

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, MARCH 30, 1995

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

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 Holmes R. Shaver and made unanimous by Jean Grapes, the County Commission approved minutes from Monday, March 20, 1995 and Thursday, March 23, 1995.

On this date, the County Commission approved Exonerations for Robert Hoselton - City District; Leigh A. Shaffer - City District and Roger D. & Barbara S. Oldaker - Tygart District.

On this date, the County Commission approved Personal Property Improvers for Benjamin D. Cole - City District and Mildred L. Teter - Tygart District.

At 9:30 A.M., the County Commission held a hearing in regard to the guardianship for Thomas Kendall. Attorney Joseph Brown stated that there is a Civil Action pending in Circuit Court which is styled Thomas J. Kendall suing by and through his next of kin Linda J. Kendall, his mother, against the defendant; they settled the matter; Thomas was five years old at the time of the accident, he is now eight years old; Mr. and Mrs. Kendall are present; the settlement is for \$20,000.00 and the breakdown on the settlement will be Department of Human Services will get \$2157.26; he (Brown) will get one fourth of it for Attorney fees and the \$12,842.54 will go to Linda Kendall

as legal guardian; they do not own real estate and he feels it would be inappropriate to require them to post an insurance bond, take the money to pay the bond and deprive the child of the use of that money; he would like a personal recognizance bond and a Fiduciary Commissioner appointed. Mr. Brown then stated Thomas was hit by a car, it flipped him and he came down on his head, after that he experiences seizures; they could not get medical testimony to put the two together. Mr. and Mrs. Kendall were sworn in. Linda Kendall stated that she is the natural mother; Tom is still having seizures; he is under regular medical care; he has missed a lot of school; said she will use the money on Tom. Commissioner Grapes asked if Human Services paid the medical bills. Mrs. Kendall stated that they were. Roland J. Kendall, natural father of, Tom stated Tom is still considered having traumatic brain injury; he has seizures; he is on medicine daily; the money from the settlement would go into the bank in CD form or something like that because he may not get SSI later in life; he will have to take some of the medicine for the rest of his life; and some of the money will be used for Tom's medical needs in the future. Mr. Brown requested that the County Commission require a Personal Recognizance Bond. President Grapes asked if there would be a Fiduciary Commissioner. Mr. Brown stated that there would be. President Grapes asked what would happen if the money was not spent as it should be. Mr. Brown stated that the bond could be forfeited and etc. Mr. Brown then stated that the Kendalls own no real estate. Commissioner Shaver stated that they would talk with Commissioner Grimm and let Mr. Brown know before Noon. The County Commission, upon a motion made by Steven A. Grimm, seconded by Holmes

R. Shaver and made unanimous by Jean Grapes, appointed Mr. & Mrs. Kendall as guardians for Thomas Kendall with a corporate surety bond.

At 10:00 A.M., the County Commission met with Mark Epler. Mr. Epler stated that he had some property damage on 9-4-93 in Walker District, he called the Sheriff's Department who impounded the vehicle, but has received no response or compensation and no answers. President Grapes asked Mr. Epler to explain. Mr. Epler stated that a truck ran through his gate and got stuck in a ditch, the people left the vehicle there and made tracks, the Sheriff's Department then took the vehicle and impounded it. Chief Deputy Charlie Johnson was present and stated that the vehicle was towed and there are no other supplements with the report; the officer who took the report has since been reassigned and he was not available this morning. Commissioner Shaver asked what normally happens in a situation like this. Chief Johnson stated that it was an out of state vehicle and an owner and driver was attempted, a name of a possible driver was given and was talked to, but he doesn't know the results of the conversation; the towing company, after having a vehicle for so long, can obtain a salvage title for the vehicle, but it does not state this in the report. Mr. Epler stated that they get a lot of law and not much order out in the woods. Mr. Epler picked up the report in December, 1993 and set up an appointment with K.D. Merritt, but when the appointment came around, the Sheriff was busy. President Grapes asked if he has checked on it besides that time. Mr. Epler stated that he did not. Chief Johnson stated if they knew who the driver was and he was charged, he would be responsible for the property

damage. Mr. Epler stated that the license on the truck had been expired for some time. Chief Johnson stated that the truck was registered in Kentucky. Commissioner Shaver stated that as Jean Grapes had stated, they had no jurisdiction, and it seems that the Sheriff's Department did what they should've done considering there was no driver and recommends that he talk with Chief Johnson again. Chief Johnson stated that he would talk with the officer who filed the original report.

