

JANUARY 21, 1985

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF THE MEETING HELD JANUARY 21, 1985

PRESENT: PRESIDENT, DEXTER L. BUCKLEY, JR.
COMMISSIONER, HOLMES R. SHAVER
COMMISSIONER, LEWIS E. GUINN

The first order of business was daily business. County Administrator Mary Rader updated the Commission of their mail and day to day activities. Purchase orders and invoices were signed. Copies of the purchase orders are available in the County Administrator's Office.

At 10:00, President Buckley called to order a public hearing requested by Charles Scott, a resident of the Mineral Wells Public Service District. Mr. Scott, present and represented by Attorney George Cosenza, contends that Mr. Joseph Morrison was appointed as Commissioner of the Mineral Wells PSD illegally according to the State Code 16-13A-3. This article states that a person shall complete a training course before being appointed Commissioner. Mr. Morrison, also present and represented by Attorney William Pfalzgraf, contends that it is almost impossible to get the training before being appointed because the training is only offered at certain times throughout the year, not on a regular basis. Attorney Pfalzgraf pointed out that the procedure according to the Public Service Commission is as follows: When the schedule for training sessions is announced, the PSC sends a notice to the PSDs throughout the State and asks that any Commissioners who have not yet completed the training course, register to do so. As yet this year, Mr. Morrison nor the Mineral Wells PSD, have been notified. This notification should be forthcoming. At this point, Mr. Cosenza reiterated that the State Code says that the person shall have completed the training. The Commission told everyone present, that they would confer with Assistant Prosecuting Attorney Richard Richmond, and give them their decision this afternoon.

At 11:00 a.m. five members of the Fine Arts Council came before the Commission to inquire as to why they were cut from the Revenue Sharing Entitlement 16 budget. The Commission explained to them that with the cuts the county received as a whole, they took into consideration which agencies were considered "life-saving" as their starting point. They told the Council that they were sorry that they could not fund them this year. The Council members wanted to know if the Commission received a rebate of Entitlement followin their appeal, could they (the Council) expect funding for Entitlement 17, and possibly "double-funding". The Commission told the Council members they could not commit themselves to any allocations at this time. The appeal process is just getting under way through the Mid-Ohio Valley Regional Council Office. They told the Council as individuals, they would do what they could to promote the Council in the private sector.

The Commission adjourned for lunch at noon.

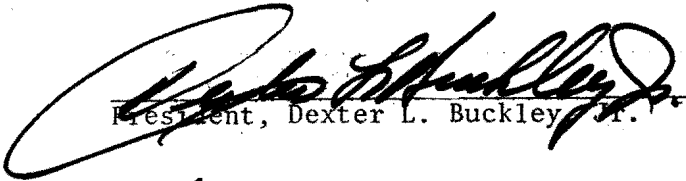
The Commission reconvened at 1:00 p.m.

At 2:30 p.m. after conferring with Assistant Prosecuting Attorney Richard Richmond, the Commission rendered a decision in the Mineral Wells PSD hearing. The Commission decided that based on an earlier opinion handed down by Judge Black, the County Commission does not have the power or the means to remove a Commissioner of a Public Service District once he has been appointed. This is a judicial responsibility, and if Mr. Scott wants to pursue this matter, he should do so in the Circuit Court. The Commission notified the attorneys of their decision.

At 3:30 the County Commission conducted a routine, semi-annual inspection of the Wood County Correctional Center.

APPROVED:

THE COUNTY-COMMISSION OF WOOD COUNTY


President, Dexter L. Buckley


Commissioner, Holmes R. Shaver


Commissioner, Lewis E. Guinn

January 21, 1985

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA


IN RE: PUBLIC HEARING CONCERNING THE APPOINTMENT OF
JOESPH MORRISON TO THE MINERAL WELLS PUBLIC
SERVICE DISTRICT

O R D E R

This day at 10:00 a.m., the County Commission conducted a Public Hearing which was requested by Mr. Charles Scott, a resident of the Mineral Wells Public Service District. Mr. Scott, represented by Attorney George Cosenza, contends that Mr. Joseph Morrison was illegally appointed as a Commissioner to the Mineral Wells Public Service District. Mr. Joseph Morrison, present, was represented by Attorney William Pfalzgraf. Mr. Pfalzgraf stated that the meaning of the West Virginia State Code 16-13A-3 is questionable in that it states that a Commissioner must first complete the training, which is not available on a regular basis, thus making it rather difficult for the County Commission to appoint a person who has already completed training. The County Commission relying on Assistant Prosecuting Attorney Richard Richmond for legal counsel, decided that based on an earlier Circuit Court decision by Judge Donald F. Black, they are not within their legal rights to remove a Commissioner from his post once he has been appointed. This is a Judicial responsibility and would have to be pursued in the Circuit Court if Mr. Scott so desires. Said decision was rendered at 2:30 p.m. this day.

THE COUNTY COMMISSION OF WOOD COUNTY


President, Dexter L. Buckley, Jr.


Commissioner, Holmes R. Shaver

Lewis E. Guinn
Commissioner, Lewis E. Guinn

Entered: January 21, 1985

JANUARY 21, 1985

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA


IN RE: THE FINE ARTS COUNCIL REQUESTS AN EXPLANATION
FROM THE COUNTY COMMISSION AS TO WHY THEY WERE
CUT FROM REVENUE SHARING ENTITLEMENT 16 MONIES

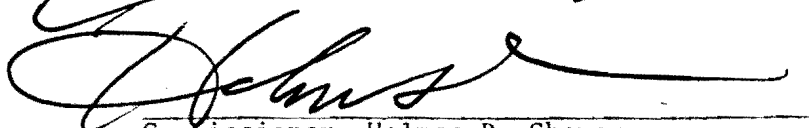
O R D E R

This day at 11:00 a.m. five representatives from the Fine Arts Council approached the County Commission as to why the Council was cut from Revenue Sharing Entitlement 16 monies. The Commission explained that they had a very hard decision to make concerning Revenue Sharing in light of cuts the County received as a whole. They explained that they funded agencies they felt were considered "life-saving" agencies. The Council thanked the Commission and asked for their support in the private sector, which each Commissioner said that they would be glad to do anything they could to help.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


President, Dexter L. Buckley, Jr.


Commissioner, Holmes R. Shaver


Commissioner, Lewis E. Guinn

JANUARY 21, 1985

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: INSPECTION OF THE WOOD COUNTY CORRECTIONAL CENTER

O R D E R

This day at 3:30 p.m., the County Commission conducted an inspection of the Wood County Correctional Center. This was a routine inspection which is conducted on a semi-annual basis.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

President, Dexter L. Buckley, Jr.

Commissioner, Holmes R. Shaver

Commissioner, Lewis E. Guinn

Entered: January 21, 1985

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JANUARY 21, 1985

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

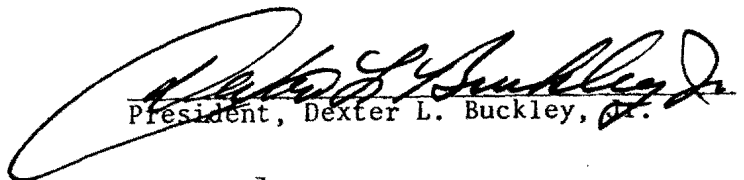
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