

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, MAY 23, 1996

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.

At 8:55 A.M., the County Commission adjourned and met as the Board of Canvassers. Commissioner Grimm did not participate. Commissioner Shaver made a motion stating that the canvassing has concluded and the Board of Canvassers will recess until next Thursday morning (May 30, 1996) at which time they will consider certifying the results, Jean Grapes seconded the motion.

At 9:00 A.M., the County Commission met with Shana Modesitt from the Parkersburg Humane Society and Michele Rusen, Prosecuting Attorney for Wood County to discuss questions concerning issuing citations. Ms. Rusen stated she was contacted by Ms. Modesitt in regard to legal matters that pertain to their work and what the County Commission can do to assist them; she suggested they put the questions in writing and then discuss it with the County Commission. Ms. Modesitt stated they are present to ask to be granted the power to write citations to better enforce a few of the State codes that they are now enforcing, but don't have a lot of backing power with; these would be anything from rabies vaccine to dog license to quarantine animals after they have bitten somebody, etc.; they need something to help them enforce those codes. Ms. Rusen stated she was furnished with a copy of an Ordinance that was passed by the Kanawha County Commission; it carries up to a \$100.00 fine. Ms. Modesitt

stated they inform people of the codes and give them a five day compliance type of citation and there is not a lot of ways to enforce that other than going through Magistrate Court and doing all of the paperwork; a lot of times they find that people don't have a current rabies vaccine on their dog nor do they have a current Wood County dog license. Commissioner Shaver stated that he would like to discuss this. Ms. Rusen stated she would have to draft something for the Commission to review and she also thinks they should have a public hearing.

At 9:15 A.M., the County Commission met with S.F. Greiner, Assessor and Cindy Winters from the Assessor's Office as well as Scott Durig, Assistant Prosecuting Attorney. There was much discussion in regard to exonerations. The County Commission approved Erroneous Assessments in regard to Real Property for Billy Lee Shaffer - City District (1995); Mary H. Sheldon - Vienna District (1995); and Ruth Ann Winland - Tygart District (1994 and 1995).

The County Commission then approved Erroneous Assessments in regard to Personal Property for Richard G. Marshall - Clay District (1994); Alan & Pamela Whitlock - City District (1995); Tim Hendershot - Slate District (1995); Robert E. (Deceased) and Jacqueline Cain - Williamstown District (1995); Michael & Bree Ann Radabaugh - Williamstown District (1995); Larry Joe Cain - Parkersburg District (1995); Gregory Leach - Union District (1995); John A. Goudy - Lubeck District (1992); Gregory Mark Young - Harris District (1995); Ronald L. Postlewaite - Tygart District (1993); William M. & Vicki S. Channell - Lubeck District (1994); Paul Byers - City District (1995);

Ernest F. & Marion J. Whitlatch - City District (1992); Wilma R. Brock - City District (1991); James Winters - Union district (1995); Cynthia Davis - Union District (1991); Paul Radabaugh - Vienna District (1991); Columbia Gas of Kentucky, Inc. -Clay District (1995); Michelle Carvell - City District (1995); Blanche Carpenter - City District (1995); A.P. Brooks, Jr. - Williams District (1994); Broadway Sandwich Shop (Lionel Eagle, Jr.) - City District (1995); Vince Douglas Bonnette - Tygart District (1995); Steven L. & Tonya K. Mercer - City District (1991); Gwen J. Richardson - City District (1991); Theresa J. Wright - City District (1994); Teresa McCoy - Tygart District (1991); Gary D. McConnell - City District (1995); Cathy Kisner - Williamstown District (1995); Russell J. Ingold - Tygart District (1995); Commonwealth Gas Services, Inc. - Clay District (1995); Columbia Gas of Pennsylvania, Inc. - Clay District (1995); Columbia Gas of Ohio, Inc. - Clay District (1995); Columbia Gas of Maryland, Inc. - Clay District (1995); James Winters - Union District (1994); Kenneth K. & Judith Cooper - Clay District (1991); Freda & Marjorie Davis - Williamstown District (1995); Tammy Elder - Williams District (1995); Brian K. & Robin Ellison - Lubeck District (1992); Barbara E. Hunt - Lubeck District (1995); Joanna L. Stephens - Parkersburg District (1994); Alvin G. & Lue Wolfe, Jr. - Clay District (1995); Cheryl L. West - Steele District (1995); and Elenita B. Wasmer - City District (1994).

