

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
THURSDAY, FEBRUARY 18, 1993

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

On this date, the County Commission met in regular session. They signed purchase orders, invoices and other correspondence.

On this date, the County Commission approved Exonerations for Henry N. & Catherine L. Beaty and James L. & Janet S. Rutherford.

At 9:15 A.M., the County Commission met with Steve Nicely, from the Parkersburg/Wood County Visitors & Convention Bureau. Mr. Nicely wanted to further discuss the commitment of \$5,000.00 from the Commission. Mr. Nicely stated that the money would be for marketing trade and travel. Mr. Nicely also stated that he had previously given the Commission a very detailed plan on what they are going to do with the money from the County. They are not asking for administrative raises and they have a corporate sponsor for one of their projects. Further discussion took place. The County Commission stated that they would discuss this and get in touch with Mr. Nicely.

At 9:45 A.M., the County Commission met with Carole Jones to discuss a check she delivered to the Sheriff's Tax Office in the amount of \$12,793.62 which represents interest that has accrued in full up through January 31, 1993. A large portion of this is interest which was accumulated in previous years when the former Circuit Clerk Juanita Coe had the office checking account set up. Mrs. Jones stated that with the passage of House Bill 4598 on March 7, 1992, and at the direction of Auditor Henry Thaxton, she can now pay the amount to the County. A copy of said letter is attached to these minutes.

Mrs. Jones also discussed problems she has been having with her large copier. They have to call for repairs on the machine at least once a week.

Several parts have had to be replaced. Mrs. Jones has checked on prices for a new copier which range from \$16,000.00 to \$20,000.00. She was requesting the Commission to consider setting aside the above mentioned \$12,793.62 to be used for the purchase of a new copier.

At 10:00 A.M., the County Commission held a hearing for Timothy R. Jones, alleged mentally retarded. Attorney was Theodore Davitian. Guardian Ad Litem was George Chandler. Petitioner Barbara J. Jones stated in her petition that her son was twenty-four years of age, was not able to handle his business affairs and can't take care of himself. The County Commission, upon a motion duly made, seconded and passed, declared Timothy R. Jones mentally retarded and appointed Barbara J. Jones as Committee for the person and estate with a bond of \$100.00.

At 10:30 A.M., the County Commission held a hearing in regard to Lenora Kellar. Attorney was William Crichton. Upon a motion duly made, seconded and passed, the County Commission removed Susan J. Klimas as Committee and appointed K.D. Merritt, Sheriff of Wood County as Successor Committee.

At 10:45 A.M., the County Commission met with Scott Stewart to discuss the location of a trailer located on Walker Road. The County Commission had asked Mr. Stewart to determine if the trailer was located in a Floodplain. Mr. Stewart stated that in his opinion, it was not in a Floodplain.

At 11:00 A.M., the County Commission adjourned and met as the Board of Review and Equalization. They met with Harold Trippett to discuss property located at 2408 Lynn Street, Parkersburg City District, Map 55, Parcel 38.

At 11:15 A.M., the Board of Review and Equalization met with Mary E. Cole to discuss property located at 1026 Hemlock Street, Parkersburg City District, Map 31, parcel 225.

At 11:30 A.M., the County Commission met with Shirley Cornell to discuss property located at Rt. 2 Box 85, Union District, Map 340, Parcel I and property located in Walker district, Map 10, Parcel K. They then adjourned as the Board of Review and Equalization.

On this date, the County Commission was in receipt of a Notice of Redemption from One Valley Bank, Charleston, WV, in regard to the Counties of Berkeley, Brooke, Fayette, Hancock, Harrison, Jackson, Jefferson, Marion, Marshall, Mason, Mercer, Monongalia, Morgan, Nicholas, Ohio, Raleigh, Randolph, Upshur, Wetzel and Wood and the City of Wheeling, WV, Single Family Mortgage Revenue Bonds, Cusip Number 084112, 1984 Series A. Pursuant to the Trust Indenture dated September 1, 1984 by and between the above-mentioned Counties and the City of Wheeling, WV, and One Valley Bank, National Association (formerly Kanawha Valley Bank, N.A.) under which the bonds were issued, aggregating four million eight hundred eighty-five thousand dollars have been called for redemption on March 1, 1993 at par value plus interest to the date of redemption, from which time forward interest shall cease to accrue. An Order was prepared regarding this matter.

