

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, MARCH 9, 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 Holmes R. Shaver, seconded by Jean Grapes and made unanimous by Steven A. Grimm, the County Commission approved minutes from Thursday, February 27, 1992, Friday, February 28, 1992 (Special Session) and Monday, March 2, 1992. The Commission approved Personal Property Improvers for Dils Motor Co., Dils Lincoln Mercury, Wharton Cadillac Olds, William Conrad, General Amusement Corporation and Christopher MacIver.

On this date, David Chatfield was 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 9:30 A.M., Susan Ross was sworn in to the Wood County Development Authority.

At 10:00 A.M., the County Commission held a Public Hearing in regard to the 1992 Small Cities Block Grant. Fred Rader stated that this hearing was to explain the Grant and to hear public input. Mr. Rader stated that there will be another public hearing. These projects must benefit the low or moderate income families and eliminate any health threats. The maximum amount that the Wood County Commission may request is \$750,000.00. Howard MaHaffey stated that he was very disappointed about how this grant turned out last year. Helena Fleek was concerned about the area around the race track on Rt. 68S. She stated that they need help and that there are 95 people that

have bad water wells. Bill Packard stated that in Mason County, property owners are going to lay the pipes and restore the land themselves, which would cut down on much of the cost. Brent Clark stated that contractors need to be paid the prevailing wages. Mr. Packard stated that he would like to put three or four projects together under the Public Service District. President Grimm asked Mr. Rader if there is a way for the Summerite group to get money if it all goes to this project. Mr. Rader stated that they should be able to get it from the City of Parkersburg because of it being in City limits. Mr. Rader stated that the next hearing will have to be about what project will be in the Application. Mr. Neil Holmes wanted to thank Mr. Packard and his department for everything he has done to get them water.

At 1:00 P.M., Jimmy Colombo was sworn in to the Wood County Building Commission.

At 1:25 P.M., the County Commission met with Jeffrey Reed, Michelle Rusen, from the Prosecutor's Office and Larry Godfrey, Harley Bailey and Dr. William Staats from the Board of Education. Steve Smith, candidate for the Board was also present. Mr. Reed stated that this issue arose about a year and a half ago. The discussion then was the Board paying legal counsel fees. Having the Prosecutor representing the Board was also discussed then. Mr. Reed stated that members of the Board have been making comments about himself, his office and their work which he didn't feel were correct. Mr. Reed stated that he asked to appear before the Board two weeks ago; they met one week ago to discuss this issue and all decided that it comes back to the Wood County Commission because they are the ones with the money. Mr. Reed believes that they would need another attorney to handle the Board's work if they want his office to handle this. He has included the extra attorney in his budget request at \$60,000.00 but it is not a definite amount. Mr. Reed stated that he has the ability to hire an attorney for mid to upper \$20,000.00. His office will cooperate until they see if an extra secretary is needed.

This attorney does not have special skills in education laws. Mr. Smith asked Mr. Reed how much experience the attorney has had. Mr. Reed stated approximately 6-8 years. President Grimm stated that he would like to know if the Commission has the ability to give the money to the Board so that they may hire an attorney who would work out of the Board's offices. Commissioner Shaver asked if there were any objections to this. There were none at that time. Mr. Godfrey stated that the public wants the Commission to pay for their legal fees, not the Board. They would require the attorney to work a 37 week minimum and the workload will increase. Mr. Godfrey stated that his intention is to resolve this issue and that after July 1, 1992, the legal responsibilities will go to the Prosecutor's Office, but he would prefer to have the attorney in their building if the Commission pays him. The Board paid \$90,000.00 last year in Attorney fees. The public schools' money is being used to pay for legal matters which is not how it should be stated Mr. Godfrey. Commissioner Shaver said he totally agrees with Mr. Godfrey and if the law says they have to provide an attorney for the Board, then the Commission will do this. Commissioner Shaver stated that he wants to provide them with the best legal help that they can. Commissioner Shaver stated that if the Commission could give the Board the money to hire an attorney, this would be in the Board's best interest. Mr. Bailey stated that he thinks it is a shame that the children are suffering and he wants the Prosecutor's Office to do what the law says to do. Ms. Rusen stated that the Commission needs to take into consideration the fact that they might not have the funds to pay for an attorney for the Board in future years and also that the next Commission may not want to do this. President Grimm stated that they would make a decision by July 1, 1992. Mr. Godfrey stated that the Board has been reluctant in pursuing this because they don't want to put the responsibility on the County Commission and that they know the Commission has limited funds just as they do. Mr. Godfrey also stated that they would need a dollar amount

for at least one year to take back to the Board and get their approval. Dr. Staats explained that the \$90,000.00 was for attorney fees, secretarial help, law books, etc. He also stated that he wants competent and stable service from whoever is hired. Dr. Staats stated that he feels the Board has paid out an undue expense even though the money was not wasted. Commissioner Grapes stated that she is not in favor of funding the Board's Attorney, but is for having the Prosecutor's Office handle their legal matters.

