

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, APRIL 24, 1995

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

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

On this date, the County Commission, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and made unanimous by Jean Grapes, approved minutes from Monday, April 10, 1995.

On this date, the County Commission approved Personal Property Improvers for Kevin L. Westbrook - Clay District; Glen E. & Teresa A. Lester - Lubeck District; Donald & Mary Ann Skelly - City District; Robert W. & Mary Casto - Steele District and Mark L. Bower - Union District.

On this date, the County Commission approved Exonerations for Genevieve Amos - Union District and Jack W. & Carol J. Ewing - Walker District.

The 9:25 A.M. appointment to have Larry D. Kearns sworn in as a Wood County Correctional Officer was cancelled.

At 9:30 A.M., the County Commission met with Raymond Smith from the Affiliated Construction Trades Foundation to discuss the West Virginia Jobs Act. Mr. Smith stated that they had about 10,000 members across the state of West Virginia; the West Virginia Jobs Act came up before the Legislature last year but came up a little short; the Job Act says that when they use West Virginia taxpayer money to

fund a project that they would agree to use 90% West Virginians to build a project; there have been too many times when out of state or out of country firms do projects in West Virginia; he would like the County Commission to adopt a Resolution supporting West Virginians. The County Commission of Wood County, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and made unanimous by Jean Grapes, adopted a Resolution in reference to the West Virginia Jobs Act. Said Resolution supports said West Virginia Jobs Act and urges the state legislature to pass important legislation. A copy of said Resolution is attached to these minutes and should be made a part thereof. An Order was prepared regarding this matter.

At 11:00 A.M., the County Commission held a hearing for the Jennie Agnes Schmidt estate. Attorney was Thomas Zimmerman. Mr. Zimmerman asked the Commission to refer this estate to a Fiduciary Commission and require the posting of the bond in the minimum amount of \$98,000.00, which is based upon \$90,000.00 real estate and \$8,000.00 in personal property as shown in the exhibits that were presented. Commissioner Grimm asked if there was a reason for bonding the real estate. Mr. Zimmerman stated the will gives the executor the authority to convey the real estate. Mr. Cosenza stated that his clients have no objection to the estate being referred, but disagree with the bond; the last will and testament stated that no bond should be posted; they can hold off on selling the real estate. Mr. Zimmerman stated that the real estate shouldn't be used as collateral due to the fact that there are seven children who have 1/7 interest, which would be an insufficient value to justify doing this.

Mr. Cosenza stated that the real estate has been for sale several times. Mr. Zimmerman stated that this has going on since February, 1993. Mr. Cosenza stated that Grace Sims has been appointed Administratrix of the estate and apparently Mr. Zimmerman's clients want her out. Grace Sims stated that she was appointed as Administratrix of the estate; said that she disbursed the personal property the way Agnes wanted, but did not make a list because Agnes didn't want to. Ms. Sims then said that she did have a list, which she presented a copy to Mr. Zimmerman. Mr. Zimmerman asked if this was a comprehensive list of personal property at the time of Agnes' death. Ms. Sims stated that it was. More discussion took place about the personal property. Mr. Zimmerman then asked how many acres there were. Ms. Sims stated she believes between 50 and 55 remaining; it was surveyed by DeBrular when they probated the will which was presented as an exhibit. Ms. Sims stated that she let everyone come in the house and get what they wanted. Mr. Cosenza presented a copy of the will of Agnes Schmidt to Ms. Sims and asked if Item Number 2 stated that she would have the right, in her lifetime, to make a list to keep with the will as to who would get what items of personal property. Ms. Sims stated that was correct. Ms. Sims then agreed that Agnes had not wanted to make a list. Ms. Sims stated that it was correct that she had her mother's power of attorney; it was also correct that they have an estate account at Community Bank and the cash balance in the account is about \$1,000.00; she first listed the real estate with Parkersburg Realty once, then Century Twenty-One and finally Fair Price, but have had no

