

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, JUNE 4, 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 correspondence. Upon a motion made by Jean Grapes, seconded by Holmes R. Shaver and made unanimous by Steven A. Grimm, the County Commission approved minutes from Thursday, May 28, 1992. Upon a motion made by Jean Grapes, seconded by Steven A. Grimm and made unanimous by Holmes R. Shaver, the County Commission approved minutes from Thursday, April 30, 1992, Monday, May 18, 1992 and Thursday, May 21, 1992.

On this date, the County Commission approved Exonerations for Janet F. Weis, Leslie J. & Monica Brush, Flora E. Cline, Lawrence R. & Garnet J. Whitecotten and Cecil T. & Hazel V. Florence. They also approved Personal Property Improvers for Wagner Discount Tire, Inc. and Orix Credit Alliance, Inc.

At 9:00 A.M., William Crites failed to show for his appointment to be sworn in to the Wood County Development Authority.

At 9:05 A.M., the County Commission met with Mary Rader to discuss County business.

At 10:00 A.M., the County Commission met with Toni Tiano, Tim Knopp, Sheriff Greiner, Chief Wilcox and Lt. Gandee to discuss a Criminal Justice and Highway Safety Office grant. The grant would request \$81,740.00 for overtime for deputies who work the Sobriety Checkpoints, a DUI prosecutor, DUI training program, alcohol information for the public, alcohol server training, sting operations and video records to be used in the cruisers. The video recorders

would be used by the Parkersburg Police (4 cameras), Sheriff's Department (4 cameras) and Vienna Police (2 cameras) to document DUI cases. There would be a 40% match required. The cameras (recorders) would cost approximately \$4,000.00 each. The Commission would also have to pass a Safety Belt policy for this grant. President Grimm stated that they would take this under advisement and let them know on Monday, June 8, 1992.

On this date, the County Commission, upon a motion made by Holmes R. Shaver adopted the Safety Belt Policy, as presented, as long as the Federal Government and the Sheriff request that the Commission adopt such a policy. Jean Grapes seconded the motion and the motion passed. An Order was prepared regarding this matter. A copy of the policy is attached to these minutes.

On this date, the County Commission was in receipt of the Approval of the Request for Revision to Approved Budget from the Department of Tax and Revenue, Charleston, WV, in regard to Revision No. 30 in the General County Fund budget for the fiscal year 1991/1992. An Order was prepared regarding this matter.

On this date, the County Commission was in receipt of the Approval of the Request for Revision to Approved Budget from the Department of Tax and Revenue, Charleston, WV, in regard to Revision No. 29 in the General County Fund budget for the fiscal year 1991/1992. 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 Release of Deed of Trust recorded in General Lien Book 219, at Page 386, from Donald L. Rhodes and Eva Rhodes, husband and wife, to James W. Simonton, Trustee for the County of Wood. The indebtedness secured for the purpose of a Wood County Rehabilitation Loan has been fully paid. 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, awarded the bid as presented for a computer mapping system for the purpose of

converting and maintaining tax maps in the Wood County Assessor's Office to Digital Mapping Associates, Walker, WV. Revisions to the original bid presented to the Wood County Commission by William Ambrose of Digital Mapping Associates were taken under advisement upon a motion made by Jean Grapes, seconded by Steven A. Grimm and made unanimous by Holmes R. Shaver. 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, adopted a Resolution in reference to Budget Revision No. 34 in the General County Fund budget for the fiscal year 1991/1992. An Order was prepared regarding this matter.

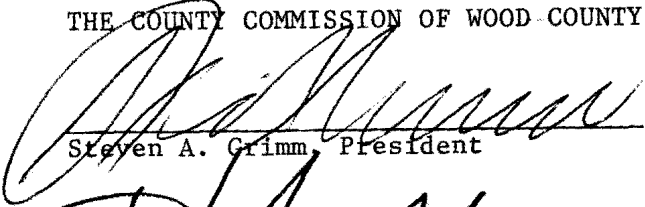
On this date, the County Commission announced that they will not be in session on their regularly scheduled meeting day, Monday, June 22, 1992 due to the fact they have been subpoenaed to appear in Circuit Court at 9:00 A.M. on this date.