At 2:00 P.M., Charles Casto was sworn in to the Wood County Development Authority.

At 2:30 P.M., the County Commission met with Sheriff Greiner and Chief Wilcox to discuss dispatchers at the Law Enforcement Building. They wish to hire four dispatchers with a salary of \$1,000.00 per month and one dispatcher that would have a salary of \$1,100.00. The total with benefits would be \$78,000.00. Upon a motion made by Jean Grapes, seconded by Steven A. Grimm and made unanimous by Holmes R. Shaver, the Commission allowed Sheriff Greiner to go out to bid for radio equipment for dispatching for the Law Enforcement building. Approval was also given for the Sheriff to put a notice in the paper to take applications for dispatchers. They will not receive applications after April 1, 1992.

At 3:30 P.M., the County Commission met with Danny Wilfong of Foamcoat Roofing. Mr. Wilfong stated that he read the article in the paper about another company talking with the Commission and they were saying the opposite of what he was telling the Commission about what needed to be done in regard to the cleaning of the Courthouse. Mr. Wilfong stated that experience is the best teacher and that he has been doing business for 17 years. He also stated that much of his work was with historical buildings. Mr. Wilfong stated that the masonry has to breathe and the water repellent is so that the water won't get into the masonry. Commissioner Grapes stated that the Commission is getting in touch with the Historical Society to find out what really needs

to be done.

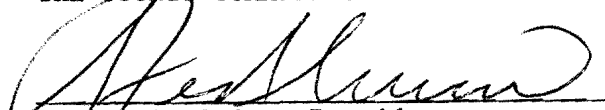
On this date, the County Commission, upon a motion made by Steven A. Grimm, seconded by Jean Grapes and made unanimous by Holmes R. Shaver gave authorization to make payment of \$160.00 to Raymond Morton for the killing, by dogs, of four sheep as per the Sheep Claim filed by Raymond Morton. Payment of such Claim is in accordance with Chapter 19, Article 20, Section 10 of the Code of West Virginia, 1931 as amended. 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 the Bidding Procedure prepared by Jeffrey B. Reed, Prosecuting Attorney for Wood County, in reference to Purchasing in Open Market or Competitive Bids as authorized by West Virginia Code Chapter 7, Article 1, Section 11. Accordingly, it is hereby ORDERED that henceforth the purchase of and contract for commodities and printing over five thousand dollars, shall be based upon, in part, by the rules and regulations followed by the State of West Virginia Code Chapter 5A, Article 3, Section 1 et seq. A copy of the Order that contains the bidding procedure is attached to these minutes.

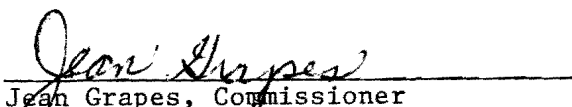
Having no scheduled appointments or further business to attend to, the County Commission adjourned at 4:00 P.M.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY


Steven A. Grimm, President


Holmes R. Shaver, Commissioner


Jean Grapes, Commissioner

MARCH 9, 1992

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION ADOPTED A BIDDING PROCEDURE
PREPARED BY JEFFREY B. REED, PROSECUTING ATTORNEY
IN REFERENCE TO PURCHASING IN OPEN MARKET OR
COMPETITIVE BIDS.

O R D E R

On this date, the County Commission of Wood County, upon a motion made by Holmes R. Shaver, seconded by Jean Grapes and made unanimous by Steven A. Grimm, ADOPTED the following Bidding Procedure prepared by Jeffrey B. Reed, Prosecuting Attorney for Wood County, in reference to Purchasing in Open Market or Competitive Bids as authorized by West Virginia Code Chapter 7, Article 1, Section 11.

Accordingly, it is hereby ORDERED that henceforth the purchase of and contract for commodities and printing over five thousand (\$5,000.00) dollars, shall be based upon, in part, by the rules and regulations followed by the State of West Virginia Code Chapter 5A, Article 3, Section 1 et seq.

