

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
THURSDAY, APRIL 10, 1997

PRESENT: HOLMES R. SHAVER, PRESIDENT  
ROBERT K. TEBAY, COMMISSIONER

ABSENT: DAVID A. COUCH, 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 approved an Erroneous Assessment Application in regard to real property for Mark Wayne & Belinda Sue Shaffer - City District, Tax Year 1996.

At 9:30 A.M., the County Commission met with Greg Isaacs from Crews and Company. Mr. Isaacs presented a Resolution regarding the 44 County, West Virginia Single Family Mortgage Revenue Bonds. Dan Marshall was present at this meeting. Mr. Isaacs wants permission to audit the outstanding loans. The County Commission would like to get a second opinion. Mr. Marshall suggested that Mr. Isaacs speak with Ferris, Baker Watts and try to work together on a joint proposal. The County Commission stated they will get advice on this matter.

At 10:00 A.M., the County Commission held a public hearing on the enlargement of Mineral Wells Public Service District. The Commission heard testimony relating to the necessity and feasibility of enlarging Mineral Wells Public Service District, so as to include therein the territory described in the Petition that was filed. The County Commission does find that it is necessary,

feasible and proper to enlarge said Public Service District. An Order was prepared regarding this matter.

At this time, the County Commission held a public hearing on the enlarging and re-adjusting the boundaries of Lubeck Public Service District. The County Commission heard testimony relating to the necessity and feasibility of enlarging and re-adjusting the boundaries of Lubeck Public Service District. The County Commission does find that it is necessary and feasible and proper to enlarge said Public Service District and to readjust said boundaries as described in the Petition that was filed. An Order was prepared regarding this matter.

At 11:30 A.M., the County Commission met with Fred Rader and Janell Burwell from the Mid-Ohio Valley Regional Council. Mr. Rader presented a letter for the Commission's signature in regard to grants for public service districts.

On this date, the County Commission of Wood County, in regular session, upon a motion made by Robert K. Tebay, seconded by Holmes R. Shaver and passed, announced to all concerned, that they, as a Commission, are calling for a SPECIAL SESSION to be held on April 15, 1997 at 8:30 o'clock A.M., for the purpose of Laying the 1997/1998 Fiscal Year Levy in accordance with Chapter 11, Article 8, Section 15, of the West Virginia Code, as amended.

On this date, the County Commission of Wood County was in receipt of the Statements of Accounts from One Valley Bank, Charleston, WV, for the Acquisition Fund, the Excess Earnings Number Two (2) Fund, the Excess Investment Earnings Fund, the

Program Expense Fund, the Escrow Account Fund and the Escrow Account-Expense Fund in regard to the Counties of Berkeley, Brooke, Fayette, Hancock, Harrison, Jackson, Jefferson, Marion, Marshall, Mason, Mercer, Monongalia, Morgan, Nicholas, Ohio, Raleigh, Randolph, Upshur, Wetzel and Wood and the City of Wheeling, WV, Single Family Mortgage Revenue Bonds 1984 Series A. The said Statement of Accounts are for the period of September 30, 1996 through March 31, 1997. All documentation pertaining to the Single Family Mortgage Revenue Bonds 1984 Series A 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 Cecil H. Underwood, Governor of West Virginia, advising them that funding in the amount of twenty-nine thousand dollars and 00/100ths cents (\$29,000.00) had been approved for the STOP Violence Against Women Grant from the Criminal Justice and Highway Safety Division. Receipt of such letter of approved funding is pursuant to an Order appearing in Order Book 60, at Page 22 and bearing the date of January 30, 1997 at which time the Grant Application was signed by Holmes R. Shaver, President of the Wood County Commission. All documentation pertaining to the said STOP Violence Against Women Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

In accordance with the provisions of Article 8, Section 11, of the West Virginia Code, as amended, this day the County Commission of Wood County received Notice of a Conditional Approval of the

Levy Estimate (Budget) from the State Tax Commissioner approving the Levy Estimate (Budget) as the operation budget for the Fiscal Year beginning July 1, 1997 through June 30, 1998. Said Notice of Conditional Approval is in the following words and figures:

"Cecil H. Underwood	State Of West Virginia	Robin C. Capehart
Governor	Department Of Tax and Revenue	Secretary
	Tax Division	
	P.O. Box 3102	
	Charleston, WV 25331-3102	

**NOTICE OF A CONDITIONAL APPROVAL OF THE LEVY ESTIMATE (BUDGET)  
TO: WOOD COUNTY COMMISSION**

In accordance with the provisions of Chapter 11, Article 8, of the West Virginia Code, as amended, the State Tax Commissioner of West Virginia hereby approves your Levy Estimate (Budget) for the fiscal year beginning July 1, 1997.

