

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: Minutes of the Meeting held January 14, 1982

PRESENT: President, Holmes R. Shaver
Commissioner, William C. Parrish
Commissioner, Dexter L. Buckley Jr.

On this the 14th day of January 1982, the Wood County Commission unanimously agreed to become a part of and participate in the proposed Multi-County Health System provided and contingent upon the transfer of the public Health Department Building located at 211 Sixth Street, Parkersburg, West Virginia to the Wood County Commission from Parkersburg-Wood Health Department and Department of Health and Human Services. See also a copy of this ORDER in attachment etc.

Also upon receiving the resignation of Commissioner William C. Parrish as a member of the West Central West Virginia Community Action Association, the Commission and accepted and approved the appointment of Ms. Emily Schwab to replace Commissioner Parrish.

The Commission also received (one) 1982 Personal Property Tax Ticket to be impropered for a clerical error. The Commission received and approved the ticket and forwarded it to the Probate Office to be recorded. A copy of this ticket is in attachment.

The following Purchase Orders were received and approved by this Commission:

Purchase Order \$913.18, to Badger Lumber Co., in the amount of \$913.18, for the County Commission.

Purchase Order #5636, to George D. Barnard Co., in the amount of \$2,334.00, for the Assessor's Office.

Purchase Order #5629, to State Electric Supply, in the amount of \$160.05, for the County Commission.

Purchase Order #5636, to Badger Lumber Co., in the amount of \$551.02, for the County Commission.

Purchase Order #5637, to National Muffler, in the amount of \$59.00, for the Correctional Center.

Purchase Order #5638, to Parkersburg Office Supply, in the amount of \$41.28, for the Assessor's Office.

Purchase Order #5639, to Parkersburg Office Supply, in the amount of \$38.22, for the County Commission.

Purchase Order #5640, to Park Chem, in the amount of \$42.20, for the Correctional Center.

Purchase Order #5641, to Parkersburg Office Supply, in the amount \$57.08, for the Sheriff's Office.

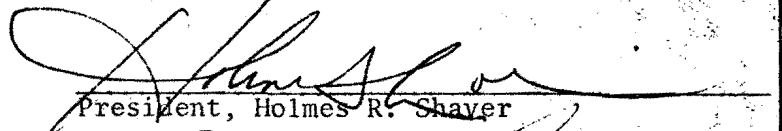
Purchase Order #5642, to Parkersburg Office Supply, in the amount of \$27.48, for the Circuit Clerk's Office.

Purchase Order #5643, to Parkersburg Office Supply, in the amount of \$72.80, for the Sheriff's Tax Department.

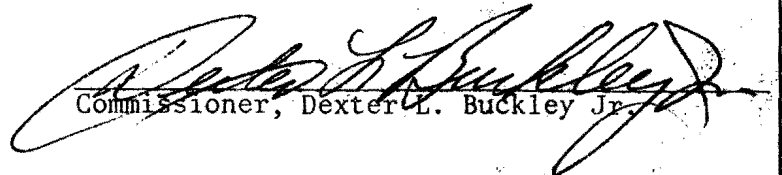
Purchase Order #5644, to Bud's Sales & Service, in the amount of \$53.50, for the Circuit Clerk's Office.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY


President, Holmes R. Shaver


Commissioner, William C. Parrish


Commissioner, Dexter L. Buckley Jr.

January 14, 1982

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA
IN RE: WOOD COUNTY COMMISSION AGREEMENT TO PARTICIPATE
IN MULTI-COUNTY HEALTH SYSTEM

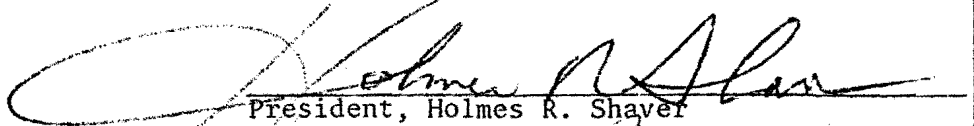
O R D E R

On this the 14th day of January 1982, the Wood County Commission unanimously agrees to become a part of and participate in the proposed Multi-County Health System provided and contingent upon the transfer of the public Health Department Building located at 211 Sixth Street, Parkersburg, West Virginia to the Wood County Commission from Parkersburg-Wood County Health Department and Department of Health and Human Services.