At 10:00 A.M., the County Commission met with Attorney David Underwood in regard to the Burl Lemon estate. This hearing was continued. Mr. Underwood was to prepare an Order regarding this

matter.

At 10:30 A.M., the County Commission met with Attorney Steven Hardman. Mr. Hardman represented First National Bank of Maryland, Domiciliary Personal Representative of the estate of Frederick L. Graff, deceased. Upon reviewing this matter, the Commission finds:

a. Frederick L. Graff died testate a resident of the State of Maryland on August 20, 1994; b. First National Bank of Maryland has qualified as the Domiciliary Personal Representative of the Estate of Mr. Graff, deceased, and an authenticated copy of Dr. Graff's will has been recorded with the Clerk of the County Commission of Wood County; c. Upon his death, Mr. Graff owned real estate situated in Wood County; d. Margaret A. Graff, surviving spouse of Mr. Graff, has filed an Election to Take Statutory Share of Estate, wherein she elects to take her statutory share of the estate of her deceased spouse instead of that interest to which she otherwise would have been entitled to receive pursuant to his Will; e. Pursuant to Maryland law, Margaret A. Graff's elective share is a one-third interest in the subject property; f. West Virginia Code 42-3-1(c) provides: The right, if any, of the surviving spouse of a decedent who dies domiciled outside this state to take an elective share in property in this state is governed by the law of the decedent's domicile at death. It is therefore ORDERED that 1. The Commission hereby recognizes that Margaret A. Graff has filed an Election to Take Statutory Share of the estate of her deceased spouse, Frederick L. Graff, in the State of Maryland; 2. The real estate owned by Mr. Graff in Wood County is subject to such election; 3. Margaret A.

Graff is entitled to receive an undivided one-third interest in the subject real estate to the laws of the State of West Virginia and Maryland; and 4. The remaining two-thirds interest in the subject property, pursuant to the terms of the Will of Frederick L. Graff, deceased, has vested in the First National Bank of Maryland as Trustee under the Charitable Remainder Trust established therein. An Order was prepared regarding this matter.

On this date, the County Commission of Wood County, upon a motion made by Steven A. Grimm, and seconded by Holmes R. Shaver and passed, did hereby AUTHORIZE 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 95-JJ-5-011. Expenditures in the amount of two thousand three hundred seventy-six dollars and seventy-four cents (\$2,376.74) were made by the County during the month of April, 1996 which represents payment of contractual services provided by Rose S. Bowen, After-Care Case Manager, who is working under the supervision of the Wood County Juvenile Probation Office, and for travel expenses of Rose S. Bowen. In addition to the Request for Reimbursement, the Monthly Progress Report and the Financial Recap 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 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, did hereby AUTHORIZE 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 one thousand one hundred forty dollars and 00/100ths cents (\$1,140.00) were made by the County during the month of April, 1996 which represents payment of contractual services rendered by Fred Jay Krieg and Associates, Ph.D. in regard to the Youth In Effective Legal Diversion (Y.I.E.L.D.) Program. In addition to the Request for Reimbursement, the Monthly Progress Report and the Financial Recap are being submitted to the Criminal Justice and Highway Safety Division, Charleston, West Virginia. All documentation pertaining to the 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 Criminal Justice and Highway Safety Division, Charleston, WV, in which it is stated that the Application for a STOP Violence Against Women Project submitted by the County Commission was not recommended for funding because the Committee felt that this team needed more time to coordinate their efforts. The Application and all documentation pertaining to the said STOP Violence Against Women Project 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 duly made, seconded and passed, did hereby give APPROVAL to make payment in the amount of forty-seven thousand ninety dollars and twenty-four cents (\$47,090.24) for the services of special messengers, poll workers, ballot commissioners, janitors and for polling rents and mileage in regard to the Primary Election which was held on May 14, 1996. Approval, by the County Commission, to make the aforementioned payment was given by signature on the computer printout furnished by the Clerk of the County Commission. An Order was prepared regarding this matter.

