

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

1 COURT SQUARE, SUITE 203
PARKERSBURG, WV 26101

IN RE: MINUTES OF MEETING HELD
MONDAY, JULY 11, 2022

PRESENT: DAVID BLAIR COUCH, PRESIDENT
ROBERT K. TEBAY, COMMISSIONER
JAMES E. 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 made by James E. Colombo, seconded by Robert K. Tebay and made unanimous by David Blair Couch, approved minutes of June 6, 13, 16, 23 and 27, 2022.

AGENDA AND DISCUSSION ITEMS

At 9:30 A.M., the County Commission met with Toni Tiano, Wood County Grant Writer. She requested the Commission apply for a Prevention Resources Office (PRO) Office for Blennerhassett Middle School. After discussion, the County Commission, upon a motion made by Robert K. Tebay, seconded by James E. Colombo and made unanimous by Blair Couch, did hereby AUTHORIZE David Blair Couch, in his official capacity as President and on behalf of the County Commission, to EXECUTE an Application for a Prevention Resource Officer (PRO) Grant with the West Virginia Division of Justice and Community Services. Said grant application is in the amount of twenty-eight thousand dollars and zero cents (\$28,000.00). (Order CW/113)

The County Commission, upon a motion made by David Blair Couch, seconded by James E. Colombo, and made unanimous by Robert K. Tebay, did hereby APPOINT Carl A. "Andy" Nestor as a county Litter Control Officer. Said appointment comes up on the recommendation of the City of Parkersburg and is authorized by West Virginia State Code Section 7-1-3ff sections (c) and (d). Mr. Nestor completed a training class offered by the West Virginia Department of Environmental Protection on June 13, 2022. (Order CW/112)

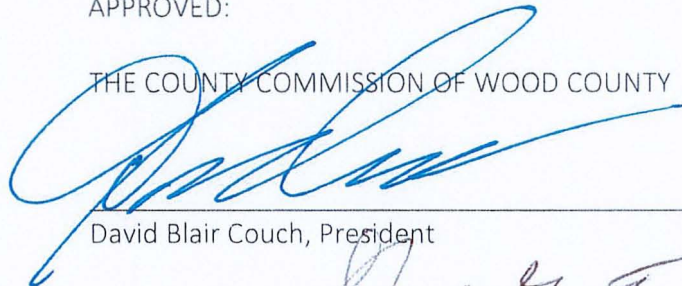
Having no scheduled appointments or business to attend to, the County Commission adjourned at 10:10 A.M.

ORDERS APPROVED AND ATTACHED TO THESE MINUTES

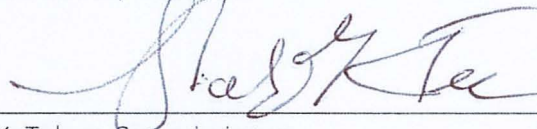
CW/109, CW/112, CW/113

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

A large, stylized blue ink signature of David Blair Couch, written over a horizontal line.

David Blair Couch, President

A stylized brown ink signature of Robert K. Tebay, written over a horizontal line.

Robert K. Tebay, Commissioner

A large, stylized blue ink signature of James C. Colombo, written over a horizontal line.

James C. Colombo, Commissioner

Wood County Commission Meeting
Held July 11, 2022

Please Print

1.	Toni Fano
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Wood County Commission
Agenda

July 11, 2022
1 Court Square Suite 203
Parkersburg, WV 26101

9:30 A.M.	Discuss PRO Officer Grant	Toni Tiano, Grant Writer
	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

July 11, 2022

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 \$6,343.07
WHICH REPRESENTS REIMBURSEMENT IN REGARD TO THE
VICTIMS OF CRIME ASSISTANCE GRANT 19-VA-038

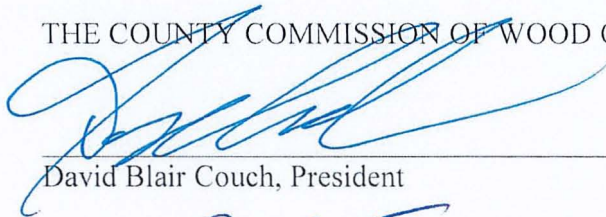
ORDER

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 three hundred forty-three dollars and seven cents (\$6,343.07) which represents reimbursement to Wood County for expenses incurred during the month of April, 2022, in regard to the Victims of Crime Assistance Grant 19-VA-038. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 76, at Page 5 and bearing the date May 23, 2022, 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:

