

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, APRIL 10, 2000

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

On this date, the County Commission of Wood County met in regular session. They signed purchase orders, invoices and other correspondence.

The County Commission, upon a motion made by Robert K. Tebay, seconded by David A. Couch and made unanimous by Holmes R. Shaver, approved minutes from March 27, 2000 and March 28, 2000.

The County Commission approved Erroneous Assessment Applications in regard to personal property for David F. Sprouse, Jr. - Clay District (1999); Long John Silver's #3026 - Parkersburg City District (1998); Long John Silver's #3324 - Vienna District (1998) and Long John Silver's #3288 - Parkersburg District (1998).

At 10:00 A.M., the County Commission met with residents of Greenland Addition to discuss a problem they are having in regard to the roads being ruined by trucks doing work for the Lubeck Public Service District. They submitted an official request and petition detailing what their concerns are and what they would like done. A copy of said request and petition is attached to these minutes and shall be made a part thereof.

At 2:30 P.M., the County Commission met with Ron Jalbert, the County's Americans With Disabilities Act representative. Mr. Jalbert discussed his findings in regard to self evaluation/transitional plan; violations of the WV Supreme Court act; need to hold a public hearing, etc.

After Mr. Jalbert was finished, the County Commission met with Ash Broadwater from Broadwaters Motorcar. Mr. Broadwater discussed a brake lathe machine for the Maintenance Garage.

The County Commission of Wood County, upon a motion made by David A. Couch, seconded by Robert K. Tebay and made unanimous by Holmes R. Shaver, did hereby EXECUTE a PROCLAMATION proclaiming the week of April 9-15, 2000 as VOLUNTEER WEEK. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David A. Couch, seconded by Robert K. Tebay and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Request for Reimbursement in regard to the Combating Underage Drinking Program Grant Number 98-UD-005. Expenditures in the amount of seven hundred twenty-one dollars and ninety-eight cents (\$721.98) were incurred by Wood County during the month of March, 2000, which represents payment of Contractual services provided by Kelly Earley, Coordinator of Project S.O.B.E.R. (Services, Observation, Behavior Modification, Education and Rehabilitation). In addition to the Request for Reimbursement, the Financial Recap; the Daily Time Records; the Travel Vouchers; the Project Director's Monthly Report; the S.O.B.E.R. Combating Underage Drinking Grant Program Documents; and the Project Financial Report are being submitted to the Criminal Justice Services, Charleston, West Virginia. Documentation pertaining to the aforementioned Combating Underage Drinking Program Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of a letter signed by the Governor of West Virginia, Cecil H. Underwood, giving APPROVAL to the application, submitted by the County, for a STOP Violence Against Women Grant in the amount of thirty-eight thousand one hundred fifty dollars and 00/100ths cents (\$38,150.00). Receipt of the aforementioned APPROVAL is pursuant to an ORDER appearing in Order Book 64, at Page 164 and bearing the date of January 31, 2000, at which time the Application, requesting funds in the amount of eighty thousand five hundred sixty-five dollars and 00/100ths cents (\$80,565.00) was signed by Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission. The purpose of the aforementioned Grant is to enhance and continue the Wood County team comprised of the Wood County Prosecutor's Office, the Wood County Sheriff's Department, the Family Crisis Intervention Center, the S.A.F.E. (Silence Affects Families Everywhere) Team, the Parkersburg Police Department and the Vienna Police Department, to improve the criminal justice system's response to violence against women. Documentation pertaining to the aforementioned STOP Violence Against Women Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David A. Couch, seconded by Robert K. Tebay and made unanimous by Holmes R. Shaver, did hereby EXECUTE the MEMORANDUM OF UNDERSTANDING by and between the County Commission of Wood County and the West Virginia Regional Jail and Correctional Facility Authority for the housing of Wood County prisoners. The cost and responsibility for all transportation as well as all unusual required treatment, hospitalization, or extraordinary medical expenses incurred on behalf of Wood County prisoners while housed at a Regional Jail facility shall be borne by Wood County. The rate

of thirty-nine dollars and fifty cents (\$39.50) is the established per diem rate. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David A. Couch, seconded by Robert K. Tebay and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Early Intervention/Family Support Cost Reimbursement Invoice in regard to the Juvenile Accountability Incentive Block Grant Number G000829. No expenditures were made in the month of March, 2000. The aforementioned Cost Reimbursement Invoice is being submitted to the West Virginia Department of Health and Human Resources, Fairmont, WV. Documentation pertaining to the aforementioned Juvenile Accountability Incentive Block Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