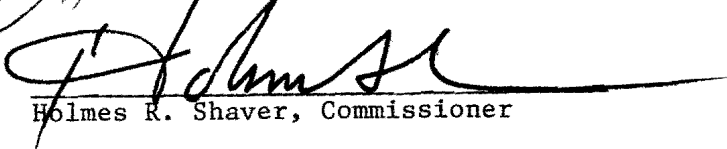
On this date, Jean Grapes submitted a letter requesting that Jeff Reed to seek a judges' opinion or to use any legal means he determines necessary to establish the legality of the newly adopted Sheriff's policy to pay accumulated back sick leave pay to an employee who leaves his employment. Said letter is attached.


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 JUNE 4, 1992

No. 15930	Miller Communications	\$1312.00
16079	State Electric Supply	18.54
16081	Parkersburg Office Supply	156.75
16092	Dale Myers	1500.00

Also on this date, President Grimm announced to all concerned that a vacancy will exist on the Parkersburg-Wood County Library Board. Such announcement is being made as a result of Timothy Northrup's term expiring on July 1, 1992. An Order was prepared regarding this matter.

On this date, came Jeffrey B. Reed, Prosecuting Attorney in and for Wood County, WV, and announced unto the County Commission of an Application to the Honorable Gaston Caperton, Governor of WV, requesting the Governor to issue a requisition on the Governor of Ohio for the extradition of Ricky Stevens, who stands charged with the crime of Worthless Checks, committed in the County of Wood, of this State in April, 1992 and who is now a fugitive from justice of this State, and as the Prosecuting Attorney is informed, is now within the jurisdiction of the said State of Ohio, in the County of Athens, and the City of Athens. An Order was prepared regarding this matter.

The County Commission of Wood County

PARKERSBURG, WEST VIRGINIA 26101



COUNTY ADMINISTRATOR
MARY R. RADER
424-1976

STEVEN A. GRIMM, PRESIDENT
HOLMES R. SHAVER, COMMISSIONER
JEAN GRAPES, COMMISSIONER

COUNTY CLERK
JAMIE SIX
424-1850

June 4, 1992

I ask the Commission to request Jeffrey Reed, Prosecuting Attorney, to seek a judges opinion or to use any legal means he determines necessary to establish the legality of the newly adopted Sheriff's policy to pay accumulated back sick leave pay to an employee who leaves his employment.

I question the adopted policy by the Sheriff for the following reasons:

WV Code - Civil service for Deputy Sheriffs: 7-14-17b - "Sick Leave for Deputy Sheriffs" b-Sick leave may be granted only when illness on the part of or injury to the Deputy incapacitates him from duty.

In my opinion said leave is a fringe benefit that becomes a wage only when it meets this criteria.

Only the Commission can determine the amount of the budget and what the line items are to be and how much money goes into each line item. The Sheriff's budget does not have a line item to pay for unused accumulated sick leave.

An elected official may spend his budget as he determines but he may not obligate the Commission to pay for expenditures. That would require a new line item.

In my opinion, the Sheriff by this policy of paying for accumulated unused sick pay, has obligated the Commission to pay for a new expenditure. In my opinion, this violates the WV Code and should be taken before a judge or whatever legal means determined by the Prosecuting Attorney to determine if this policy should be removed or remain in force.

Jean Grapes

SAFETY BELT POLICY

Safety belts shall be properly worn by drivers and passengers in all vehicles owned, leased or rented by Wood County. This also applies to the operation of privately owned or other vehicles if used on-duty.

No person shall modify, remove, deactivate or otherwise tamper with the vehicle safety belts except for vehicle maintenance and repair.

Within reason, and taking into consideration the safety of the public and law enforcement officers, any person under arrest and being transported in County vehicles should be secured in the vehicle by a safety belt.

Any officer operating in an undercover capacity may be exempt only if the officer believes the use of the safety belt will compromise their identity.

When arriving at an emergency call or making a vehicle traffic stop, the operator may remove the safety restraint just prior to stopping for quick exit. Caution should be exercised to insure that during the traffic stop the violator is in fact going to stop. This prevents becoming involved in a pursuit without the use of a safety belt.