COMPETITIVE BIDS; PUBLICATION OF SOLICITATIONS FOR SEALED BIDS;
PURCHASE OF PRODUCTS OF NONPROFIT WORKSHOPS.

A purchase of and contract for commodities, printing and services shall be based, whenever possible, on competitive bids.

The County Commission shall solicit sealed bids for the purchase of commodities and printing which is estimated to exceed Five Thousand (\$5,000.00) Dollars. No County Official or County Office shall issue a series of requisitions which would circumvent this Five Thousand Dollar maximum. The County Commission may permit bids by facsimile transmission machine to be accepted in lieu of sealed bids; provided, that an original bid is received within two working days following the date specified for bid opening. Bids shall be obtained by public notice. The notice may be published by any advertising medium the County Commission deems advisable. The County Commission may also solicit sealed bids by sending requests by mail to prospective suppliers and by posting notice on a bulletin board in the Wood

County Courthouse: provided, however, that the County Commission shall, without competitive bidding, purchase commodities and printing produced and offered for sale by nonprofit workshops, as defined in West Virginia Code Sections 5A-1-1 et seq., which are located in this state: Provided further, that such commodities and printing shall be of a fair market price and of like quality comparable to other commodities and printing otherwise available as determined by the County Commission with the advice of the County Official or County Office needing the commodities and printing.

Bids shall not be altered or withdrawn after the appointed hour for the opening of such bids. All open market orders, purchases based in advertised bid requests or contracts made by the County Commission shall be awarded to the lowest responsible bidder, taking into consideration, among other things, the qualities of the articles to be supplied, their conformity with the specifications, their suitability to the requirements of the County and the delivery terms. Any or all bids may be rejected. If all bids received on a pending contract are for the same unit price or total amount, the County Commission shall have authority to reject all bids, and to purchase the required commodities, printing and services in the open market, if the price paid in the open market does not exceed the bid prices.

Bids must be received at the respective office prior to the specified date and time of the bid openings. The failure to deliver or the nonreceipt of a bid prior to the appointed date and hour are grounds for rejection of the bids. After the award of the order or contract, the County Commission, or someone appointed by them for that purpose, shall indicate upon the successful bid that it was the successful bid. Thereafter, the bid shall be maintained as a public record, shall be open to public inspection and shall not be destroyed without the written consent of the County Commission: provided, that a County Official or County Office may certify in writing to the County Commission the need for a specific item essential to a particular usage and the County Commission, upon review of such certification may provide for the purchase of said specific items in the open market without competitive bids.

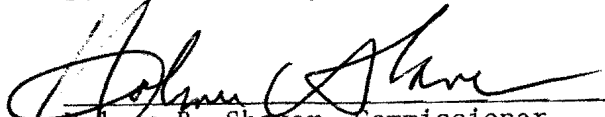
The County Commission may authorize, in writing, a County Official or County Office to purchase in the open market, without competitive bidding, specific commodities for immediate delivery to meet bona fide emergencies arising from unforeseen causes, including, but not limited to, delays by contractors, delays in transportation and unanticipated volume of work. A report of any such purchase, shall be submitted at once to the County Commission by the County Official or County Office, together with a full

account of the circumstances of the emergency. Such report shall be entered of record and shall be open to public inspection.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

Steven A. Grimm, President



Holmes R. Shaver, Commissioner



Jean Grapes, Commissioner

PURCHASE ORDER SIGNED ON MARCH 9, 1992

No. 15589	Miller Communications	\$ 360.00
15605	Miller Communications	81.50
15629	Miller Communications	54.00
15716	Applied Business Systems	238.90
15717	Miller Communications	35.00
15736	Miller Communications	33.40
15747	Casto & Harris	1940.00
15751	Lamp Aircraft Service	33.00
15757	Broadwaters Motorcar	3.70
15761	Pioneer Supply	39.10
15762	Parkersburg Lumber Co.	4.75
15768	Sturm Supply	37.36
15769	Miller Communications	129.95
15770	Miller Communications	76.35
15771	Broadwaters Motorcar	9.86
15772	Wesson Transmission	50.00
15773	Broadwaters Motorcar	15.88
15775	Parkersburg Office Supply	287.87
15776	Graphic Communications	576.00
15777	Casto & Harris	2999.60
15778	Casto & Harris	4139.73
15780	Casto & Harris	422.75
15781	Parkersburg Office Supply	211.21
15782	Assurance Business Forms	2928.75
15784	Broadwaters Motorcar	65.25
15787	Grants Rental	100.00
15788	Dils Ford	496.75