07/01/2018	BILLING	4	3,853.10
01/09/2019	PENDING EXONERATION	4	-1,926.56
Adjusted Net Taxes			1,926.54

Tax Rate	Tax Class	Net Value
3.115120	4	123,690
3.115120	4	0
Adjusted Net Value		123,690

Map 18 Parcel 00H10000

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 February 11, 2019

RECEIVED

JAN 17 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 01:37:44 PM
Instrument No 8814587
Date Recorded 02/11/2019
Document Type 000
Pages Recorded 1
Book-Page 75-31

By: Connie Mcatee

Application Printed On

Wednesday, January 9, 2019 9:44 am

Wood County Commission

Erroneous Assessment Application

Tax Type: **Personal Property**

Tax Ticket: **761717**

Tax Year: **2017**

Upon the application of **LEAK TONY** whose address is **64 DIAMOND DR DAVISVILLE, WV 26142-** aggrieved by an erroneous assessment in **CLAY District (01)**, in the County of Wood, for the **2017** 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 **2017** 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 AN APPRAISAL ERROR THE ABOVE MENTIONED PROPERTY WAS INCORRECTLY ASSESSED AS A 2012 MOBILE HOME. THE MOBILE HOME IS A 1998 MODEL AND HAS BEEN REASSESSED FOR TAX YEAR 2017. SUPPLEMENTAL TICKET #80014947 REFLECTS AN ACCURATE ASSESSMENT.

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	
07/01/2017	BILLING	2	249.00	1.189400	2	20,934	
01/11/2019	PENDING EXONERATION	2	-249.00	1.189400	2	-20,934	
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 **February 11, 2019**

RECEIVED

JAN 17 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 01:40:14 PM
Instrument No 8814591
Date Recorded 02/11/2019
Document Type 000
Pages Recorded 1
Book-Page 75-31

By: Stacey Fleak

Application Printed On

Friday, January 11, 2019 2:08 pm

Wood County Commission

Erroneous Assessment Application

Tax Type: **Personal Property**

Tax Ticket: **800460**

Tax Year: **2018**

Upon the application of **ASPLUNDH TREE EXPERT CO** whose address is **708 BLAIR MILL RD WILLOW GROVE, PA 19090**- aggrieved by an erroneous assessment in **PARKERSBURG** District (05) , in the County of Wood, for the **2018** 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 **2018** 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.

THE ABOVE MENTIONED TAX TICKET IS INCORRECT DUE TO A CLERICAL ERROR. ASPLUNDH TREE EXPERT CO SUBMITTED AN AMENDED RETURN FOR 2018. THE REVISED ASSESSED VALUE REFLECTS AN ACCURATE ASSESSMENT. PLEASE SEE ATTACHED FOR DETAILS.

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
07/01/2018	BILLING	4	11,147.00	3.115120	4	357,835
12/04/2018	PENDING EXONERATION	4	-4,320.12	3.115120	4	-138,682
Adjusted Net Taxes			6,826.88	Adjusted Net Value		219,153

see attached
Taxpayer

on
Prosecutor

Wanda Nake
Assessor

[Signature]
Commissioner

[Signature]
County Commission President

[Signature]
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 *February 11, 2019*

RECEIVED

FEB 08 2018

County Administration

Mark Rhodes
WOOD County 01:41:35 PM
Instrument No 881455
Date Recorded 02/11/2019
Document Type 000
Pages Recorded 1
Book-Page 75-31

By: Sarah Edelen

Application Printed On

Monday, December 10, 2018 10:40 am

Wood County Commission

Erroneous Assessment Application

Tax Type: **Personal Property**

Tax Ticket: **845708** ✓

Tax Year: **2018** ✓

Upon the application of **BUTCHER CHARLES F** whose address is **179 LITTLE ADDITION RD DAVISVILLE, WV 26142**- aggrieved by an erroneous assessment in **CLAY District (01)** , in the County of Wood, for the **2018** 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 **2018** 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.

The above mentioned tax ticket is incorrect due to a clerical error. The mobile home assessed on this tax ticket was assessed in error.

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	
07/01/2018	BILLING	2	511.10	1.182600	2	43,218	
12/17/2018	PENDING EXONERATION	2	-511.10	1.182600	2	-43,218	
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 February 11, 2019.

RECEIVED

JAN 10 2018

County Administrator

RECEIVED

FEB 08 2018

County Administrator

Mark Rhodes
WOOD County 01:44:12 PM
Instrument No 8814595
Date Recorded 02/11/2019
Document Type 000
Pages Recorded 1
Book-Page 75-31

By: Stacey Fleak

Application Printed On

Monday, December 17, 2018 3:31 pm

Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
2807	HEALTH	HIGHMARK WEST VIRGINIA	REGULAR	02/01/2019	230,297.03	