offers. William Schmidt, son of Agnes Schmidt, stated that he prepared an inventory of what he remembered was Agnes' personal property and came up with about five to six pages of items; he then stated that they did not call him when they all met at the house to take what they wanted. Mr. Cosenza asked Mr. Schmidt if he received any property of his mothers. Mr. Schmidt stated that he didn't receive anything; he was led to believe that they were going to go through his mother's things a month after the funeral. Mr. Zimmerman asked how he would characterize his relationship with Ms. Sims. Mr. Schmidt stated that she was his sister, but he doesn't go around her; he doesn't speak to her on the phone either; he received a deed for two acres plus the house from his mother about a year before she got sick. Richard Schmidt, son of Agnes Schmidt, stated that he received nothing from the estate; he was told that they would get together in a couple of weeks and separate their mother's things; one week later they were moving items out of the house; he received a bookcase that they had left at the house, it was about a month later. Mr. Cosenza stated that the Administratrix is doing the best she can to settle the estate, if there is a problem with how she disbursed the personal property, then the Fiduciary Commissioner can deal with that and bond is irrelevant, the only thing left that would need a bond is the real estate, of which she is trying to sell, as directed by the will. Mr. Zimmerman stated that there is a dispute between the acreage and waste of the assets in the estate; that there were a select few who received personal property, there was no distribution to the other heirs; bond is appropriate. Upon a motion made by Holmes R. Shaver,

seconded by Steven A. Grimm and made unanimous by Jean Grapes, the County Commission Ordered this estate be put under bond in the amount of \$75,000.00 and the premium of the bond to be paid from the estate and that this be referred to a Fiduciary Commissioner immediately. Mr. Cosenza asked for thirty days to post the bond. Mr. Zimmerman stated that fifteen days should be adequate. Mr. Cosenza stated that fifteen days would be fine.

At 2:00 P.M., the County Commission met with Sheriff K.D. Merritt and Chief Charlie Johnson. Sheriff Merritt asked about the health services agreement between the Health Department and the jail. Mary R. Rader stated that she has the agreement for the County Commission to sign. Sheriff Merritt stated that the Prosecuting Attorney has looked at the agreement. Chief Johnson then stated that one of the cruisers was involved in a hit and run. The cruiser was sitting in front of a Deputy's residence when it was hit; they haven't found the person who hit the vehicle as of yet. There is another cruiser with an engine problem. House arrest has three vehicles. More discussion took place in regard to the house arrest vehicles. Chief Johnson stated that he would get prices on lease vehicles and one year old vehicles. Chief Johnson then discussed the Law Enforcement vehicles. Commissioner Grimm then stated the Sheriff has requested \$3,000.00 and \$3,507.41 for overtime for dispatchers and would like to know if the Agreement between the Health Department and the Jail will be approved. The County Commission of Wood County, upon a motion made by Holmes R. Shaver, seconded by Steven A. Grimm and made unanimous by Jean Grapes, did hereby enter into a Jail

Health Agreement by and between the Wood County Commission and the Mid-Ohio Valley Health Department. As set forth in the said Jail Health Agreement, the Mid-Ohio Valley Health Department will provide up to two (2) provider clinics per month and will provide nursing professionals for sick calls which will be available five (5) days a week, Monday through Friday, not including legally observed holidays, for inmates incarcerated at the Wood County Correctional Center. Provider and nursing services are not to exceed forty-seven thousand dollars (\$47,000.00) per annual contract. The said Agreement may be terminated by either party with a thirty (30) day notice. An Order was prepared regarding this matter.

