

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, MARCH 11, 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. Upon a motion made by Steven A. Grimm, seconded by Jean Grapes, the County Commission approved minutes from Monday, March 1, 1993. Upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver, the County Commission approved minutes from Monday, March 8, 1993. Upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and made unanimous by Jean Grapes, the County Commission approved minutes from Thursday, March 4, 1993.

On this date, the County Commission approved a Personal Property Improper for Arthur Patton.

At 10:00 A.M., the County Commission held a hearing for Jack E. Carpenter, alleged incompetent. Attorney was Gerald Townsend. Guardian Ad Litem was Thomas Zimmerman. Jessie Carpenter was sworn in and stated that she is Jack's wife; he is fifty-three years of age; he now resides in Parkview Nursing Home; he worked for the City of Vienna; he had a heart attack at work which caused brain damage due to a loss of oxygen to the brain; he cannot speak well enough to understand him; he doesn't know who she is when she visits him; he doesn't know their children when they visit; he cannot take care of his personal or business affairs and they have five children. The County Commission was in receipt of affidavits from Mr. Carpenter's doctors, which are on file in the probate office. Mr. Zimmerman stated that he agrees with the testimony of Mrs. Carpenter and that he visited Mr. Carpenter while he was still at Camden-Clark

Memorial Hospital and he was nonresponsive. Upon a motion made by Steven A. Grimm, seconded by Jean Grapes, and made unanimous by Holmes R. Shaver, the County Commission declared Jack E. Carpenter Incompetent. Mrs. Carpenter stated that they were buying a home on land contract and still have 15-16 years to pay it off (\$30,000.00); Mr. Carpenter has no bank accounts; he does have a 1985 Chevrolet truck; he will be receiving sick pay and vacation pay until July 16, 1993 from the City of Vienna and those checks vary from \$500.00 to \$650.00. Upon a motion made by Steven A. Grimm, seconded by Jean Grapes and made unanimous by Holmes R. Shaver, the County Commission appointed Jessie Carpenter as Committee for Jack E. Carpenter with a bond of \$100.00 to be posted by David and Jerry White.

At 11:00 A.M., the County Commission met with Gail Hartshorn, Emergency Services and Delmas Richards to discuss putting a flea market in a floodplain area. Mr. Richards stated that he is in the process of buying the old Sundowner Drive-In and that he wants to use the existing building, which was used for an auto auction, for a regular consignment auction; there is a building on the side that was a restaurant, which he would like to use again as a restaurant; he would also like to put a pole building with roll up doors to be used for a flea market and that people may be storing items on weekends in this building. Mr. Richards showed the Commission a layout of what he would like to do. Mr. Hartshorn stated that this may be a problem and he has three concerns: (1) Development, (2) Structure, and (3) Substantial Improvement, which Mr. Hartshorn read from the Floodplain regulations. Mr. Hartshorn stated that the elevation of said property is approximately 600 feet. Mr. Hartshorn stated that according to Floodplain regulations Mr. Richards would be doing improvements to the existing building. Mr. Richards stated that they will not be doing any improvements. Mr. Hartshorn stated that they would be putting a new roof on the building. Mr. Richards stated that the roof leaks and they would be fixing the roof. Commissioner Grapes asked about the parking lot.

Mr. Richards stated that they would be doing very little to the parking lot. Commissioner Grimm stated that he didn't consider re-roofing an improvement. Commissioner Grapes stated that she has no problem with the lot or fixing up the building because it wouldn't take much to fix it up, but they should discuss the other building. Mr. Richards stated that they would not have heat in this building and the electricity would be ran above the floodplain. Commissioner Grapes asked Mr. Richards if he would be willing to build according to the Floodplain regulations. Mr. Richards stated that he would. President Shaver asked if they could put in the permit to require that the owner, when the building isn't being used as a flea market, that the doors be raised, for example during the week or during the winter, so that if there is a flood in the area, it wouldn't impede the flow of water. Mr. Hartshorn stated that he has talked with FEMA about a similar situation with this type of storage building with roll up doors and FEMA said no. President Shaver stated that this building would not be used for storage. Mr. Hartshorn stated that you don't know what the next owner may want to do with it. President Shaver asked Mr. Richards if he would be willing to put a deed restriction on this property. Mr. Richards stated that he would and also stated that he will not have to borrow the money for this flea market and will not have the need for flood insurance. Commissioner Grapes stated that she has no problem with this and would like to run it by FEMA with the deed restriction. Commissioner Grimm stated that he is alright with this if Mr. Richards does the deed restriction and allows Mr. Hartshorn to inspect it. Mr. Hartshorn stated that he agrees with the County Commission, but FEMA will consider what Mr. Richards wants to do as improvements. Mary Rader asked Mr. Hartshorn how FEMA would feel about the deed restriction. Mr. Hartshorn stated that they wouldn't even consider it. Mr. Richards stated that this is a lease-purchase agreement and he would actually be purchasing it in two years and that they will be putting the buildings close to the present building. President Shaver

