

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, SEPTEMBER 28, 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.

On this date, the County Commission, upon a motion made Steven A. Grimm, seconded by Holmes R. Shaver and made unanimous by Jean Grapes, approved minutes from Monday, September 18, 1995.

On this date, the County Commission approved two Exonerations for Eliz B Strong - City District (1995).

On this date, the County Commission approved Personal Property Improvers for James R. & Teresa A. Miihlbach - Union District (1995); Danny L. Roach - Slate District (1995); Mary R. Rossana - Vienna District (1995); and Lorie A. Mackey - Union District (1995).

At 9:30 A.M., the County Commission met with Petitioner, John N. Ellem, heirs of Michael J. Ellem to wit: Mark I. Ellem, by his limited conservator, Anne C. Ellem, and Charles Ellem and Rose Ann Kalister, by their counsel, David G. Palmer and jointly moved the Commission to enter an Order reopening the estate of Michael J. Ellem to correct the Appraisalment and Final Settlement to list the correct heirs of Michael J. Ellem. The parties jointly advised the Commission that Francis J. Ellem, brother of the deceased, filed a valid disclaimer of any interest in the estate of the decedent on March 30, 1994; that pursuant to WV Code Sections 42-6-5 (a) and 42-1-3a (c), Francis J. Ellem's share of the decedent's estate passes to the decedents of the decedent's parents by representation; i.e.,

Mark I. Ellem and John N. Ellem; that on September 15, 1995, Anne C. Ellem was appointed limited conservator for Mark I. Ellem, Case No. 95-G-20, for the purpose of disclaiming any interest of Mark I. Ellem in the estate of Michael J. Ellem. The Commission does hereby find that the disclaimer filed by Francis J. Ellem is valid and enforceable; and, therefore, further finds that Francis J. Ellem's share passes to Mark I. Ellem and John N. Ellem. The Commission also finds that upon the filing of the disclaimer by Anne C. Ellem, as limited conservator for Mark I. Ellem, Mark I. Ellem's share will pass to John N. Ellem pursuant to WV Code. In accordance with the foregoing findings, the Commission does hereby Order that the Estate of Michael J. Ellem be reopened and that Charles R. Ellem be reappointed as Administrator of the Estate and no bond be required of Charles R. Ellem; that the disclaimer by Mark I. Ellem of his interest in the Estate, signed by Anne C. Ellem as limited conservator, be filed in the County Clerk's Office; that the Appraisement of the Estate be amended to list the heirs of Michael J. Ellem as Charles R. Ellem, Rose Ann Kalister and John N. Ellem, each receiving a one third share; and that the Final Settlement of the Estate be amended and refiled in accordance with the Amended Appraisement. An Order was prepared regarding this matter.

At 10:00 A.M., the County Commission held a hearing in regard to the Estate of Donald J. Crudele. Elizabeth Pyles, attorney for Marie E. Crudele was present and stated that the petitioner and Donald J. Crudele are husband and wife; Mr. Crudele died on June 27, 1995 and they are asking for her elective share; she is mentioned

in the will to receive an asset that no longer exists, it was a house trailer; they are asking for 15% of the decedent's estate. Gerald Townsend, attorney for Donna J. Dailey, Executrix of the estate, was also present and stated that the spouse is entitled to a percentage and that percentage grows according to how many years they have been married. More discussion took place. Mr. Townsend stated that his client has no dispute and Mrs. Crudele's share would be 15% of the augmented estate and although the appraisement is not done yet, they are sure that it will need to be referred to a Fiduciary Commissioner. The County Commission, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and made unanimous by Jean Grapes, ORDERED that the petition be granted and this estate be referred to Eugene T. Hague, a Fiduciary Commissioner to determine the augmented estate and what her percentage equals in dollars. An Order was prepared regarding this matter.

At 10:30 A.M., the County Commission came to a final decision in regard to the closing of a portion of Laurel Street, Tygart District and the closing of a portion of Olive Street, Tygart District. The County Commission Ordered that both be closed, upon a motion duly made, seconded and passed. Orders were prepared regarding these matters.

At 11:00 A.M., the County Commission met with Richard Bush on behalf of the Erickson All Sports Facility Development Corporation, a WV non-profit corporation. The Wood County school board authorized them to develop the land for athletic facility purposes; we have a master plan for the development of the 17.5 acre tract and

the development of an adjacent 7.5 acre tract; plans were prepared by R.J. Ankrom Associates in Vienna; the plan calls for a five phase plan which would include a full blown stadium seating approximately 10,000 people, a football field, a track, soccer field, baseball field, softball field, between 1100 and 1200 parking spaces; the estimate was just under eight million dollars; they decided to attempt phases one and two and lighting from phase three which would be approximately two point eight million dollars; phases one and two would include drainage, rough grading, construction of the football and soccer field, the baseball field, practice football field, softball field, the eight lane track gravel on the right of way and the parking area paved with limestone, temporary bleachers and a ticket facility with concession stand as well as restrooms. They had a private fundraising effort, million dollar club, they have solicited businesses in the area; to date they have raised \$130,000.00 and pledges in the amount of \$40,000.00 and from the McDonough Corporation a pledge of \$150,000.00 matching grant at a 6-1 ration; Wesbanco has pledged \$25,000.00 and they have a \$10,000.00 governor's partnership grant; they are completely out of debt; they needed fill dirt (36000 yards); they had twenty-nine dump trucks, eight bull dozers, five loaders and three excavators (all of which were donated) and in the course of one day they moved 670 truck loads approximately 12000 cubic yards of earth, approximately 1/3 of what they need at a total cost of \$1,350.00 which was for the fuel and food for the volunteer workers. The hold up now is drainage; they need to construct a storm drainage system; they already have a french

drain; he is requesting \$60,000.00 for a corrugated plastic pipe which they can get a discount for if they pay cash and purchase now. More discussion took place. Commissioner Grimm stated that they would give an answer on Monday. There was more discussion.

