

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
THURSDAY, OCTOBER 16, 1997

PRESENT: HOLMES R. SHAVER, PRESIDENT  
DAVID A. COUCH, COMMISSIONER  
ROBERT K. TEBAY, 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 by David A. Couch, seconded by Robert K. Tebay and made unanimous by Holmes R. Shaver, approved minutes from Tuesday, February 25, 1997 and Friday, February 28, 1997.

On this date, the County Commission approved Erroneous Assessment Applications in regard to Personal Property for Luerana M. Andrews - Tygart District (1996) and Edward B. Kime - Vienna District (1996). The County Commission approved Erroneous Assessment Applications in regard to Real Property for Denzil R. Lowther - Union District (1996 & 1997) and XX - Tygart District (1996 & 1997).

At 9:15 A.M., the County Commission met with Dave Palmer, Attorney for Ohio Valley Recreation, Inc. who presented to the County Commission of Wood County a Motion requesting execution of two (2) Quit Claim Deeds. After reviewing the Orders referenced on such presented Motion, the County Commission of Wood county, upon a motion made by Robert K. Tebay, seconded by David A. Couch and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to execute the said two (2) Quit

Claim Deeds by and between the County Commission of Wood County and Ohio Valley Recreation, Inc. in regard to closed unused streets in Wood County, West Virginia. Such action by the said County commission is pursuant to an Order appearing in Order Book 43, Page 154 and bearing the date of September 4, 1997 at which time the Commission, following a public hearing on such date, did hereby ORDER that a portion of Rita Drive and a portion of Joyce Drive located in the P.J. Garvey Subdivision be closed and vacated; and further pursuant to an Order appearing in Order Book 47, Page 341 and bearing the date of September 8, 1996 at which time the Commission, following a public hearing on such date, did hereby ORDER that all of Hyland Drive and a portion of Garvey Drive located in the P.J. Garvey Subdivision be closed and vacated. The aforementioned Quit Claim deeds are to be recorded in the Office of the Clerk of the County Commission of Wood County. An Order was prepared regarding this matter.

At 10:00 A.M., the County Commission held a hearing in regard the Arthur R. LeMasters, Jr. estate. The County Commission continued this hearing. Documentation pertaining to this hearing is on file in the Probate Office.

On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by David A. Couch and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to sign a Partial Release on Lot Number Two (2) of Woodland Falls Subdivision. Said Subdivision is of record in the Office of the Clerk of the County Commission of Wood County, West Virginia, in Plat Book Number

Twenty-Two (22), at Page Eleven (11), to which Plat reference is hereby made and had for a more particular description. With the approval of said Partial Release, the County Commission does hereby release the lien in regard to Lot Number Two (2) of the certain Notice of Lien, which is dated February 16, 1995, executed by Ronald J. Mullenix and Rita K. Mullenix, as shown in Lien Book 639, at Page 482, which said Notice of Lien secures a bond in the amount of fifty thousand dollars and 00/100ths cents (\$50,000.00). In all other respects, the said Notice of Lien shall remain and be a valid and subsisting lien on the premises described therein. Said Partial Release is to be shown of record in the Office of the Clerk of the County Commission of Wood County. An Order was prepared regarding this matter.

On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by David A. Couch and made unanimous by Holmes R. Shaver, did hereby EXECUTE an Engagement Letter with Charles Lorensen of George and Lorensen P.L.L.C., Attorneys-at-Law, Charleston, WV, in regard to Civil Action Number 97-C-407 - The Board of Education of the County of Wood, West Virginia, Plaintiff v. The County Commission of Wood County, Defendant, in regard to the Complaint for Declaratory Judgment filed by The Board of Education. Said Complaint for Declaratory Judgment is in reference to the Agreement made and entered into on the 30th day of March, 1994 by and among Ohio Municipal Electric Generation Agency Joint Venture 5 (OMEGA JV5); the County Commission of Wood County; the Wood County Board of Education, William C. Parrish, in his capacity as Assessor of Wood County, West Virginia; and Michele Rusen, in her capacity as

Prosecuting Attorney of Wood County, West Virginia. An Order was prepared regarding this matter.