stated that Mr. Richards should talk with his counsel and also stated that the Commission doesn't have any problems with the new improvements as long as he guarantees that their use would be for the intended purpose with the exception of the security purposes to be used only during active auctions and that the doors would be raised at all times. President Shaver asked Mr. Richards to come back to the Commission with something to satisfy them and their counsel. Commissioner Grapes stated that they may put in their terminology that it would not be a permanent structure and is to remain in an open forum. Mr. Hartshorn stated that his concern is that they don't jeopardize the Floodplain Insurance Program. President Shaver suggested that it may be cheaper for Mr. Richards to put up chain link gates. Mr. Richards stated that he can get the garage doors at a very low price. President Shaver instructed Mr. Richards to get back in touch with them after he checks into the items discussed.

On this date, the County Commission, in regular session, announced to all concerned, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and made unanimous by Jean Grapes, that they, as a Commission, are calling for SPECIAL SESSIONS to be held on Tuesday, March 16, 1993, 3:00 P.M. to 6:00 P.M. and on Wednesday, March 17, 1993, 8:00 A.M. to 10:00 A.M., in regard to the preparation of the budget for the fiscal year 1993/1994, as required by Chapter 11, Article 8, Section 10 of the West Virginia Code of 1931, as amended. (This meeting will be held in the County Administrator's Office, Room 205, Wood County Courthouse.) An Order was prepared and posted regarding this matter.

On this date, the County Commission was in receipt of the Review of Assets, Receipts and Disbursements, Summary Statement of Transactions, Statement of Transactions and Summary of Dividends and Interest from United National Bank, Charleston, WV, in regard to the Wood County Building Commission Certificate of Deposit-Backed Improvement Refunding Bonds - Wood County Courthouse Annex Project, 1983 Series. 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 passed, appointed Clarence Hackett to the Wood County Parks and Recreation Commission (Mountwood Park). Said appointment is a result of Paul Reese's resignation. Mr. Hackett will be filling his unexpired term which will expire on December 16, 1995. An Order was prepared regarding this matter.

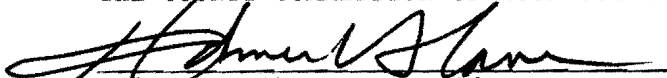
On this date, the County Commission, upon a motion made by Steven A. Grimm, seconded by Jean Grapes and passed, authorized Holmes R. Shaver, as President, to sign the letter addressed to the Criminal Justice and Highway Safety Office, Charleston, WV, requesting a budget revision in the Comprehensive Community Highway Safety Program Grant No. 92-HS-14. The proposed revision would increase by \$1,000.00 the Training/Travel category to allow the Program Administrators, Tiano-Knopp Associates, Inc., to attend the upcoming conferences/meetings in regard to said Comprehensive Community Highway Safety Program Grants. The Personnel Category is proposed to decrease in the amount of \$510.00 and the Other Category is proposed to decrease in the amount of \$490.00 for a total of \$1,000.00 to be transferred to the Travel/Training Category. An Order was prepared regarding this matter.


On this date, the County Commission was in receipt of a check from the State of WV in the amount of \$350.55 in regard to the Drug Control and System Improvement Grant No. 92-DC-061. 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 MARCH 11, 1993

No. 17218	State Electric Supply	\$ 82.56
17219	Scots Landscape Nursery	96.00
17229	Broadwaters Motorcar	39.95
17232	Lowe's	37.52
17236	Parkersburg Office Supply	825.91
17238	Parkersburg Office Supply	20.94
17239	Fanelli Boys & Associates	59.95
17240	Matheny Motor Truck	1.00
17242	Broadwaters Motorcar	17.56
17243	PAMS	140.40