

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, DECEMBER 10, 1992

PRESENT: PRESIDENT STEVEN A. GRIMM
COMMISSIONER HOLMES R. SHAVER
COMMISSIONER JEAN GRAPES

On this date, the County Commission met in regular session. They signed purchase orders, invoices and other correspondence. The County Commission approved an Exoneration for Randy Graham.

At 9:30 A.M., Edward Kruger failed to show for his appointment to be sworn in to the Wood County Development Authority.

At 10:00 A.M., the County Commission met with Tim Knopp and Kurt Klettner. Upon a motion made by Jean Grapes, seconded by Steven A. Grimm and made unanimous by Holmes R. Shaver, the County Commission entered in to an Agreement by and between the County Commission of Wood County, West Virginia, and Kurt A. Klettner, a Certified Addictions Counselor. Said Agreement begins on this date and will continue until such time as a permanent, part-time person may be found, since Mr. Klettner has agreed to this position on a temporary, part-time basis only. Execution of said Agreement will provide part-time counseling services for the purpose of the continual development and operation of treatment programs to deal with adult offenders who have drug and/or alcohol abuse substance problems. Funding for the continuation of such programs is through the Drug Control and System Improvement Formula Grant No. 92-DC-061, and Counselor Klettner is to be compensated at the rate of \$19.00 per hour (not to exceed \$150.00 per day) for twenty hours per week. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Holmes R. Shaver, seconded by Jean Grapes and passed, authorized Steven A. Grimm, in his official capacity as President, to sign the Request for Reimbursement in

regard to the Drug Control and System Improvement Grant No. 92-DC-061. Expenditures in the amount of \$551.00 were made by the County to Cathy O. Doty who provided, by contract, twenty-nine hours of substance abuse services to the Wood County Adult Probation Office during the month of November, 1992. However, the Request for Reimbursement is in the amount of \$495.90 since there is a ten percent matching fund requirement to be met by the County as set forth in the Grant. In addition to the Request for Reimbursement, the Monthly Progress Report and the Project Financial Report are being submitted to the Criminal Justice and Highway Safety Office, Charleston, WV. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Jean Grapes, seconded by Holmes R. Shaver and passed, authorized Steven A. Grimm, as President, to sign a letter addressed to the Criminal Justice and Highway Safety Office, Charleston, WV, requesting supplemental funds in the amount of \$6,820.00 for drug and alcohol counseling to be provided to inmates at the Wood County Correctional Center. A Certified Addictions Counselor would be hired on a contractual basis at \$30.00 per hour to provide six hours of counseling per week; three hours of group counseling and three hours of individual counseling. Supplemental funding would require a ten percent match in the amount of \$682.00 from the County. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Holmes R. Shaver, seconded by Jean Grapes and passed, authorized Steven A. Grimm, as President, to sign a Resolution whereas the County Commission finds the itemized invoices totaling \$11,310.32 to be reasonable and allocable in regard to the Governor's Community Partnership Grant for the Waverly Library project. Therefore, the County Commission is requesting payment from the West Virginia Development Office, Charleston, WV, in the above amount. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Jean Grapes, seconded by Steven A. Grimm and made unanimous by Holmes R. Shaver, adopted a Resolution on behalf of and in support of the City of Parkersburg making application in the amount of \$55,000.00 for Industrial Access Road funds to address drainage and roadway access problems at the junction of Staunton and Wilson Avenues, Parkersburg, WV. An Order was prepared regarding this matter.

On this date, and pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing with procedure policy for appointments being made by the County Commission of Wood County, the County Commission put Brian Mercer and Jack Derr in nomination to the Wood County Parks and Recreation Commission (Mountwood Park). Said nominations are further pursuant to an Order bearing the date of November 30, 1992 when said vacancies were announced due to several terms expiring on December 16, 1992. An Order was prepared regarding this matter.

On this date, the County Commission announced a vacancy on the Wood County Development Authority due to a letter of resignation from David Chatfield. Charles T. Burd, President of the Development Authority recommended Jerry Halverson to fill the unexpired term of Mr. Chatfield, which will expire on September 30, 1994. The County Commission placed Mr. Halverson in nomination for this vacancy. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Jean Grapes, seconded by Holmes R. Shaver and made unanimous by Steven A. Grimm, ORDERED that when appointments are made to various committees at the first regularly scheduled meeting held in January, 1993 and each year thereafter, that a member of the County Commission not be appointed to the Wood County Parks and Recreation Commission as a voting member. The above motion further included that a member of the County Commission not be appointed to the Parkersburg/Wood County Visitors and Convention Bureau as a voting member. An Order was prepared regarding this matter.