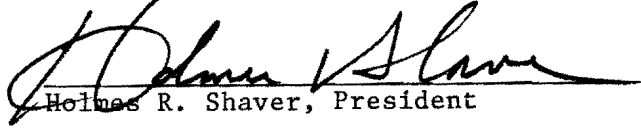
On this date, the County Commission announced to all concerned that a vacancy exists on the Wood County Civil Service Commission for Deputy Sheriffs. Said vacancy is a result of James W. Deem's resignation. Mr. Deem's term would expire on June 30, 1993. An Order was prepared regarding this matter.

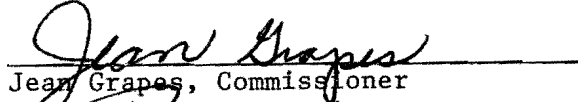
On this date, the County Commission, upon a motion made by Steven A. Grimm, seconded by Jean Grapes and passed, authorized Holmes R. Shaver, as President, to sign the Request for Reimbursement in regard to the Drug Control and System Improvement Grant No. 92-DC-061. Expenditures in the amount of \$874.00 were made by the County to Kurt A. Klettner who provided, by contract, forty-six hours of substance abuse services to the Wood County Adult Probation Office during the month of January, 1993. However, the Request for Reimbursement is in the amount of \$786.60 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, 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.

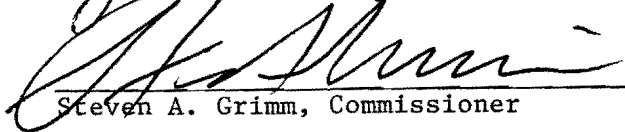
Having no scheduled appointments or further business to attend to, the County Commission adjourned at 12:00 Noon.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

  
Holmes R. Shaver, President

  
Jean Grapes, Commissioner

  
Steven A. Grimm, Commissioner

PURCHASE ORDERS SIGNED ON FEBRUARY 18, 1993

No. 17102	Bob Barker Company	\$ 471.25
17115	Universal Supply Company	3.11
17130	State Electric Supply Company	120.00
17152	Sherwin-Williams	117.30
17158	Wal-Mart	63.68
17163	State Electric Supply Company	39.54
17177	Assurance Business Forms	883.64
17178	Assurance Business Forms	1238.60
17179	Assurance Business Forms	478.23
17182	Helicopter Minit-Men	4790.43



*Carole Jones*

CLERK CIRCUIT COURT  
WOOD COUNTY

PARKERSBURG, W. VA.

26101

February 16, 1993

TERMS OF COURT  
2ND MONDAY IN JANUARY  
2ND MONDAY IN APRIL  
2ND MONDAY IN JULY  
2ND MONDAY IN OCTOBER

TELEPHONE  
(304) 424-1700

TO: WOOD COUNTY COMMISSION

Please be advised that on this date I delivered to Glenna Lowe, in the Sheriff's Tax Office, a check in the amount of \$12,793.62. This check represents interest which has accrued in full up through January 31, 1993. A large portion of this is interest which was accumulated in previous years at a time when the former Circuit Clerk, Juanita Coe, had the office checking account set up to draw interest. Our office was unable to get any directive allowing this to be paid over to the County. With the passage of House Bill 4598 on March 7, 1992, and at the direction of Auditor Henry Thaxton, I can now pay said amount over. The check further includes interest as follows:

Interest for Sept. 1992.....	\$157.70
Interest for Oct. 1992.....	374.76
Interest for Nov. 1992.....	346.00
Interest for Dec. 1992.....	353.12
Interest for Jan. 1993.....	349.07

House Bill 4598 (Code 59-1-37) allows officials to maintain an interest bearing account, and interest earned thereunder is to go to the general county fund. The interest is to be paid on a regular basis, but in no event less often than yearly. While at our last annual meeting we received direction from the State Tax Commissioner's Office as to their preferred procedure relative to this interest. They prefer that said interest be paid over on a monthly basis. Therefore, the amount of interest earned and paid over each month will hereafter be noted on my monthly report submitted to the Sheriff.

Code 59-1-37 further directs that county officers report to the county commission by the first day of July each year concerning his or her election to use an interest bearing account, and the amount currently on deposit and interest actually earned. In that regard please be advised that I have elected to use an interest bearing account, and started such account in September, 1992. The amount currently on deposit in said account is \$141,675.13.

Should you have any questions regarding this, please give me a call.