On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by David A. Couch and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in regard to the STOP Violence Against Women Grant Number 96-VAW-001. The Request for Reimbursement is in the amount of one thousand eight hundred thirty-three dollars and fifty cents (\$1,833.50) which represents 96.5 hours of services at \$18.6812 per hour during the month of September, 1997 provided by Kelly L. Lee, Assistant Prosecuting Attorney, who is responsible for enhancing the Silence Affects Families Elsewhere (S.A.F.E.) Team to improve the Criminal Justice system's response to violence against women. The aforementioned amount of one thousand eight hundred thirty-three dollars and fifty cents (\$1,833.50) includes benefits paid on the 96.5 hours of service. The amount of one thousand six hundred sixty-eight dollars and forty-five cents (\$1,668.45) was utilized as the in-kind match, as set forth in the aforementioned Grant, and is being provided through the remaining salary and benefits provided by the County to the said Kelly L. Lee, the purchase of office supplies and furniture by the County and the payment of travel expenses of the said Kelly L. Lee by the County. In addition to the Request for Reimbursement, the Monthly Progress Report, the Monthly Demographic Report, the Daily Time Record and the Project Financial Report are being submitted to the Criminal Justice and Highway Safety Division, Charleston, WV. All

documentation pertaining to the STOP Violence Against Women 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 Robert K. Tebay, seconded by David A. Couch and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to sign the letter seeking a budget revision in regard to the Comprehensive Community Traffic Safety Grant Number 97HS-09. The aforementioned budget revision requests that a portion of the unused Travel/Training funds in the amount of one thousand nine hundred dollars and 00/100ths cents (\$1,900.00) be placed in the "Other" category to allow the Program Administrators to purchase additional public education and information materials. In addition to the budget revision request, the said letter requests that the remaining funds in the "Other" category in the amount of five hundred seventy-nine dollars and thirty-two (\$579.32) be allowed to be used to purchase additional public education and information materials. All documentation pertaining to the said Comprehensive Community Traffic 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, upon a motion made By Robert K. Tebay, seconded by David A. Couch and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Victims of Crime

Act Program Grant Number 97-VA-017. Expenditures in the amount of one thousand two hundred seventy-five dollars and thirty-one cents (\$1,275.31) were made by the County during the month of September, 1997 which represents payment of contractual services provided by Diana W. Walker, Victims Advocate, whose objective is to prepare and support victims of crime as they enter the judicial system. The said Victims Advocate works out of the Office of the Prosecuting Attorney for Wood County. The amount of one hundred ninety-eight dollars and fifty-six cents (\$198.56) is being utilized as in-kind match, as set forth in the aforementioned Grant, and includes the purchase of office supplies, telephone expenses and current personnel expenses. In addition to the Request for Reimbursement, the Monthly Progress Report, the Monthly Statistics Report, the Daily Time Record and the Project Financial Report are being submitted to the Criminal Justice and Highway Safety Division, Charleston, WV. All documentation pertaining to the said Victims of Crime Act Program 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 United National Bank, Parkersburg, West Virginia, for the Repair Fund and the Revenue Fund in regard to the Wood County, West Virginia Industrial Development Revenue Bonds, Series 1980A (Kroger Co. Project). The aforementioned Statements of Accounts are for the period of July 1, 1997 through September 30, 1997. All documentation pertaining to the said Industrial

Development Revenue Bonds 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, Charleston, West Virginia, for the Prepayment Account, Debt Service Reserve Fund, the Acquisition Fund, the Revenue Fund and the Debt Service 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, West Virginia Single Family Mortgage Revenue Refunding Bonds, Series 1984. The aforementioned Statements of Accounts are for the period of March 31, 1997 through September 30, 1997. All documentation pertaining to the said Single Family Mortgage Revenue Refunding Bond Issue 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 One Valley Bank, Charleston, WV, for the Mortgage Reserve Fund, the Redemption Fund, the Program Expense Fund, the Principal Account Fund, the Excess Earnings Number Two Fund, the Excess Investment ER fund, the Bond Fund, the Expense Fund, the Rebate Fund, the Escrow Account Fund and the Escrow Account - Expense Fund in regard to the Wood County, West Virginia Single Family Mortgage Revenue Refunding Bond Issue, Series 1991A. The said Statements of Accounts are for the period of March 31, 1997 through