Pursuant to the above Order entered into on this date in regard to a Commission member not being appointed to the Wood County Parks and Recreation Commission as a voting member, there is another vacancy on said Board. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Holmes R. Shaver, seconded by Jean Grapes and made unanimous by Steven A. Grimm, reappointed Harry W. Sweeney to the Union Williams Public Service District. Mr. Sweeney was placed in nomination on November 30, 1992, when said vacancy was announced. Mr. Sweeney's term will expire on November 1, 1998. An Order was prepared regarding this matter.

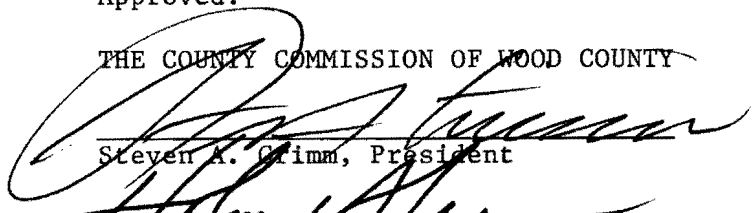
On this date, came Richard A. Hayhurst, Attorney for the County Commission and presented to them a copy of an Opinion of the Court rendered by Judge Daniel B. Douglass in regard to Civil Action No. 92-C-611; S.F. Greiner, Sheriff of Wood County, Petitioner, vs. The County Commission of Wood County and Alvin B. "Bruce" Schuck, Respondents. An Order was prepared regarding this matter.

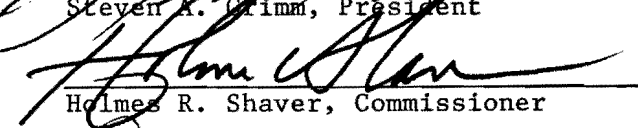
On this date, Commissioner Grapes presented suggestions to the newly elected President, Bud Ball, of the Wood County Parks and Recreation Commission at their special meeting held on Wednesday, December 9, 1992. Said suggestions are attached to these minutes.

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

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY


Steven A. Grimm, President


Holmes R. Shaver, Commissioner


Jean Grapes, Commissioner

PURCHASE ORDERS SIGNED ON DECEMBER 10, 1992

No. 16686	WVU Estension Service	\$ 395.00
16744	Unijax	396.18
16773	Wal-Mart Stores, Inc.	202.84
16777	Stuart Oil	4098.45
16822	Broadwaters Motorcar	66.08
16839	Casto & Harris	15.50
16850	Broadwaters Motorcar	304.98
16851	Bob Barker Company	1038.96
16853	Easton Printing Company	187.30
16856	AAA Printing Services	289.26
16865	State Electric Supply	56.69
16866	KMart	9.36
16868	Applied Business Systems	300.00
16877	Reliable	26.00
16878	Parkersburg Stepping Stones	36.00
16880	KMart	29.64
16881	Family Carpet Outlet	56.00
16887	Nugget Software Systems	1477.20
16892	Parkersburg Office Supply	2.24
16896	Miller Communications	390.00

WOOD COUNTY PARKS AND RECREATION COMMITTEE

I would like to offer the board of directors what I feel are suggestions for the progress, betterment and proper procedures for governing Mountwood park.

The board of directors as described under rules and regulations (recorded in the Wood County Order Book) designates there are to be 11 commissioners who are to be in charge of the development and the administrating of the park service. The rules and regulations do not designate or require that a county commissioner serve on the board. The appointed commissioners to the park should not be required to do maintenance or emergency or daily operations for the park.

In order for the Mountwood board to operate properly and aggressively, they should immediately hire a director as superintendent for the park. In my opinion the board must cut costs in any other manner necessary in order to fulfill the office of the director.

The director should wear several hats, but his first and most important job description is described in the revised 1982 bi-laws (see attached). The park director should as the bi-laws state be the overseer of the maintenance, purchasing director within the guidelines as set forth. The director should have the qualifications of light maintenance skill, the knowledge to be prepared for emergencies, and supervisory skills.

The director and the commission president, or his appointee, should request correct form procedures from the state tax commission as to proper procedures for handling the books and operations as the recreation is governed by the tax commissioner under the state and federal rules and regulations as described in attachment.