Mary R. Rader, Director of the Wood County Planning Commission presented to the County Commission of Wood County a plat reflecting lot numbers forty-six (46) and forty-eight (48) of Westwood Subdivision for approval. The aforementioned plat reflecting lot numbers forty-six (46) and forty-eight (48) of Westwood Subdivision was given final approval by the Wood County Planning Commission at their regular monthly meeting held on Wednesday, April 5, 2000. Lot number forty-six (46) is shown on the plat of Westwood Subdivision - Phase II; however, the said lot lines have been changed; therefore, the necessity of reflecting the lot on the plat of the newly created lot number forty-eight (48). The said Westwood Subdivision is located in Lubeck Taxing District and is being developed by Westwood Land Company. Water facilities are being provided by Lubeck Public Service District; sewer facilities are being provided by the Parkersburg Utility Board; and all other utilities are being provided by the appropriate agency. A Homeowners'

Association has been approved for the upkeep and maintenance of the right of ways within the said Westwood Subdivision. The developers, Westwood Land Company, has posted a bond for one hundred thousand dollars and 00/100ths cents (\$100,000.00) in the form of a letter of credit from WesBanco, Parkersburg, WV. Said bond is to insure that improvements are completed as stated on the plat(s). After review and consideration, the County Commission of Wood County, upon a motion made by David A. Couch, seconded by Holmes R. Shaver and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to EXECUTE the plat of lot numbers forty-six (46) and forty-eight (48) of the Westwood Subdivision for recordation. Robert K. Tebay abstained from voting. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of the Notice of Approval of the Levy Estimate (Budget) for the fiscal year beginning July 1, 2000 through June 30, 2001 from the Office of the State Auditor, Chief Inspection Division, Charleston, West Virginia. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David A. Couch, seconded by Robert K. Tebay and passed, adopted a Resolution in reference to Budget Revision No. 13 in the General County Fund budget for the fiscal year 1999/2000. The Request for Revision to the Approved Budget, being submitted to the West Virginia State Auditor - Chief Inspector Division, Charleston, West Virginia, was signed by Holmes R. Shaver, President of the Wood County Commission. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of the fully executed ADDENDUM to Contract of Lease Number VET-006-300, by and between the County

Commission of Wood County and the State of West Virginia, by the Secretary of the Department of Administration, for and on behalf of the Division of Veterans Affairs. Receipt of the fully executed ADDENDUM is pursuant to an ORDER appearing in Order Book 64, at Page 193 and bearing the date of March 16, 2000, at which time the aforementioned ADDENDUM was EXECUTED by Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David A. Couch, seconded by Robert K. Tebay and made unanimous by Holmes R. Shaver, placed Larry Stephens, Camden Clark Memorial with Dwane Weekley from St. Joseph's Hospital as an alternate; Thomas Blondin, General Public; Robert K. Tebay, Wood County Commission; Chief Thomas Dent, Parkersburg Police Department and Sgt. D.B. Adkins, WV State Police in nomination for reappointment to the 911 Advisory Board. Said nominations are pursuant to a letter from D. R. Smith, Director of the Wood County Emergency Services/9-1-1. Said announcement is further pursuant to an Order appearing in Order Book 51, at Page 433 bearing the date of April 1, 1991, which deals with the procedure policy for appointments to board and authorities. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David A. Couch, seconded by Robert K. Tebay 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 being submitted to the Department of Health and Human Resources, Parkersburg, West Virginia, in regard to the Early Intervention and Family Support Grant Number G000829. Enclosed with the aforementioned letter is the Progress Report for the month of March, 2000, and a copy of the

AGREEMENT by and between the County Commission of Wood County, West Virginia, and Alliance Behavioral Services, Inc., Vienna, West Virginia for counseling services for youth and/or their families. Documentation pertaining to the aforementioned Intervention and Family Support Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission was in receipt of the statements from Bank One, West Virginia, Charleston, West Virginia for the Mortgage Reserve Fund, the Expense Fund and the Bond Fund in regard to the Brooke, Harrison, Marshall, Wetzel and Wood Counties, West Virginia Single Family Mortgage Revenue Refunding Bonds, Series 1992. The statements are for the period of January 1, 2000 through March 31, 2000. Documentation pertaining to the said Single Family Mortgage Revenue Refunding Bonds is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

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 Financial Status Report in regard to the Cops Universal Hiring Program Grant Number 96-UM-WX-1285 for the period of January 1, 2000 through March 31, 2000. The total outlay for the said period was five thousand three hundred eleven dollars and eighty-six cents (\$5,311.86). The total Federal Outlay being requested is in the amount of three thousand seven hundred eighteen dollars and thirty cents (\$3,718.30) which represents seventy percent (70%) Federal portion of the said Grant for the salary of Deputy David Massey, Lt. John Canfield and Deputy J. Bowie; with the local match being one thousand five hundred ninety-three dollars and fifty-six cents (\$1,593.56) which represents a thirty