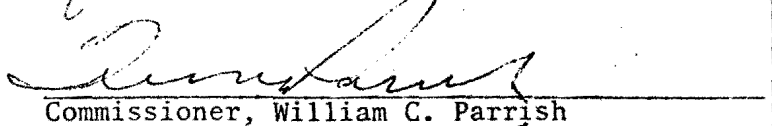
Dated this the 14th day of January, 1982.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



President, Holmes R. Shaver



Commissioner, William C. Parrish



Commissioner, Dexter L. Buckley, Jr.

ENTERED: January 14, 1982

The County Commission of Wood County

PARKERSBURG, WEST VIRGINIA 26101

MEMBERS OF COUNTY COMMISSION

HOLMES R. SHAVER, PRESIDENT

W. C. "BILL" PARRISH, COMMISSIONER

DEXTER L. BUCKLEY, JR., COMMISSIONER

H. K. SMITH, CLERK

SIBYL ROWAN, ADMINISTRATOR

January 14, 1982

Mr. Calvin Watkins, Director
Regional Office Facilities
Engineering & Construction
Department of Health and Human Services
P.O. Box 13716
Philadelphia, PA 19101

IN RE: Wood-Parkersburg Board of Health
Quit-Claim Deed

Dear Mr. Watkins:

We are writing to follow up phone calls with H. McDonald Rimple and Mr. Paul of your staff regarding the Quit-Claim Deed for our public health facility in Wood County, West Virginia. As you are aware, the Department of Health, Education and Welfare entered into a Quit-Claim Deed with the Wood-Parkersburg Board of Health

There are two issues which involve this deed:

- 1st - Local Boards of Health in West Virginia cannot legally own property. See attached Attorney General Opinion.
- 2nd - The Wood-Parkersburg Board of Health will cease to exist as of July 1, 1982. The Wood County Commission will be cooperating with other County Commissions in a multi-county Board of Health, referred to as the Mid-Ohio Valley Board of Health.

With the above in mind, the Wood County Commission is requesting that the property identified in the Quit-Claim Deed be transferred to the Wood County Commission to be specifically utilized, as it has been, for public health services.

The Wood County Commission is concerned that this facility continue to be utilized for public health services by our local health department. The Mid-Ohio Valley Board of Health is a multi-county Board of Health and is the first cooperative effort of its kind in West Virginia. Should this cooperative effort not continue after its initial three-year pilot period, the County Commission wants to assure local control of the facility for public health services. The best way to assure this is through granting this request.

Calvin Watkins
Page 2
January 14, 1982

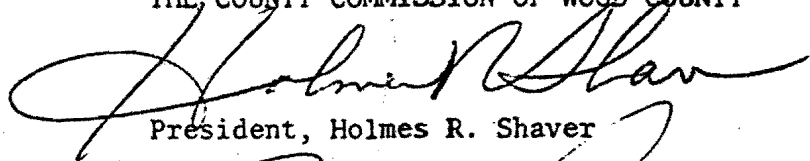
The Wood County Commission is anxious to proceed ahead with other counties in West Virginia Region V under the Mid-Ohio Valley Board of Health. We are, therefore, requesting your prompt review. In addition, we will be in contact with your office in the very near future to set up an appointment with you. If any additional information is needed, please call Sibyl Rowan, Wood County Administrator at (304) 422-7211.

If this meets with your approval, please instruct who will be executing the deed so that we may properly prepare it and forward it to your office.

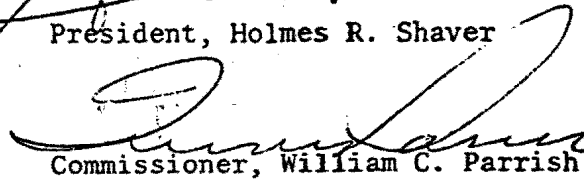
Thank you for your assistance.