September 30, 1997. All documentation pertaining to the said Single Family Refunding Bond 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 Cash Statements and the Asset Lists from The Bank of New York; New York, New York for the Mortgage Revenue Debt Service Fund, the Acquisition Fund, the Redemption Fund, the Program Expense Fund and the Excess Investment Fund in regard to the Counties of Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Hancock, Harrison, Jackson, Jefferson, Lincoln, Logan, Marion, Marshall, Mason, McDowell, Mercer, Mingo, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pleasants, Pocahontas, Raleigh, Randolph, Ritchie, Taylor, Tucker, Tyler Upshur, Wayne, Webster, Wetzel, Wirt, Wood and Wyoming and the Cities of Charleston and Wheeling, West Virginia Single Family Mortgage Revenue Bonds 1997 Series A. The said Cash Statements and Asset Lists are for the period of September 5, 1997 through September 30, 1997. 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.

On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by David A. Couch and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to sign the letter requesting a budget revision in regard to the STOP Violence Against Women Grant Number 96-VAW-001. The said revision requests that



the amount of one thousand dollars and 00/100ths cents (\$1,000.00) be transferred from the "Brochures" Category and the amount of five hundred fifty dollars and 00/100ths cents (\$550.00) be transferred from the "Speakers" Category to the "Training" Category in the said Grant. The total transfer, in the amount of one thousand five hundred fifty dollars and 00/100ths cents (\$1,550.00), to the "Training" Category will provide domestic violence training for local law enforcement agencies as well as the State Police Departments, Pleasants County law enforcement agencies, Ritchie County law enforcement agencies, Calhoun County law enforcement agencies and any other law enforcement agencies interested in receiving the said training. 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.

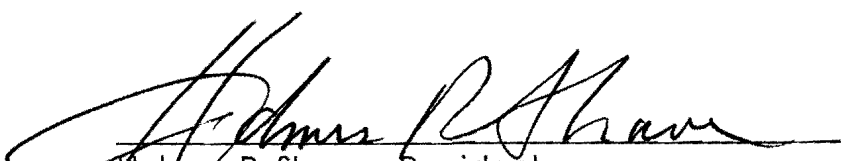
On this date, the County Commission of Wood County was in receipt of the Cash Statements and the Asset Lists from The Bank of New York; New York, New York for the Revenue Fund, the Prepayment Acquisition Fund, the Debt Service Fund, the Mortgage Reserve Fund, the Debt Service Reserve Fund, the Acquisition Fund, the Program Expense Fund, the Excess Investment ER Fund, the Redemption Fund and the Excess Earnings Number Two 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, West Virginia, Single Family Mortgage Revenue Bonds 1997 Series A. The said Cash Statements and Asset Lists are for the period of September 1,

1997 through September 30, 1997. 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.

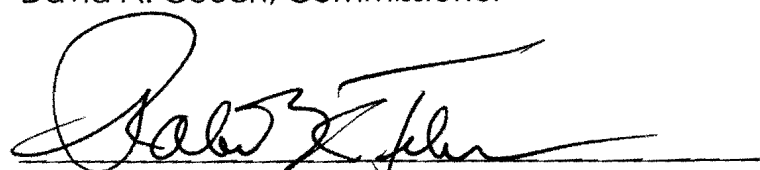
Having no further scheduled appointments or business to attend to, the County Commission adjourned at 12:00 Noon.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

  
Holmes R. Shaver, President

  
David A. Couch, Commissioner

  
Robert K. Tebay, Commissioner

PURCHASE ORDERS SIGNED ON OCTOBER 16, 1997

No. 22694	Parks Hardware	\$	19.55	
22696	A.J.R. Inc.			24.56
22794	Office Depot			196.04
22803	Lock Around the Clock			35.00
22804	Industrial Rubber Products			24.16
22808	Parkersburg Office Supply			267.40
22809	Dils Ford			125.69

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22816	Kesterson Cleaners		296.32
22817	BP Oil		17.60
22823	Casto & Harris		645.40
22827	Lowe's Home Centers		47.52
22842	Parks Hardware	26.97	
22843	Casto & Harris		91.50

To listen to these minutes, please refer to Tape #64.