A surety bond in the amount of \$25,000 must be required for the director and any board member who signs checks. The bond to be for public record and presented to the county commission as required by the rules and regulations see attached.

The president should appoint a committee to diligently pursue public water from Claywood Public Service for Abrascus and the campground if the campground is to be reopened.

In accordance with the rules and regulations (see attached) the president should appoint a liaison committee, this committee should pursue the regional council and other grant inanties for any grants available for Mountwood. If there are any grants available these people have the knowledge and the incentive as they work on a commission basis, if they can acquire a grant.

I would like to commend the hard working and dedicated board of Mountwood, these suggestions are well intended and not meant to be offensive and should not be taken as criticism.

Jean Chapus
12/9/92

C. DIRECTOR

- a. The Commission shall employ a Director at such salary as the Commission shall deem advisable to serve at the pleasure of the Commission.
- b. The Director shall be the chief executive officer and administrative head of all departments and shall administer and carry out all of the duties imposed or authorized by the By-laws and the orders and directives of the Commission.
- c. The Director shall attend all meetings of the Commission and shall make a financial report at each regular meeting thereof; and at both regular and special meetings he shall report on those matters (a) required by law or these by-laws, (b) the Commission requires, or (c) the Director deems necessary or appropriate.
- d. The Director shall be the chief financial officer of the Commission and as such shall:
 1. Have care and custody of all funds of the Commission.
 2. Maintain proper books of account of all the business and transactions of the Commission.
 3. Deposit all funds in such bank or banks as the Commission shall designate.
 4. Sign all checks, drafts and orders for the payment of money, which shall be countersigned by an authorized member of the Commission.
 5. Prepare and submit to the Commission for its approval on or before May 1 of each year an annual budget.
 6. Make a monthly report to the Commission of all receipts and expenditures.
- e. The Director shall approve all contracts and purchase orders not requiring prior approval of the Commission.
- f. The Director shall prepare, sign on behalf of the Commission, and file all applications for state and Federal funding and all other documents and papers relating thereto.
- g. The Director shall have general administrative and supervisory control of all construction and development, including:
 1. Recommend to Commission concerning acquisition of real property, future projects of construction and development, acquisition of funds, employment of personnel, necessary construction and purchases.
 2. Upon approval by the Commission of a project of construction and/or development, Director shall employ such engineers, architects, etc., acquire such plans, specifications and estimates, advertise for bids for contracts, and do all other things necessary to implement the project.
 3. Employ such engineers, inspectors, etc. as may be necessary to supervise all development and construction projects, and the Director may make such changes as are necessary to avoid delay or loss, provided they do not change the nature or purpose of the project. Such changes shall be reported to the next regular meeting of the Commission.
 4. Make progress reports on all development and construction projects at each regular meeting of the Commission.

- h. The Director shall have general administrative and supervisory control of the operation and maintenance of all park facilities, including:
1. Prepare and submit to Commission a personnel policy statement with recommendations as to the number of employees, types of employment, job descriptions, etc. necessary for efficient operation and management of the park facilities; and recommend changes thereto.
 2. Hire, suspend, discharge employees, fix salaries, duties, hours, etc. of all employees, all within the scope of the employment policy and budget approved by the Commission.
 3. Purchase all supplies, materials, tools, equipment, furnishings, etc. necessary to carry on the operation and maintenance of the park, subject to the limitations and conditions of these By-laws.

H. CONTRACT AND PURCHASING PROCEDURE

- a. Director shall have authority to make individual purchases of supplies, materials, tools, equipment, and furnishings of \$500.00 or less on each purchase without prior approval of the Commission.
- b. Director shall have authority to enter into individual construction, development, operation or maintenance contracts of \$500.00 or less on each contract without prior approval of the Commission.
- c. All purchases and contracts mentioned in the preceding two paragraphs of more than \$2,000.00 shall have prior approval of the Commission and shall be based on competitive bids, except in case of emergency.
- d. Competitive bids shall be solicited by the Director by either of the following methods, which shall be at the election of the Commission:
 1. By public notice published as a Class II legal advertisement in compliance with the provisions of Chapter 59, Article 3 of the Code of West Virginia; and the publication area for such publication shall be Wood County, or,
 2. By soliciting sealed bids by sending requests by mail to prospective suppliers and/or contractors and by posting notice in one public place.
- e. If an emergency arises involving a purchase or contract mentioned in paragraphs "a" and "b" above of more than \$500.00 but not more than \$2,000.00, the Director may make such purchases or enter into said contract without prior approval of the Commission, provided he first secures the written approval of two members of the Commission and then reports the same to the Commission with a full account of the circumstances of the emergency.
- f. If an emergency arises involving a purchase or contract mentioned in paragraphs "a" and "b" above of more than \$2,000.00, then the requirement of competitive bids, set forth in paragraph "c" above, may be waived by the Commission, the minutes of the Commission providing for said waiver shall set forth a full account of the circumstances of the emergency.
- g. "Emergency" means any causes or circumstances which would materially affect or prejudice the progress of a construction or development project, or the operation or maintenance of park facilities; or, in the case of competitive bidding would be a useless act (advertising for bids for specialized equipment manufactured by