percent (30%) local match for the salary of the aforementioned deputies. Documentation pertaining to the aforementioned Cops Universal Hiring Program Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David A. Couch, seconded by Robert K. Tebay 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 Payment in regard to the Cops Universal Hiring Program Grant Number 96-UM-WX-1285. The Request for Reimbursement is in the amount of three thousand seven hundred eighteen dollars and thirty cents (\$3,718.30) which represents the seventy percent (70%) Federal portion of the said Grant for Deputy David Massey, Lt. John Canfield and for Deputy J. Bowie during the period of January 1, 2000 to March 31, 2000. The aforementioned Request For Payment is being remitted to the Office of Community Oriented Policing Services, Washington, D.C. Documentation pertaining to the said Cops Universal Hiring Program Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of the Cash Statements and Asset Lists for the Escrow Account - Expense Fund, the Expense Fund, the Rebate Fund, the Bond Fund, the Principal Account Fund and the Principal Prepayment Fund from The Bank of New York, Church Street Station, New York, New York, in regard to the Wood County, West Virginia Single Family Mortgage Revenue Bond Issue, 1997 Series. The said Cash Statements and Asset Lists are for the period ending March 31, 2000. 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.

The County Commission of Wood County, upon a motion made by David A. Couch, seconded by Robert K. Tebay and made unanimous by Holmes R. Shaver, did hereby APPROVE, by signature, a RESOLUTION Affirming the County Commission's Interest in Participation in the Certified Development Community Program. An Order was prepared regarding this matter.

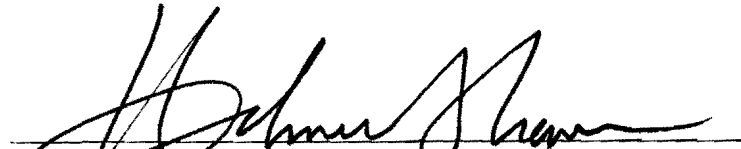
Mary R. Rader, Director of the Wood County Planning Commission, presented to the County Commission of Wood County a plat of Stone Creek Subdivision - Phase II for approval. The said Stone Creek Subdivision - Phase II was given final approval by the Wood County Planning Commission at their regular monthly meeting held on Wednesday, April 5, 2000. The said Stone Creek Subdivision is located in Union Taxing District, with the said Phase II consisting of ten (10) lots, and is being developed by William A. Gandee and Robert Allen. Water facilities are being provided by Claywood Park Public Service District; sewer facilities are being provided by septic tanks (approval of Health Department); and all other utilities are being provided by the appropriate utility company. A Homeowners' Association is in place for the upkeep and maintenance of roadways within the said Stone Creek Subdivision. Developers, William A. Gandee and Robert Allen, have posted a one hundred thousand dollars and 00/100ths cents (\$100,000.00) bond in the form of a letter of credit from Bank One, Marietta, Ohio.

After review and consideration of the aforementioned plat, the County Commission of Wood County, upon a motion made by David A. Couch, seconded by Robert K. Tebay and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission to EXECUTE the plat of Stone Creek Subdivision - Phase II For recordation. An Order was prepared regarding this matter.

Having no further scheduled appointments or business to attend to, the County Commission adjourned at 4:00 P.M.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY


Holmes R. Shaver, President


Robert K. Tebay, Commissioner


David A. Couch, Commissioner

PURCHASE ORDERS APPROVED ON APRIL 10, 2000

25691	Parks Hardware	6.78
25723	Ogden Newspapers	418.95
25545	Singer Sheet Metal	132.50
25597	Kramer's Photo Supply	30.24
25641	S/W Graphics	57.96
25659	Emar Corporation	300.00
25663	Fore Timber	140.00
25667	Runyon Lock Service	14.00
25669	Carrot-Top Industries	120.50
25677	Newberry Hardware	87.78
25685	Steers Heating/Cooling	167.06
25689	Newberry Hardware	2.25
25697	Industrial Rubber	11.98
25699	Inmac	2525.72
25717	Advanced Alarm Technologies	1250.00
26038	Gall's	287.31

26132	Quill Corporation	137.42
26134	WV Uniforms & Equipment	244.06
26138	Hornor & Harrison	554.49
26192	Emerson Medi-Center	76.00
26208	Parkersburg Office Supply	7.74
26212	Parkersburg Office Supply	101.82
26220	Casto & Harris	4702.90
26224	Singer Sheet Metal	159.00
26234	Broadwaters Motorcar	52.53
26236	Broadwaters Motorcar	57.36
26238	Broadwaters Motorcar	21.54
26258	The Blennerhassett Hotel	95.00

To listen to these minutes, please refer to Tape #14.