I find that any levy rates to be imposed in excess of those prescribed by the West Virginia Constitution were legally authorized by a vote of the people.

I find that the proper rates of levy are being used to retire any existing general obligation bond debt, and that such total debt is within the limits prescribed by the West Virginia Constitution and Code.

Approval is contingent upon compliance with W. Va. Code 11-13A-6(h) which requires that the budgeted amount of a line item from the current levy estimate (1997-98 general fund) must be funded at one hundred percent of the preceding year's (1996-97 general fund) expenditure from the county general fund prior to the use of coal severance tax funds for the same general purpose. Compliance with this provision cannot be determined at this time. In addition, coal severance tax funds shall not be budgeted for personal services in an amount to exceed one fourth of the total funds available in such fund.

**HOWEVER, THE FOLLOWING COMMENTS ARE MADE BASED ON AN AUDIT AND REVIEW OF THE BUDGET DOCUMENT BY THIS OFFICE.**

Please explain the type of funds and the amounts being transferred to the general fund under account #370, reimbursements. Beginning July 1, 1997, monies used to reimburse the general fund for expenses paid on behalf of a special fund activity should be reflected under a descriptive revenue account which reflects the type of funds being transferred to reimburse the

general fund. For example, home confinement reimbursements. Account #374 was assigned to general school fund reimbursements and account #375 was assigned to magistrate court fund reimbursements after the budget was submitted to the tax commissioner for approval.

With this written approval, the levying body shall meet on the third Tuesday in April to hear and consider any objections and to officially adopt the levy rates for property taxation. The clerk/recording officer, within three days, shall prepare and forward to the tax commissioner the officially adopted levy rates and levy order.

Please take whatever corrective action is necessary to remedy these problems and notify this office of your intentions. You may fax your response to 558-5327.

If you have any questions, please contact the Chief Inspector Division at 558-2540.

Very truly yours,  
Robin C. Capehart  
Secretary/Tax Commissioner  
s/ Lisa Stanley  
By: Lisa Stanley, Director  
Chief Inspector Division"

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 thousand thirty-nine dollars and sixty-eight cents (\$1,039.68) from the State of West Virginia which represents reimbursement for extradition fees paid by Wood County to allow Deputy Carl D. VanClief of the Wood County Sheriff's Department to travel to Fort Pierce, Florida to pick up Joshua Sprague and return him to Wood County, West Virginia. Receipt of said check is pursuant to an Order prepared by Jeffrey B. Reed, Chief Judge of the Fourth Judicial Circuit, and remitted to the State of West Virginia requesting reimbursement of the aforementioned extradition fees. 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 eight hundred fifty-one dollars and seventy-one cents (\$851.71) from the State of West Virginia which represents reimbursement for extradition fees paid by Wood County to allow Officer Larry D. Lee of the Vienna Police Department to travel to Golden, Colorado and pick up James Gillespy and return him to Wood County, West Virginia. Receipt of said check is pursuant to an Order prepared by Jeffrey B. Reed, Chief Judge of the Fourth Judicial Circuit and remitted to the State of West Virginia requesting reimbursement of the aforementioned extradition fees. 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

  
Holmes R. Shaver, President Pro Tem

  
Robert K. Tebay, Commissioner

PURCHASE ORDERS SIGNED ON APRIL 10, 1997

No. 22076	Gall's Inc.	\$ 117.96
22194	Pifer's Service Center	1.90
22195	Vienna Cleaners	437.59
22196	West Virginia Uniforms	165.27

22197	Exxon	19.00
22198	Mary's Towing Service	35.00
22247	Ashland Petroleum	273.20
22253	Miller Communications	97.50
22261	Garrison Brewer	344.00
22302	Advanced Alarm Technologies	135.00
22303	Mahone Tire Service	376.88
22313	Artcraft Studio	25.50

To listen to these minutes, please refer to Tape #30.