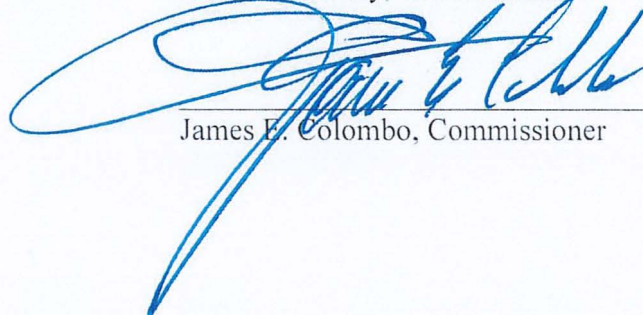
THE COUNTY COMMISSION OF WOOD COUNTY

A blue ink signature of David Blair Couch, written in a cursive style, positioned above a horizontal line.

David Blair Couch, President

A blue ink signature of Robert K. Tebay, written in a cursive style, positioned above a horizontal line.

Robert K. Tebay, Commissioner

A blue ink signature of James E. Colombo, written in a cursive style, positioned above a horizontal line.

James E. Colombo, Commissioner

CW/109

TOTAL OF INVOICE(S): \$6,343.07

VENDOR CODE: 000000212365

DATE: 06/29/2022

CHECK
DESCRIPTION

INVOICE
NUMBER

NET
AMOUNT

19-VA-038 1/1/22 1/31/22

2291220211

\$6,343.07

Unless the VC code starts with MV, log on Vendor Self Service at www.wvoasis.gov. If you need additional payment detail, Please contact BRYAN ARTHUR, 304-558-2350X43428.

Learn more about the launching of your new State-wide accounting system (wvOASIS), visit us at www.wvoasis.gov

REMOVE DOCUMENT ALONG THIS PERFORATION

CTL# 38345296

THIS WARRANT HAS MULTIPLE SECURITY FEATURES TO DETER FRAUD AND COUNTERFEITING
VOID UNLESS PRESENTED FOR PAYMENT WITHIN SIX MONTHS

State of West Virginia

STATE WARRANT # 1006131602

06/29/2022

PAYEE

WOOD CO COMMISSION

*****\$6,343.07**

WEST VIRGINIA TREASURY

STATE TREASURER

STATE AUDITOR

1006131602

051902322

5270537822

Hood County
Mark Rhodes, Clerk
Instrument 86288426
07/11/2022 @ 11:02:02 AM
COUNTY COMMISSION ORDER
Book 76 @ Page 492
Pages Recorded 2

JULY 11, 2022

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA


IN RE: THE COUNTY COMMISSION DID HEREBY APPOINT
CARL NESTOR AS A LITTER CONTROL OFFICER

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 APPOINT Carl A. "Andy" Nestor as a county Litter Control Officer. Said appointment comes up on the recommendation of the City of Parkersburg and is authorized by West Virginia State Code Section 7-1-3ff sections (c) and (d). Mr. Nestor completed a training class offered by the West Virginia Department of Environmental Protection on June 13, 2022.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Robert K. Tebay, Commissioner



James E. Colombo, Commissioner

CW/112

Marty Seufer

From: Tom Joyce <tom.joyce@parkersburgwv.gov>
Sent: Wednesday, July 6, 2022 1:32 PM
To: Marty Seufer; David Couch; Bob Tebay; Jimmy Colombo
Cc: Andy Nestor
Subject: [EXTERNAL SENDER] FW: Scanned from a Xerox Multifunction Printer
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Commissioners

Attached is a certificate of completion for Carl A. "Andy" Nestor as a litter control officer: I am respectfully asking the Wood County Commission approve and or appoint Mr. Nestor the authority to perform litter control duties and exercise said authority within the boundaries of the City of Parkersburg.

Andy has been serving in the capacity of Chief Code Official for Parkesburg since April of this year and recently completed this certification, he would certainly assist the County Litter control officer upon request as permitted by statute and or Commission authority should the need for collaboration arise.