On this date, 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 AWARD the quote for the annual testing of the sprinkler systems located in County buildings to Simplex, Charleston, West Virginia. Quotes for such annual testing were solicited by telephone with written responses from the following companies.

SIMPLEX TIME RECORDER COMPANY

10 Kenton Drive	
Charleston, WV 25311	
Health Department	\$ 400.00
Wood County Courthouse and	
Wood County Judicial Building	720.00

BREWER AND COMPANY

P.O. Box 3108	
Charleston, WV 25312	
Health Department	\$ 490.00
Wood County Courthouse	1,100.00
Wood County Judicial Building	1,200.00

Annual testing of the sprinkler systems is a requirement of the State Fire Marshal. The aforementioned written quotes and other

documentation pertaining to the said annual testing 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 Holmes R. Shaver, seconded by Steven A. Grimm and made unanimous by Jean Grapes, did hereby AWARD the quote for the annual testing of fire alarm systems located in County buildings to Advanced Alarm Technologies, Parkersburg, WV. Quotes for such annual testing were solicited by telephone with written responses from the following companies.

ADVANCED ALARM TECHNOLOGIES	
Magistrate Court Building	\$ 35.00
Addition of Pull Station-Magistrate Court Building	102.50
Wood County Correctional Center	105.00
Wood County Judicial Building	122.50
Wood County Courthouse	87.50
Health Department	70.00
SIMPLEX	
Magistrate Court Building	
Wood County Correctional Center	
Wood County Judicial Building	
Wood County Courthouse	\$2,022.00
Health Department	203.55

Annual testing of the fire alarm systems is a requirement of the State Fire Marshal. The aforementioned written quotes and other documentation pertaining to the said annual testing 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, did hereby AUTHORIZE Jean Grapes, in her official capacity

as President and on behalf of the County Commission, to execute the Agreement between the West Virginia Department of Health and Human Resources, on behalf of The Office of Social Services, and the Wood County Commission, on behalf of the Wood County Child Abuse Response Team. Such Agreement is in reference to the Children's Justice Act Grant, Child Abuse Response Team (CART), being supervised and provided through the Office of the Prosecuting Attorney for Wood County. The aforementioned motion made by the County Commission also included the authorization given to Jean Grapes to sign the Agreement Addendum and the Authorized Signatures Form in regard to the above-stated Grant. All documentation pertaining to the said Children's Justice Act Grant is on file in the Office of the County Administrator. An Order was approved regarding this matter.

On this date, and pursuant to an Order appearing in Order Book 55, at Page 433 and bearing the date of April 1, 1991, dealing with the procedure policy for appointments being made by the County Commission of Wood County; the County Commission placed Mike Miller and Rocky Peck in nomination to fill a vacancy on the Wood County Planning Commission. Said vacancy is due to a letter of resignation from Jon H. Bango. Mr. Bango's term would have expired on December 31, 1997. The vacancy was announced on March 28, 1996. An Order was prepared regarding this matter.

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

letter addressed to the United States Department of Housing and Urban Development, Pittsburgh, PA, in regard to the financial contribution requirement for the first year set forth in the Parkersburg-Wood County HOME Consortium. The said letter is to also bear the signature of the Mayor of the City of Parkersburg. The aforementioned letter is requesting a thirty (30) day extension from the June 6, 1996 commitment response deadline regarding the one hundred twenty thousand dollars and 00/100ths cents (\$120,000.00) needed to attain the minimum HOME Program requirement. An Order was prepared regarding this matter.

On this date, came Donna Barrows and Forrest E. Sellers, as Petitioners, and representing themselves, and presented to the County Commission of Wood County a Petition to close a portion of a thirty foot (30') wide undeveloped right-of-way known as Chalfant Avenue located in East Homeland Addition in the District of Parkersburg, County of Wood and as shown on Tax Map 230. The County Commission, after having inspected said Petition, does hereby ORDER that the twenty-fourth day of June, 1996 at 10:00 o'clock A.M. be set as the time for said hearing in the Office of the County Commission, Room 203 of the Wood County Courthouse, Parkersburg, West Virginia. It is further ORDERED that the Notice of such Hearing be published in the local newspaper as required, and that the said Notice sets forth the time, the place and purpose of such Hearing as required by Chapter 7. Article 1, Section 3(h) of the Code of West Virginia, 1931 as amended. An Order was prepared regarding this matter.