On this date, the County Commission of Wood County, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and passed, authorized Jean Grapes, in her official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Juvenile Justice and Delinquency Prevention Grant Number 94-JJ-7-013. Expenditures in the amount of six hundred forty dollars (\$640.00) were made by the County during the month of March, 1995 for contractual group counseling services provided by Fred Jay Krieg, Ph.D. and Associates in regard to the Youth In Effective Legal Diversion (Y.I.E.L.D.) Program. In addition to the Request for Revision, the Monthly Progress Report and the Project Financial Report are being submitted to the Criminal Justice and Highway Safety Office, Charleston, WV. All documentation pertaining to the said Juvenile Justice and Delinquency Prevention Grant are on file in the Office of the County Administrator. An

Order was prepared regarding this matter.

On this date, the County Commission of Wood County, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and passed, authorized Jean Grapes, in her official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Drug Control and System Improvement Grant Number 94-DC-023. Expenditures in the amount of six hundred three dollars and seventy-two cents (\$603.72) were made by the County during the month of March, 1995 which represents overtime compensation for Sgt. Donald G. Balog of the Wood County Sheriff's Department who has been assigned as the officer to work the D.A.R.E. Program for Wood County. However, the Request for Reimbursement is in the amount of five hundred forty-three dollars and thirty-five cents (\$543.35) since there is a ten percent (10%) stipulation in the said Grant that requires the said percentage from the County as matching funds. 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, West Virginia. All documentation pertaining to the said Drug Control and System Improvement Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

On this date, the County Commission of Wood County, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and passed, authorized Jean Grapes, in her official capacity as President and on behalf of the County Commission, to sign the letter addressed

to Marvin Stead, Mayor of the City of Williamstown, West Virginia, requesting reimbursement in the amount of seventy dollars and twenty-seven cents (\$70.27) which represents overtime compensation for Sgt. Donald G. Balog during the month of March, 1995. The said overtime compensation is for 3.25 hours spent on the D.A.R.E. Program activities conducted at Waverly Elementary School, and is in accordance with an Agreement entered into by and between the County Commission of Wood County and the City of Williamstown in regard to the Drug Control and System Improvement Grant awarded to the City of Williamstown, West Virginia. Said fully executed Agreement is pursuant to an Order appearing in Order Book 56, at page 84 and bearing the date of September 26, 1994. All documentation pertaining to the said Drug Control and System Improvement Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of one thousand eight hundred fifty-eight dollars (\$1,858.00) of which the amount of four hundred eighty-six dollars (\$486.00) represents reimbursement to Wood County for expenses incurred during the month of February, 1995 in regard to the Juvenile Justice and Delinquency Prevention Grant Number 94-JJ-3-004. Receipt of said check is pursuant to an Order appearing in Order Book 56, at Page 198 and bearing the date of March 9, 1995 at which time the Request for Reimbursement was signed by Jean Grapes, President of the Wood County Commission. All documentation pertaining to the said Juvenile

Justice and Delinquency Prevention Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

On this date, the County Commission of Wood County was in receipt of a check in the amount of seven hundred seventy-four dollars and ninety cents (\$774.90) from the State of West Virginia which represents reimbursement to Wood County for expenses incurred during the month of February, 1995 in regard to the Drug Control and System Improvement Grant Number 94-DC-049. Receipt of said check is pursuant to an Order appearing in Order Book 56, at Page 201 and bearing the date of March 13, 1995 at which time the Request for Reimbursement was signed by Jean Grapes, President of the Wood County Commission. All documentation pertaining to the said Drug Control and System Improvement Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

On this date, the County Commission of Wood County, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and passed, authorized Jean Grapes, in her official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Comprehensive Community Highway Safety Grant Number 95HS-07. Expenditures in the amount of eight thousand eight hundred forty-seven dollars and seventy-six cents (\$8,847.76) were made by the County during the period of January 1, 1995 through March 31, 1995 for contractual services and travel expenses of Tiano-Knopp Associates, Inc., Grant Consultants; and for materials purchased as set forth in the Application for the said Grant funding.