GENERAL FUND Bank Id 101 Totals

230,297.03

Report Totals

230,297.03



Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
2801	IRS-PAY	INTERNAL REVENUE SERVICE	REGULAR	01/31/2019	80,036.11	
2802	CHILD	CHILD SUPPORT ENF DIV	REGULAR	01/31/2019	671.88	
2803	EMPOWER	EMPOWER RETIREMENT	REGULAR	01/31/2019	45.00	
2804	FSA	TASC	REGULAR	01/31/2019	2,640.00	
2805	OH ST TX	TREASURER OF STATE OF OHIO	REGULAR	01/31/2019	798.16	
2806	WV ST TX	WV STATE TAX COMM-INCOME	REGULAR	01/31/2019	26,479.22	
2807	HEALTH	HIGHMARK WEST VIRGINIA	REGULAR	02/01/2019	230,297.03	
2808	WV DEPUTY	WV DEPUTY SHERIFF'S RETIREMENT	REGULAR	01/31/2019	34,765.93	
2809	WV RETIRE	WV PUBLIC EMP RETIREMENT	REGULAR	01/31/2019	77,108.99	
2810	MONPOWER	MON POWER	REGULAR	02/01/2019	19,912.89	
167587	AMERICAN	AFLAC	REGULAR	01/31/2019	117.34	
167588	GREAT LAKES	GREAT LAKES HIGHER ED. GUARANTY CORPORATION	REGULAR	01/31/2019	158.62	
167589	NRS	NATIONWIDE RETIREMENT SOLUTIONS	REGULAR	01/31/2019	1,720.00	
167590	PHEAA	PHEAA	REGULAR	01/31/2019	276.01	
167591	PUBLIC DE	ONE COMMUNITY FEDERAL CREDIT UNION	REGULAR	01/31/2019	1,189.00	
167592	WASHINGTONH	WASHINGTON NATIONAL INSURANCE CO.	REGULAR	01/31/2019	1,550.94	
167593	WESTERN SO	WESTERN & SOUTHERN LIFE	REGULAR	01/31/2019	306.36	
167594	WESTFIELD	LINCOLN FINANCIAL GROUP	REGULAR	01/31/2019	16.00	
167595	WV LOAN	WV CONSOLIDATED PUBLIC RETIREMENT BOARD	REGULAR	01/31/2019	166.50	
167596	ALLTDAMI	ALLTOP DAMIAN A	REGULAR	01/31/2019	1,514.27	

PAYROLL FUND Bank Id 101 Totals

479,770.25

Report Totals

479,770.25

Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
7335	GEN CO FD	GENERAL COUNTY FUNDS	REGULAR	02/04/2019	171,611.32	

E-911 FUND Bank Id 107 Totals

171,611.32



Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
1121	UNITED NB	UNITED BANK LOAN PROCESSING CENTER	REGULAR	02/05/2019	4,411.82	
COAL SEVERANCE TAX Bank Id 201 Totals					4,411.82	
Report Totals					80,547.70	

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Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
7140	CASEY	CASEY'S LANDSCAPING, LLC	REGULAR	02/05/2019	100.00	
7141	MONPOWER	MON POWER	REGULAR	02/05/2019	1,513.50	
7142	ODEPOT	OFFICE DEPOT	REGULAR	02/05/2019	1,127.56	
COMM.CRIMINAL JUSTICE FUND Bank Id 172 Totals					2,741.06	



Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
3465	MOVDRC	MID-OHIO VALLEY DAY REPORT CENTER	REGULAR	02/05/2019	1,401.00	
HOME CONFINEMENT Bank Id 108 Totals					1,401.00	



Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
7336	CINTAS	CINTAS CORPORATION	REGULAR	02/05/2019	128.23	
7337	DONNELLON	DONNELLON MCCARTHY ENTERP	REGULAR	02/05/2019	393.59	
7338	MOVDRG	MID-OHIO VALLEY DAY REPORT CENTER	REGULAR	02/05/2019	40.00	
7339	POWERPHONE	POWERPHONE, INC.	REGULAR	02/05/2019	412.20	
7340	WV ENHANC	WV ENHANCED 9-1-1 COUNCIL	REGULAR	02/05/2019	70.00	
E-911 FUND Bank Id 107 Totals					1,039.02	



Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
1589	WATERS R	ROBIN WATERS	REGULAR	02/05/2019	25.50	
MAGISTRATE COURT Bank Id 105 Totals					25.50	



Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
167621	PICKENSLLC	BRETT PICKENS LLC	REGULAR	02/05/2019	253.00	
167622	PICKENSM	BRETT PICKENS LLC	REGULAR	02/05/2019	13.92	
167623	PINEGROVE	PINE GROVE KENNEL	REGULAR	02/05/2019	892.00	
167624	PMARATHON	PARKERSBURG NEWS & SENTINEL	REGULAR	02/05/2019	102.64	
167625	PULLIN	PULLIN FOWLER FLANAGAN BROWN POE PLLC	REGULAR	02/05/2019	6,022.29	
167626	PUREWATER	PURE WATER PARTNERS	REGULAR	02/05/2019	65.00	
167627	RAVENSWOOD	RAVENSWOOD POLICE DEPARTMENT	REGULAR	02/05/2019	239.27	
167628	RICOH	RICOH USA INC	REGULAR	02/05/2019	814.66	
167629	SAFELITE	SAFELITE FULFILLMENT INC	REGULAR	02/05/2019	140.48	
167630	SMITH JODI	JODI SMITH	REGULAR	02/05/2019	23.01	
167631	SMOOT	SMOOT THEATER	REGULAR	02/05/2019	595.33	
167632	ST.CLAIR	MICHAEL ST. CLAIR	REGULAR	02/05/2019	140.00	
167633	USBANKEQUIP	US BANK EQUIPMENT FINANCE	REGULAR	02/05/2019	455.00	
167634	VALLEY SU	VALLEY SUPPLY COMPANY	REGULAR	02/05/2019	21.64	
167635	VETERAN	VETERANS MUSEUM OF MID OHIO VALLEY	REGULAR	02/05/2019	225.81	
167636	VIENNA PU	VIENNA PUBLIC LIBRARY	REGULAR	02/05/2019	15,855.75	
167637	VISION	VISION SERVICE PLAN (WV)	REGULAR	02/05/2019	3,149.90	
167638	WOOD CO H	WOOD COUNTY HISTORICAL & PRESERVATION	REGULAR	02/05/2019	102.64	
167639	WOOD CO P	WOOD COUNTY PARKS & REC. COMM.(MOUNTWOOD PARK)	REGULAR	02/05/2019	7,390.26	
167640	WVIF&EXP	WV INTERSTATE FAIR & EXP	REGULAR	02/05/2019	771.87	

GENERAL FUND Bank Id 101 Totals

72,011.40

Report Totals

72,011.40




Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
2811	DENTAL	RENAISSANCE	REGULAR	02/05/2019	1,082.10	
167597	AAP	ADVANCE AUTO PARTS	REGULAR	02/05/2019	1,014.64	
167598	ACTOR	THE ACTORS GUILD OF PARKERSBURG	REGULAR	02/05/2019	205.29	
167599	ARTSBRIDG	ARTSBRIDGE	REGULAR	02/05/2019	410.57	
167600	ASTORGFORD	ASTORG FORD LINCOLN-MERCURY	REGULAR	02/05/2019	383.84	
167601	BATTERIES	BATTERIES DIRECT	REGULAR	02/05/2019	179.90	
167602	BELL HOME	BELLEVILLE HOMECOMING	REGULAR	02/05/2019	156.02	
167603	BHFI	BLENNERHASSETT HISTORICAL FOUNDATION INC	REGULAR	02/05/2019	102.64	
167604	BOSOLIND	BOSO LINDSEY A	REGULAR	02/05/2019	71.65	
167605	COUNTY CO	COUNTY COMMISSIONERS' ASSOC. OF WV	REGULAR	02/05/2019	125.00	
167606	CRUM G	GWEN CRUM	REGULAR	02/05/2019	181.28	
167607	CWS	CWS	REGULAR	02/05/2019	1,042.22	
167608	DOMINIONH	DOMINION HOPE	REGULAR	02/05/2019	2,309.63	
167609	IKE WALKER	IKE WALKER ORGANIZATION	REGULAR	02/05/2019	360.00	
167610	JOHNSTONE	JOHNSTONE SUPPLY	REGULAR	02/05/2019	113.12	
167611	JULIA	JULIA ANN SQUARE HISTORIC DISTRICT	REGULAR	02/05/2019	205.29	
167612	LIFE	DEARBORN NATIONAL	REGULAR	02/05/2019	1,127.32	
167613	LIGHTNER	LIGHTNER'S FRAME SERV	REGULAR	02/05/2019	89.95	
167614	LOWES	LOWE'S COMPANIES, INC.	REGULAR	02/05/2019	1,977.42	
167615	OIL	OIL AND GAS MUSEUM	REGULAR	02/05/2019	307.93	
167616	P-ART	PARKERSBURG ART CENTER	REGULAR	02/05/2019	307.93	
167617	P-HOMECOM	PARKERSBURG HOMECOMING	REGULAR	02/05/2019	513.21	
167618	P-WCVCB	PARKERSBURG/WOOD COUNTY CONVENTION &	REGULAR	02/05/2019	20,528.51	
167619	PARKPOLICE	PARKERSBURG POLICE DEPARTMENT	REGULAR	02/05/2019	1,206.50	
167620	PCM-G	PCMG	REGULAR	02/05/2019	734.97	

Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
1035	MAHONE TI	ZIEGLER TIRE & SUPPLY	VOID	02/07/2019	(818.80)	X
1065	ARMSTRONG GR	ARMSTRONG	REGULAR	02/07/2019	159.36	
1066	MONPOWER	MON POWER	REGULAR	02/07/2019	126.44	
1067	PEOPLESB	PEOPLES BANK	REGULAR	02/07/2019	624.69	
1068	POSTMASTE	U.S. POSTMASTER	REGULAR	02/07/2019	289.00	
1069	WCFSB	WOOD COUNTY FIRE SERVICE BOARD	REGULAR	02/07/2019	76.15	
FIRE SERVICE FEE Bank Id 120 Totals					<u>456.84</u>	
Report Totals					<u>456.84</u>	