Your consideration is appreciated and please contact me at any time with question or concern.

Respectfully
Tommy

Tom Joyce
Mayor Parkersburg WV
304-424-8416 Office
304-893-4795 Cell

Montani Semper Liberi
"Mountaineers Are Always Free"

BL-J-B

Certificate of Training

this certifies that

Carl A. Nestor

*has successfully completed the training
program requirements for*

Litter Control Officer Orientation



Awarded on this **13th** *day of* **June 2022**

[View §7-1-3FF in new website](#)

CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-3ff. Authority of county commission to regulate unsafe or unsanitary structures and refuse on private land; authority to establish an enforcement agency; county litter control officers; procedure for complaints; lien and sale of land to recover costs; entry on land to perform repairs and alterations or to satisfy lien; receipt of grants and subsidies.

(a) Plenary power and authority are hereby conferred upon every county commission to adopt ordinances regulating the repair, alteration, or improvement, or the vacating and closing or removal or demolition, or any combination thereof, of any dwellings or other buildings, except for buildings used for farm purposes on land actually being used for farming, unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents, or other calamities, lack of ventilation, light or sanitary facilities, or any other conditions prevailing in any dwelling or building, whether used for human habitation or not, which would cause the dwellings or other buildings to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect.

(b) Plenary power and authority are hereby conferred upon every county commission to adopt ordinances regulating the removal and clean up of any accumulation of refuse or debris, overgrown vegetation or toxic spillage or toxic seepage located on private lands which is determined to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect.

(c) The county commission, in formally adopting ordinances, shall designate an enforcement agency which shall consist of the county engineer (or other technically qualified county employee or consulting engineer), county health officer or his or her designee, a fire chief from a county fire company, the county litter control officer, if the commission chooses to hire one, and two members-at-large selected by the county commission to serve two-year terms. The county sheriff shall serve as an ex officio member of the enforcement agency and the county officer charged with enforcing the orders of the county commission under this section.

(d) In addition to the powers and duties imposed by this section, county litter control officers shall have authority to issue citations for open dumps, as prohibited by §22-15-10(a) of this code, unlawful disposal of litter, as prohibited by §22-15A-4 of this code, and failure to provide proof of proper disposal of solid waste, as prohibited by §22C-4-10(a) of this code, after completing a training course offered by the West Virginia Department of Environmental Protection: Provided, That any litter control officer who is trained and certified as a law-enforcement officer and whose certification is active has the same authority as any other law-enforcement officer to enforce all litter laws in this code. Nothing

in this subsection supersedes the authority or duty of the Department of Environmental Protection or other law-enforcement officers to preserve law and order and enforce the litter control program.

(e) Any ordinance adopted pursuant to the provisions of this section shall provide fair and equitable rules of procedure and any other standards considered necessary to guide the enforcement agency, or its agents, in the investigation of dwelling or building conditions, accumulation of refuse or debris, overgrown vegetation, or toxic spillage or toxic seepage and shall provide for fair and equitable rules of procedure for instituting and conducting hearings in the matters before the county commission. Any entrance upon premises for the purpose of making examinations shall be made in a manner that causes the least possible inconvenience to the persons in possession.

(f) (1) Complaints authorized by this section shall be brought before the county commission. Complaints shall be initiated by citation issued by the county litter control officer or petition of the county engineer (or other technically qualified county employee or consulting engineer) on behalf of and at the direction of the enforcement agency, but only after that agency has investigated and determined that any dwelling, building, accumulation of refuse or debris, overgrown vegetation, or toxic spillage or toxic seepage is unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare and should be repaired, altered, improved, vacated, removed, closed, cleaned, or demolished.

(2) The county commission shall cause the owner or owners of the private land in question to be served with a copy of the complaint. Service shall be accomplished in the manner provided in rule four of the West Virginia Rules of Civil Procedure.

(3) The complaint shall state the findings and recommendations of the enforcement agency and that unless the owner or owners of the property file with the clerk of the county commission a written request for a hearing within 10 days of receipt of the complaint, an order will be issued by the county commission implementing the recommendations of the enforcement agency.