Respectfully submitted,

*Carole Jones*

Carole Jones, Clerk  
Circuit Court of Wood County

30426

Wood County, West Virginia

\$ 12,793.62

February 16, 1993

RECEIVED OF

Carole Jones, Sheriff Clerk

Twelve thousand seven hundred ninety three and 62/100 Dollars

In Payment of

chs 51649

Interest assessed through January 31, 1993

at direction of auditor

315

For

County Account

K. D. MERRITT SWC Fund

By

[Signature]

Deputy

Sheriff Wood County

UNITED NATIONAL BANK  
PARKERSBURG, WV 26101

CAROLE JONES  
CLERK OF CIRCUIT COURT  
WOOD COUNTY  
PARKERSBURG, WV 26101

51649

APR 16 93 69-39/519

19

PAY TO THE ORDER OF K.D. Merritt, Sheriff

\$ 12,793.62

WOOD COUNTY  
CIRCUIT CLERK

DOLLARS

Interest accrued thru  
January 31, 1993

VOID IF NOT CASHED 60 DAYS FROM DATE  
PRESENT PROMPTLY FOR PAYMENT

CLERK

FOR Interest

⑈051649⑈ ⑆051900395⑆ 0248 0458⑈



**§ 59-1-37. Deposits by county officers in interest bearing accounts; payment to county general fund; annual report.**

Except as to any tax receipts, which shall be deposited in accordance with section four [§ 7-6-4], article six, chapter seven of this code, when any fee, cost, percentage, penalty, commission, allowance, bond, deposit, surety or other cash payment or sum is to be held by the sheriff, prosecuting attorney, county commission, clerk of the county commission, clerk of the circuit court, or assessor of any county under any provision of law or proper order of the circuit court, said officer may, at his or her sole discretion, deposit same in an interest bearing account or accounts in secure and properly insured banks. Any interest earned on such accounts, and not otherwise included in any refund, return or reimbursement of said fees, costs, penalties commissions, allowances, bonds, deposits, sureties or other cash payments or sums, as directed by law or proper order of the circuit court, shall be paid into the county's general fund on a regular basis, but in no event less often than yearly.

All county officers shall report to the county commission by the first day of July each year concerning his or her election to use interest bearing accounts, amounts currently on deposit and interest actually earned on such accounts. (1992, c. 83.)

**Effective dates.** — Acts 1992, c. 83 provided that the act take effect from passage (March 7, 1992).

INTEREST EARNED ON FEES, COMMISSIONS, ETC.  
HOUSE BILL 4598  
WEST VIRGINIA CODE § 59-1-37

On March 7, 1992, House Bill 4598 was passed, which allows county officials to invest any fee, cost percentage, penalty, commission, allowance, bond, deposit, surety or other cash payment or sum held by the various county officials and remit this interest to the general county fund. All money collected, except for taxes and other funds that are required by law or court order to be in interest bearing accounts, can be invested at the discretion of the official in charge of the money. The following guidelines are to help officials handle this money.

CIRCUIT CLERK'S OFFICE

The circuit clerks may replace their current fee account with an interest bearing account and deposit all money to this account that is not required to be put in an interest bearing account by the judge. The money that is required by court order to retain interest earned should be put in a separate interest bearing account from the main fee account. If the type of interest bearing account is not specified in the order, then the clerk should place the money in the highest interest rate account possible that would meet the requirements of the order. Each of the accounts that is required to be in an interest bearing account should be placed in a separate interest account. This will make monthly reconciliation of these accounts easier and interest will not have to be prorated to the various accounts in the bank account.

All other money that the clerk collects can be placed in an interest bearing account, such as a NOW account, money market, etc. The bank requirements (such as how many checks may be written, minimum balance, etc.) may limit your choices as to the type of account that is used. All interest earned will go to the general county fund so depositing of fees and other costs with other parties' money should not cause a problem. In most counties, the circuit clerk will have some other parties' money that will not be paid out at the end of the month, but may be in the account for several months or possibly years. This money should be transferred out from the interest bearing fee account to a longer term investment with a higher interest rate; however, the fee bank account should retain enough of a balance to cover any large payments.

The circuit clerks should receipt in interest when they receive the notice from the bank. If interest is credited at the first of the month, the circuit clerk can write the receipt for interest when the bank statement is received. If the bank credits the interest at the end of the month, the clerk will have to call the bank and find out the amount of interest earned in order to close out the books for the month.