Sincerely,

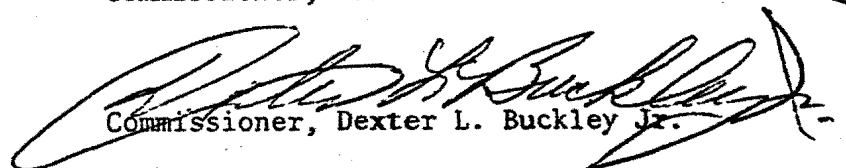
THE COUNTY COMMISSION OF WOOD COUNTY



President, Holmes R. Shaver



Commissioner, William C. Parrish



Commissioner, Dexter L. Buckley Jr.

HRS/WCP/DLB/cjc

Enclosure: 1

cc: H. McDonald Rimple, M.D.
L. Clark Hansbarger, M.D.

The County Commission of Wood County

PARKERSBURG, WEST VIRGINIA 26101

MEMBERS OF COUNTY COMMISSION

HOLMES R. SHAVER, PRESIDENT
W. C. "BILL" PARRISH, COMMISSIONER
DEXTER L. BUCKLEY, JR., COMMISSIONER

H. K. SMITH, CLERK
SIBYL ROWAN, ADMINISTRATOR

January 14, 1982

Sheriff, L. W. Bechtold
Wood County Court House
Parkersburg, WV 26101

Dear Sheriff:

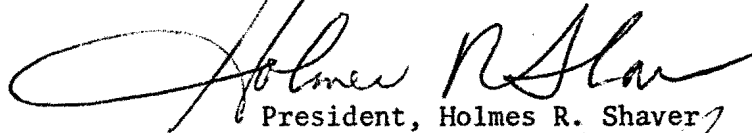
In response to your letter dated January 11, 1982 in regard to the heat at the Correctional Center, please be advised that Mr. Bruce Hardman from Air-Conditioning Services of Parkersburg, will be at the Correctional Center doing an evaluation on the H.V.A.C. on Tuesday January 19th and Wednesday January 20th.

Upon completion of this evaluation the Wood County Commission will be in position to bid the necessary work to the H.V.A.C. We would appreciate your complete cooperation with Mr. Hardman on the above mentioned dates.

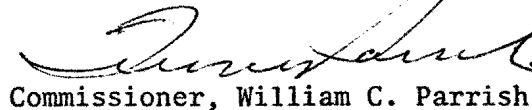
Thank you very much.

Sincerely,

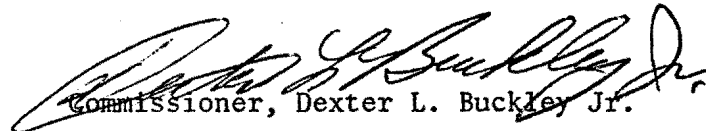
THE COUNTY COMMISSION OF WOOD COUNTY



President, Holmes R. Shaver



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HRS/WCP/DLB/cjc

The County Commission of Wood County

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January 14, 1982

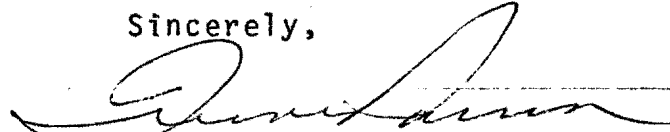
President, Holmes R. Shaver
Wood County Commission
Wood County Court House
Parkersburg, WV 26101

Dear Mr. Shaver:

Please be advised that effective this the 14th day of January 1982, I hereby submit this as my official resignation from the Board of Directors of West Central West Virginia Community Action Association.

Due to prior and future committments relating to county business, I find it necessary to submit the above.