(4) If the owner or owners of the property file a request for a hearing, the county commission shall issue an order setting this matter down for hearing within 20 days. Hearings shall be recorded by electronic device or by court reporter. The West Virginia Rules of Evidence do not apply to the proceedings, but each party has the right to present evidence and examine and cross-examine all witnesses.

(5) The enforcement agency has the burden of proving its allegation by a preponderance of the evidence and has the duty to go forward with the evidence.

(6) At the conclusion of the hearing, the county commission shall make findings of fact, determinations, and conclusions of law as to whether the dwelling or building: Is unfit for human habitation due to dilapidation; has defects that increase the hazard of fire, accidents, or other calamities; lacks ventilation, light, or sanitary facilities; or any other conditions prevailing in the dwelling or building, whether used for human habitation or not and whether the result of natural or manmade force or effect, which would cause the dwelling or other building to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare; or whether there is an accumulation of refuse or debris, overgrown vegetation, toxic spillage or toxic seepage on private lands which is

determined to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect.

(7) The county commission has authority to order the owner or owners thereof to repair, alter, improve, vacate, remove, close, clean up, or demolish the dwelling or building in question or to remove or clean up any accumulation of refuse or debris, overgrown vegetation, or toxic spillage or toxic seepage within a reasonable time and to impose daily civil monetary penalties on the owner or owners who fail to obey an order.

(8) Appeals from the county commission to the circuit court shall be in accordance with the provisions of §58-3-1 et seq. of this code.

(g) Upon the failure of the owner or owners of the private land to perform the ordered duties and obligations as set forth in the order of the county commission, the county commission may advertise for and seek contractors to make the ordered repairs, alterations, or improvements or the ordered demolition, removal, or clean up. The county commission may enter into any contract with any contractor to accomplish the ordered repairs, alterations, or improvements or the ordered demolition, removal, or clean up.

(h) A civil proceeding may be brought in circuit court by the county commission against the owner or owners of the private land or other responsible party that the subject matter of the order of the county commission to subject the private land in question: (1) To a lien for the amount of the contractor's costs in making these ordered repairs, alterations, or improvements or ordered demolition, removal, or clean up, together with any daily civil monetary penalty imposed; (2) to order and decree the sale of the private land in question to satisfy the lien; (3) to order and decree that the contractor may enter upon the private land in question at any and all times necessary to make ordered repairs, alterations, or improvements, or ordered demolition, removal, or clean up; and (4) to order the payment of all costs incurred by the county with respect to the property and for reasonable attorney fees and court costs incurred in the prosecution of the action.

(i) County commissions may receive and accept grants, subsidies, donations, and services in kind consistent with the objectives of this section.

Wood County
Mark Rhodes, Clerk
Instrument 88288419
07/11/2022 @ 10:01:55 AM
COUNTY COMMISSION ORDER
Book 76 @ Page 494
Pages Recorded 6

JULY 11, 2022

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE
DAVID BLAIR COUCH, AS PRESIDENT, TO EXECUTE AN
APPLICATION FOR A PRO GRANT.

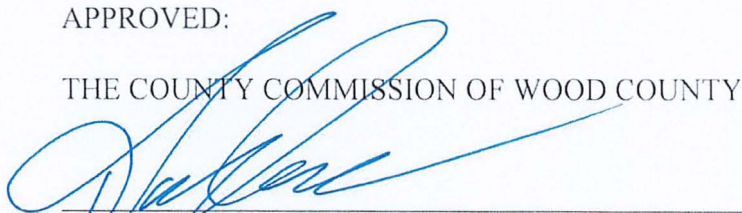
ORDER


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 Blair Couch, did hereby AUTHORIZE David Blair Couch, in his official capacity as President and on behalf of the County Commission, to EXECUTE an Application for a Prevention Resource Officer (PRO) Grant with the West Virginia Division of Justice and Community Services. Said grant application is in the amount of twenty-eight thousand dollars and zero cents. (\$28,000.00)

Information relating to this 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

CW/113

Wood County
Mark Rhodes, Clerk
Instrument 88288624
07/11/2022 @ 10:08:08 AM
COUNTY COMMISSION ORDER
Book 76 @ Page 500
Pages Recorded 40