On this date, came residents of Larkmead Addition and presented

to the County Commission of Wood County a petition requesting the Commission to have an abandoned mobile home removed which is located at the corner of Fifth Street and Helen Avenue in Larkmead Addition. The said Petition further states that the mobile home was brought in over five years ago by Mitchell's Mobile Home and has never had anything done with it; therefore, residents feel the aforementioned mobile home constitutes a health and physical danger to children in the area. An Order was prepared regarding this matter.

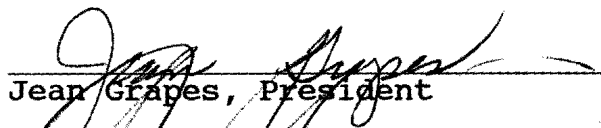
On this date, the County Commission of Wood County was in receipt of a check in the amount of one hundred seventy-seven dollars and twenty-seven cents (\$177.27) from the State of West Virginia which represents reimbursement to Wood County for extradition fees paid to Detective W.B. Fluharty and Detective J.K. Smith of the Parkersburg Police Department to allow them to travel to Napoleon, Ohio and pick up Ronald L. Grow and return him to Wood County. The extradition of the said Ronald L. Grow is in regard to the State of West Virginia, Plaintiff, vs. Ronald L. Grow, Defendant, Number 96-F-55 upon a warrant from Magistrate Court which appears as a matter of record in Order Book 56, at Page 457 and bearing the date of April 15, 1996 at which time a request for a check in the amount of two hundred fifteen dollars and 00/100ths cents (\$215.00) was signed by the County Commission of Wood County, and further in regard to an Order appearing in Order Book 56, at Page 463 and bearing the date of April 22, 1996 at which time the amount of thirty-seven dollars and seventy-three cents (\$37.73) was returned to the General County Fund budget with the said Order being signed by the County

Commission. Receipt of the aforementioned check is pursuant to an Order signed by Judge Jeffrey B. Reed and dated April 18, 1996 requesting reimbursement from the West Virginia Division of Corrections. Said Order requests the amount of one hundred seventy-seven dollars and twenty-seven cents (\$177.27). An Order was prepared regarding the receipt of the check.

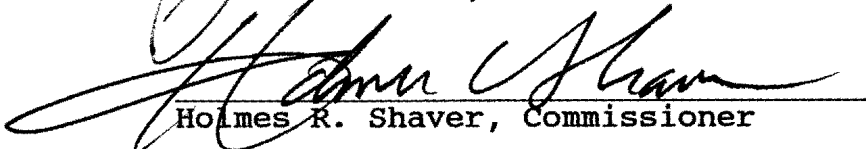
On this date, the County Commission of Wood County was in receipt of the fully executed Contract of Lease by and between the County Commission of Wood County and the State of West Virginia by the Secretary of the Department of Administration, for use by the Bureau of Children and Families, Office of Social Services, in regard to property located at 907 Mission Drive in the City of Parkersburg, County of Wood, State of West Virginia. Receipt of such fully executed Contract of Lease is pursuant to an Order appearing in Order Book 56, at Page 366 and bearing the date of January 11, 1996 at which time the aforementioned Contract of Lease was signed by Jean Grapes, as President, and on behalf of the County Commission of Wood County. An Order was prepared regarding this matter.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY


Jean Grapes, President


Steven A. Grimm, Commissioner


Holmes R. Shaver, Commissioner

PURCHASE ORDERS SIGNED ON MAY 23, 1996

No.	21069	Graphic Comm., Inc.	\$	778.00
	21165	Graphic Comm., Inc.		160.00
	21180	Big Mac Printing		404.00
	21192	Gall's Inc.		40.89
	21209	Mahone Tire Service		190.52
	21211	Parks Hardware & Supply		53.96
	21212	State Electric Supply		15.30