Sincerely,



William C. "Bill" Parrish

WCP/cjc

No. 04485

PERSONAL PROPERTY

WOOD COUNTY

Dunkan Howard
1010 George St.
City

DISTRICT City
TICKET No. 04485
DATE 1/14/82

This is to certify that this ticket or portion thereof, as noted, is improper for the following reason:

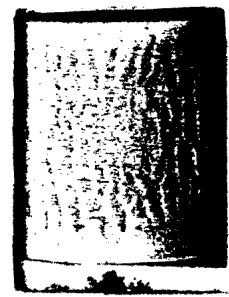
mp, Double Assessed, Paid a 1980 Supp. 8/26/80
able with #00989.

The erroneousness of this ticket has been checked by: T. Wilcox
DEPUTY

Approved by EUGENE A. KNOTTS, Assessor, or his authorized deputy

Commissioner [Signature]
Commissioner [Signature]

R.K. Mason



Pat W.P.C.
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OFFICE OF THE ATTORNEY GENERAL

CHAUNCEY H. BROWNING, Jr.

MEMORANDUM

TO: Sally K. Richardson
Deputy Director

DATE: November 23, 1981

FROM: Curtis G. Power, III *C.G.P.*
Assistant Attorney General

RE: Ownership of real property by local boards of health.

The authority of the State health department, through its director, to accept or acquire title to real property is explicit.

"(12) To accept and use for the benefit of the State, for the benefit of the health of the people of this State, any gift or devise of any property or thing which is lawfully given: Provided, that if any gift is for a specific purpose or for a particular state hospital or facility, it shall be used as specified. Any profit which may arise from any such gift or devise of any property or thing shall be deposited in a special revenue fund with the state treasurer, and shall be used only as specified by the donor or donors;

"(13) To acquire by condemnation or otherwise any interest, right, privilege, land or improvement and hold title thereto, for the use or benefit of the State or a state hospital or facility, and, by and with the consent of the governor, to sell, exchange, or otherwise convey any interest, right, privilege, land or improvement acquired or held by the State, state hospital or state facility; which condemnation proceedings shall be conducted pursuant to chapter fifty-four [§ 54-1-1 et seq.] of this Code." Chapter 16, Article 1, Section 10(12) and (13), of the West Virginia Code of 1931, as amended.

Local boards of health, whether combined or single counties/municipalities, are delegated the powers of the State board of health. (All references to the State board of health are construed to mean the State director of health. See, Code 16-1-8.) The delegating language is as follows:

"The county health officer together with the president of the county commission and the prosecuting attorney shall constitute the county board of health, of which the county health officer shall be the executive officer. The county board of health shall exercise all the powers and enforce all the rules and regulations of the West Virginia board of health, so far as applicable to such county. * * *"
(Emphasis supplied.) Code 16-2-1.

"County or municipal boards of health created and established pursuant to the provisions of this article shall direct, supervise, and control all matters relating to the general health and sanitation of their respective counties or municipalities, and shall possess and exercise such power in relation thereto as may be exercised and is possessed by the state board of health or the director, as the case may be, so far as such powers are applicable to such county or municipality. * * *"
(Emphasis supplied.) Code 16-2A-3.

"All powers and duties belonging to or vested in county boards of health or municipal boards of health under any provision of the Code are hereby vested in, conferred upon, and declared to be, the powers and duties of any combined board of health created pursuant to the provisions of this section, * * *." Code 16-2-3.

Unless there are other controlling provisions of State law concerning the acquisition and ownership of real property, local boards of health would be empowered to exercise those powers in their own right. However, Code 16-2A-6 indicates that the political subdivision(s) which creates and maintains a local board is the proper entity to acquire and hold title to any real property intended to be used for public health purposes.

"Any county or municipality in which there is a board of health created and maintained pursuant to the provisions of this article, may accept, receive and receipt for money or property from any

federal, state, or local governmental agency, or from any public or private source, to be used for public health purposes, or for the establishment or construction of public health facilities."

(Emphasis supplied.) Code 16-2A-6.

Moreover, there are specific enabling provisions which provide for acquisition of real property by counties and municipalities, respectively.