On this date, Commissioner Grapes presented a memo to the County Commission in regard to a Wood County Confidence Policy. Said policy stated that if employees know of any information of wrong doing, they can let the Commissioners or the Prosecuting Attorney know, without losing their jobs. Commissioner Shaver and Commissioner Grimm did not agree that a Policy was needed. A copy of the proposed memo to County Employees is attached to these minutes.

On this date, the County Commission of Wood County, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and passed, adopted a Resolution in reference to Budget Revision No. 5 in the General County Fund budget for the fiscal year 1995/1996. The Request for Revision to the Approved Budget, being submitted to the Department of Tax and Revenue, Charleston, West Virginia, was signed by Jean Grapes, President of the Wood County Commission.

On this date, the County Commission of Wood County was in receipt of a letter from the Governor of the State of West Virginia, Gaston Caperton, giving approval to the Application for funding from the Juvenile Justice and Delinquency Prevention Grant in the amount thirty-one thousand five hundred forty-five dollars and 00/100ths cents (\$31,545.00). Approval of the aforementioned amount will allow the hiring of a specialized case manager to provide aftercare monitoring and linkages to services for delinquent youth who are

returning to their communities from court-appointed in-state and out-of-state facilities. Receipt of the said letter of approval is pursuant to an Order appearing in Order Book 56, at Page 313 and bearing the date of September 14, 1995, at which time the Application 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 letter from the Governor of the State of West Virginia, Gaston Caperton, giving approval to the Application for funding from the Juvenile Justice and Delinquency Prevention Grant in the amount of six thousand five hundred eighty-seven dollars and 00/100ths cents (\$6,587.00). Approval of the aforementioned amount will be utilized to provide counseling and intervention services for youth and their families involved in the Youth In Effective Legal Diversion (Y.I.E.L.D.) Program. Receipt of the said letter of approval is pursuant to an Order appearing in Order Book 56, at Page 313 and bearing the date of September 14, 1995, at which time the Application 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 the Statements of Accounts from Bank One, West Virginia,


NA, Charleston, West Virginia, for the Mortgage Revenue P&I New Fund, the Expense Fund, the Mortgage Reserve Fund, the Custodial Receipts Hold Account, the Custodial Hold Account for Morgan Keegan Fund and the Bond Fund in regard to the Brooke, Harrison, Marshall, Wetzell and Wood Counties, West Virginia Single Family Mortgage Revenue Refunding Bonds, Series 1992. The said Statements of Accounts are for the period of April 1, 1995 to September 15, 1995. All documentation pertaining to the Single Family Mortgage Revenue Refunding Bonds is on file on 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 the Statements of Accounts from Bank One, West Virginia, NA, Charleston, West Virginia, for the Redemption Fund and the Mortgage Reserve Fund in regard to the Berkeley, Boone, Fayette, Hancock, Harrison, Jackson, Jefferson, Lincoln, Logan, McDowell, Marion, Marshall, Mason, Mingo, Monongalia, Morgan, Ohio, Pleasants, Summers, Tyler, Upshur, Wetzell, Wood, Wyoming and the City of Wheeling, West Virginia Single Family Mortgage Revenue Bonds, 1983 Series A. The said Statements of Accounts are for the period of January 1, 1995 to September 15, 1995. All documentation pertaining to the said Single Family Mortgage Revenue Bonds 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 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 SEPTEMBER 28, 1995

No.	20224	Alarm Systems	\$	1395.00
	20375	Graphic Communications		280.00
	20380	Printing Services Company		339.00
	20383	Channing L. Bete Company		1348.20
	20385	Tri-State Roofing & Sheet Metal		104.00
	20390	Fire Extinguisher Specialists		385.50
	20435	Stewart Decatur Security Systems		300.00
	20437	Broadwaters Motorcar		320.30
	20439	Lowe's Home Centers		12.62
	20440	Parks Hardware		13.88
	20443	Signs Now		70.00
	20444	Broadwaters Motorcar		48.18
	20445	Mahone Tire Service		190.52
	20446	Broadwaters Motorcar		110.20
	20447	Broadwaters Motorcar		138.30
	20448	Broadwaters Motorcar		82.45
	20449	Broadwaters Motorcar		16.82
	20450	Wireless One Network		301.93
	20463	A.E. Supply Company		35.11
	20474	Parkersburg Office Supply		207.78

The County Commission of Wood County

PARKERSBURG, WEST VIRGINIA 26101



M E M O R A N D U M

TO: County Employees

FROM: Jean Grapes, President of the Wood County Commission

SUBJECT: Wood County Confidence Policy

DATE: September 28, 1995

It has always been the policy of the Wood County Commission to not interfere into policy making, personnel and internal affairs of other elected County officials.

I would like to recommend that the County Commission adopt a confidence policy with all employees who come under the umbrella of the County Commission.

I feel it is extremely important that all employees feel they can safely bring any information they have of wrong doing to one or all of the Commissioners or to the Prosecuting Attorney without fear of losing their jobs.

The WV Code protects employees jobs under Chapter 6C Article 1 but I will be asking the Commission and the Prosecuting Attorney for help in adopting a protection for County employees who feel they have information that should be disclosed. No employee should fear for their job now or in the future.

I am deeply concerned that employees of this County withheld information because of fear of losing their jobs. There must be a better relationship in order to better serve the public who are the sponsors of all of our jobs.