In addition to the Request for Reimbursement, the Quarterly Progress Report and the Project Financial Report are being submitted to the Criminal Justice and Highway Safety Office, Charleston, West Virginia. All documentation pertaining to the said Comprehensive Community Highway Safety Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of one thousand eight hundred fifty-eight dollars and fifty cents (\$1,858.50) of which the amount of one thousand three hundred seventy-two dollars (\$1,372.00) represents reimbursement to Wood County for expenses incurred during the month of January, 1995 in regard to the Drug Control and System Improvement Grant Number 94-DC-057. Receipt of said check is pursuant to an Order appearing in Order Book 56, at Page 198 and bearing the date of March 9, 1995 at which time the Request for Reimbursement was signed by Jean Grapes, President of the Wood County Commission. All documentation pertaining to the said Drug Control and System Improvement Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

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

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY



Jean Grapes, President

Steven A. Grimm, Commissioner


Holmes R. Shaver, Commissioner

PURCHASE ORDERS SIGNED ON APRIL 24, 1995

No.	19677	Artcraft Studio	\$ 12.00
	19810	Breed Auto Electric	23.88
	19816	C.R. Malcom & Associates	55.00
	19840	Broadwater's Motorcar	239.50
	19847	Universal Supply	112.00
	19861	Viking Office Products	115.58
	19862	Tri-State Roofing & Sheet Metal	222.75
	19863	Tri-State Roofing & Sheet Metal	445.50
	19867	State Electric Supply Company	72.00
	19873	Casto & Harris	38.25
	19874	Fulton, Inc.	103.32
	19878	Sam's Club	89.92
	19883	Broadwater's Motorcar	3100.00
	19884	Broadwater's Motorcar	1035.66
	19894	Viking Office Products	86.94
	19898	Auto America Store	52.80
	19899	Broadwater's Motorcar	45.00
	19904	Bernhardt's	70.80
	19911	Parkersburg Office Supply	13.80
	19912	PAMS	221.40
	19913	Viking Office Products	43.08
	19918	Broadwater's Motorcar	17.40
	19919	Broadwater's Motorcar	71.11
	19923	Moore's	89.98
	19924	Dan W. Mooney Company	207.00
	19927	Parkersburg Office Supply	138.49
	19930	PAMS	24.54
	19931	Broadwater's Motorcar	8.79
	19934	Quill Corporation	41.27
	19935	C.R. Malcom & Associates	202.79
	19938	Parkersburg Office Supply	44.28

APRIL 24, 1995

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

R E S O L U T I O N

A RESOLUTION SUPPORTING THE WEST VIRGINIA JOBS ACT.

WHEREAS, many residents of Wood County are in need of decent jobs with benefits and fair pay;

WHEREAS, state and local tax dollars are often spent to encourage and create jobs through direct payments, economic development loans, infrastructure improvements, training assistance, tax credits and various other tax funded programs;

WHEREAS, the purpose of public funding for economic development is to improve the living standards of tax payers;

WHEREAS, the West Virginia Jobs Act would require ninety percent (90%) of workers hired on projects receiving taxpayer assistance, as described above, be West Virginians or residents of neighboring counties of our border states;

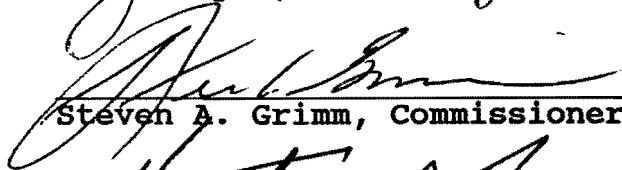
THEREFORE, BE IT RESOLVED, the Wood County Commission hereby supports the West Virginia Jobs Act and urges the state legislature to pass the important legislation.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY



Jean Grapes, President



Steven A. Grimm, Commissioner



Holmes R. Shaver, Commissioner

Certified to be a true copy of a Resolution adopted at a regular meeting of the County Commission of Wood County held on April 24, 1995.



Jamie Six, County Clerk