At 10:30 A.M., the County Commission of Wood County, upon a motion made by Holmes R. Shaver, seconded by Steven A. Grimm and passed, authorized Jean Grapes, in her official capacity as President and on behalf of the County Commission, to sign the Deed by and between The County Commission of Wood County, West Virginia and Carolina Freight Carriers Corporation. The original Limited Warranty Deed, dated and signed on May 1, 1979, and delivered to Prudential Property Casualty Insurance Company, has either been lost or misplaced. The original executed Deed is to be recorded in the Office of the Clerk of the County Commission of Wood County. An Order was prepared regarding this matter.

At 11:00 A.M., the County Commission met with Bevin Seaman from the Carpenters' Local 899 in Parkersburg. He would like to discuss the bonds that Heritage Place would like to sell; he attended a Public Hearing held by the Wood County Building Commission to consider whether or not to allow the bonds to be sold; the owners of this are a non profit corporation called Heritage Place; the owners and developers do not plan on using union carpenters; they have built

several facilities around the state and not only used non-union workers, but also out of state workers; would like to have put in the Ordinance that they would have to use West Virginia contractors and local construction workers; it was suggested at that meeting that eighty percent of the people working on this project be residents of this area; if this cannot be done, could the County Commission adopt a blanket ordinance for the future. Commissioner Grimm stated that the Commission would have to see what they could do legally. President Grapes said that this would be referred to their legal counsel. More discussion took place. Also present was Sam Davis, Business Manager for the Parkersburg/Marietta Building Construction Trades Council. Mr. Davis stated that he would like for this job to be competitively bid out; the developer would not state whether or not he would do this; if the Commission does not have the authority, then they could let the Building Commission know that the County Commission supports an ordinance.

On this date came Michele Rusen, Prosecuting Attorney for Wood County and presented to the County Commission that Robert D. Langdon was sentenced on March 2, 1995 and needed to be returned to authorities in Manchester, Kentucky. It was therefore necessary that Officer Larry Lee and Raymond Myers travel to Kentucky and return Robert Langdon to the authorities at FCI Manchester. Expenditures for said round trip were in the amount of \$172.77. The sum of \$111.23 is being refunded to the County. An Order was prepared regarding this matter.

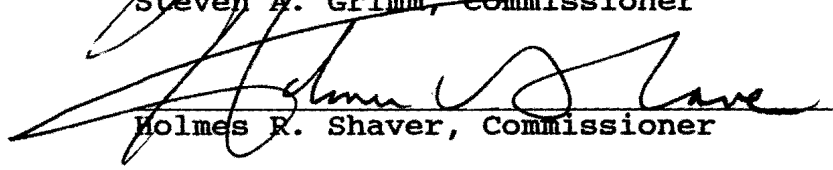
Having no further scheduled appointments or business to attend to, the County Commission adjourned at 12:00 Noon.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY


Jean Grapes, President


Steven A. Grimm, Commissioner


Holmes R. Shaver, Commissioner

PURCHASE ORDERS SIGNED ON MARCH 30, 1995

No.	19793	American Office Systems	255.00
	19802	Industrial Rubber	15.03
	19837	Lowe's Home Centers	129.96
	19838	C.R. Malcom & Associates	90.00
	19842	Parks Hardware & Supply	26.71
	19845	American Office Systems	33.00
	19846	Parkersburg Office Supply	1,560.00