"The county commission of any county is hereby authorized and empowered to acquire real estate and to convey real estate and to enter into a contract, or lease, or both, with the United States government, or any federal agency authorized to make or enter into a contract, or lease, or with any bank or financial institution, or with any individual or persons for the erection, construction, equipment, leasing and renting of a courthouse, hospital, other public buildings, * * *." (Emphasis supplied.)

Code 7-3-5.

"The county commission of any county is hereby authorized and empowered to acquire by purchase or construction and to thereafter own, equip, furnish, operate, lease, improve and extend a public hospital, clinic, long-term care facility and other related facilities, with all appurtenances, including the necessary real estate as a site therefor.* *

*" (Emphasis supplied.) Code 7-3-14.

Municipal corporations have similar powers:

"To establish, construct, acquire, maintain and operate public buildings, municipal buildings or city halls, auditoriums, arenas, jails, juvenile detention centers or homes, motor vehicle parking lots, or any other public works;

* * *

"To establish, construct, acquire, maintain and operate hospitals, sanitarium and dispensaries;" (Emphasis supplied.) Code 8-12-5(36) and (41).

Therefore, absent specific enabling legislation providing for acquisition and ownership of real property by local boards of

health, it seems improper for such boards, acting as entities separate from the political subdivisions which created them, to acquire and own real property.

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The County Commission of Wood County

PARKERSBURG, WEST VIRGINIA 26101

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H. K. SMITH, CLERK
SIBYL ROWAN, ADMINISTRATOR

December 3, 1981

TO: The Parkersburg National Bank
Members, Wood County Airport Authority

FROM: Wood County Commission

RE: Funding of New Hangar - Wood County Airport

Since May 10, 1973, the Wood County Airport has been owned and operated by the Wood County Airport Authority, a public corporation created on that date for that purpose, pursuant to the West Virginia Code Chapter Eight, Article 29-A, which permits contributions to be made to such an Airport Authority by a County Commission.

Accordingly, the Wood County Commission has been contributing \$133,000 each year to the Wood County Airport Authority, which sum has been used for principal and interest payments on loans to the Airport Authority by the Parkersburg National Bank (and other participating banks) in 1975 incident to extension of the instrument runway and construction of a new terminal building. The last payment on said loans is scheduled for July 1, 1986.

We understand that a new hangar, and several other items, are needed for the airport, at a cost of approximately \$512,445; that the Airport Authority is making application to The Parkersburg National Bank (and other participating banks) for a loan in said amount.

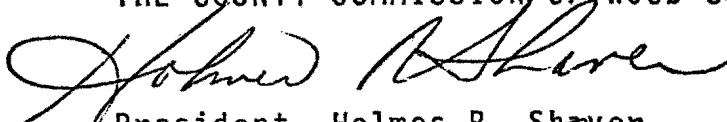
REGULAR TERMS OF COMMISSION: FIRST THURSDAY IN JANUARY, APRIL, JULY, AND OCTOBER

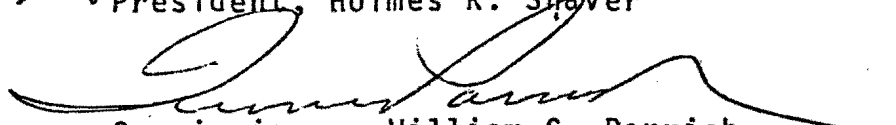
REGULAR SESSIONS — TUESDAY: 9 to 12 - 1 to 4 — THURSDAY: 9 to 12

As present members of the Wood County Commission, we recognize the importance of the Wood County Airport to the county, and for so long as funds are available to us, we expect to continue to contribute the same sum of \$133,00 each year to the Wood County Airport Authority, although it should be understood that the Commission cannot legally commit itself, except on a yearly basis from year to year, to make such a contribution. It is our hope that our successors in office will find it possible to continue the annual contribution through July 1, 1986, and thereafter to aid in repayment of a hangar/equipment loan if granted.

Sincerely,

THE COUNTY COMMISSION OF WOOD COUNTY


President, Holmes R. Shaver


Commissioner, William C. Parrish


Commissioner, Dexter L. Buckley, Jr.

HRS/WCP/DLB/cjc