2. All officers shall be nominated by the nominating committee appointed by the President prior to the January meeting. Nominations shall be reported and election held at the January meeting. Officers elected shall assume office immediately following election.
3. The elected officers shall assume the following duties:
 - a. President: The President shall preside at all meeting of the Commission, shall appoint committees not otherwise provided for; shall authorize calls for special meetings; shall see that all orders and resolutions of the Commission are carried into effect and generally perform the duties pertaining to the office.
 - b. Vice-President: The Vice President shall assist the President and perform the duties of the President in his absence.
 - c. Secretary: The Secretary as appointed shall send notices and keep minutes of all meetings of the Commission and shall conduct general correspondence and shall be the custodian of the records of the Commission.

G. COMMITTEES

1. Nominating Committee: The nominating committee shall consist of three members appointed by the President not later than December 1.
2. Finance Committee: The finance committee shall consist of two members appointed by the President. Their duties shall be to plan the budget of the Commission and to recommend ways and means by which the activities of the Commission may be financed.
3. Planning Committee: The planning committee shall consist of members appointed by the President. Their duties shall be to plan and to recommend to the Commission ways and means of establishing, improving, and developing the county public parks and recreation system.
4. Land Acquisition: The land acquisition committee shall consist of members appointed by the President. Their duties shall be to investigate and recommend to the Commission the sources of suitable land and/or facilities suitable for the establishing and development of the county parks and recreation system.
5. Liaison Committee: The Liaison committee shall consist of members appointed by the President. Their duties shall be to make public all official notices through the various news media; conduct public meetings; maintain communication with the county court and perform any other functions necessary where the interest of the governing body or the public may be necessary.
6. Quorums: A majority of the members of any committee shall constitute a quorum.

ARTICLE II - PROCEDURAL

A. FINANCE

1. All financial books and records of the Commission shall be maintained and kept in conformity with all applicable state and federal regulations, and in form approved by the office of the State Tax Commissioner.
2. The administrative staff of the Wood County Recreation Commission shall issue receipts for all monies received by the Commission from all sources.
3. All expenditures of the Commission shall be made by check signed by the Director of the Wood County Recreation Commission and countersigned by the President of the Wood County Parks and Recreation Commission.

B. ADMINISTRATIVE ASSISTANTS

The staff of the Wood County Recreation Commission shall

Bonding

C. BONDING

1. The director of the Wood County Recreation Commission, as administrative assistant to the Wood County Parks and Recreation Commission, shall give bond in the penalty of \$25,000. Any officer or member of the Wood County Parks and Recreation Commission whose duty requires the handling of, or accountability for money or property and any other officer of the Wood County Parks and Recreation Commission of whom it may be required from time to time by the Wood County Parks and Recreation Commission rules and regulations, shall give bond in such penalty as may be prescribed by the Wood County Parks and Recreation Commission.
2. All official bonds shall be made payable to the State of West Virginia and shall be conditioned that the officers shall faithfully perform the duties of his office and faithfully account for all property and pay over, as required by law, all monies which may come into his hands by virtue of his office.
3. All official bonds shall be accepted only upon the approval of the Wood County Parks and Recreation Commission as to form and surety.
4. When any employee of the Wood County Parks and Recreation Commission is required to give an official bond, he shall give as his surety an incorporated surety company authorized to do business in the State of West Virginia.
5. The premiums on all bonds required of either elected or appointed officers or employees of the Wood County Parks and Recreation Commission shall be paid by the Wood County Parks and Recreation Commission.

ARTICLE III - AMENDMENTS