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APRIL 10, 2000

Carroll Shengleto, 30 Conger Road, Washington, WV 26181

Robin Mayn 80 Osborne St. Washington WV 26181

Greg & Cheryl Taylor 25 Greenland Conger Rd. Washington

Walter Davidson 9-STRAIGHT ST. WASHINGTON WV 26181

Wynona Allart. 18 Sunset Dr. Washington WV 26181

H. G. Hark 16 CONGER RD. WASHINGTON WV 26181

TON JACBERG 61 CANTERBURY DR PARKERSBURG WV 26101

7/28/00
OK
OK
OK

GREENLAND ADDITION HOMEOWNERS
80 Osborne St.
Washington, WV 26181

March 21, 2000

RE: OFFICIAL REQUEST AND PETITION CONCERNING GREENLAND ROADS

Dear Mr. Cox,

Below is Greenland Addition's official request and petition defining how the Lubeck Public Service District must repair Conger Road and Straight Street. We give the Lubeck Public Service District permission to repair Conger Road and Straight Street in the following manner. First, remove the stones installed as a temporary repair. Second, install a 3" asphalt base where the sewer project dug up the road. Third, after the base is installed, put at least 1" of asphalt overlay on the road from Lake Washington Rd. to the ends of Straight Street and Conger Road. Fourth, fix approaches to the driveways to provide a slope since the asphalt is getting higher. This will return the roads to the condition they were before the sewer project started (3" of asphalt base with 1" continuous overlay from Lake Washington Road to the ends of Straight Street and Conger Road). This fulfills the verbal contract by your agency.

If the Lubeck Public Service District is not willing to fix the road in this manner, then Lubeck Public Service District and/or the contractors (Holly Brothers, Valley Development, etc.) do not have permission to do anything to the road until there is a mutual agreement between the Greenland Homeowners and the Lubeck Public Service District.

SIGNATURES:

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|-------------------------------------|-------------------------------------|
| 1. <u>Robin Meyer / Keith Meyer</u> | 19. <u>Margot C Justice</u> |
| 2. <u>J. C. Hafner</u> | 20. <u>William + Anne Albert</u> |
| 3. <u>Karen + Roger Spueher</u> | 21. <u>Wayne B Carter</u> |
| 4. <u>Walter + Lew Davidson</u> | 22. <u>Ursula + Chris Deeringer</u> |
| 5. <u>Jack + Jean Bohan</u> | 23. <u>Ronald G. Barrett</u> |
| 6. <u>Larry + Mary Johnson</u> | 24. <u>W. J. ...</u> |
| 7. <u>Mr + Mrs Donald A. ...</u> | 25. <u>Patsy B. Bennett</u> |
| 8. <u>Vance ...</u> | 26. <u>Carl H. ...</u> |
| 9. <u>Jack ...</u> | 27. <u>Camden Hunt</u> |
| 10. <u>Tommy ...</u> | 28. <u>Russell M. Berans</u> |
| 11. <u>Carroll ...</u> | 29. <u>Linda ...</u> |
| 12. <u>...</u> | 30. <u>Dale Gable</u> |
| 13. <u>Steve ...</u> | 31. <u>Roy + Beverly Bytch</u> |
| 14. <u>R. W. ...</u> | 32. <u>Jesse ...</u> |
| 15. <u>Mr + Mrs ...</u> | 33. <u>Mike Baker</u> |
| 16. <u>John A. ...</u> | 34. <u>Sheila M. C. Cloud</u> |
| 17. <u>Charles + Linda Rogers</u> | 35. <u>Edward Krista ...</u> |
| 18. <u>Yedie Pelcher</u> | 36. <u>...</u> |

EASEMENT AGREEMENT

For and in consideration of One (\$1.00) Dollar and other good and valuable considerations, the receipt whereof is hereby acknowledged, the undersigned Grantor (whether one or more), does hereby grant and convey unto LUBECK PUBLIC SERVICE DISTRICT, a public corporation, Grantee, its successors and assigns, a permanent easement and/or a construction easement in, under, over and upon portions of the following lot or tract of land situate in the County of Wood, State of West Virginia, and more particularly described in deed of record in the office of the Clerk of the County Commission of Wood County, West Virginia, in Deed Book 890, page 210.

Said easements are shown on attached Exhibit A.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the GRANTOR, his successors and assigns, by reason of the installation, operation and maintenance of the structures or improvements referred to herein. The GRANTEE covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the GRANTOR, his successors and assigns.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

Said easements are for constructing, reconstructing, laying, relaying, operating and maintaining sanitary sewer gravity and/or force mains and lines, with appurtenances, together with the right to inspect and repair the same and to add to and/or remove or replace the gravity and/or force mains and lines, and appurtenances, with mains, lines and appurtenances of different sizes, types and purposes.

The permanent easement is a perpetual easement, and the construction easement is a temporary easement and terminates upon completion of construction.

These easements include the right of ingress and egress over and upon the above described land of the Grantor for the purposes aforesaid.

There is reserved to the Grantor, his heirs and assigns, the right and privilege to use the above described land of the Grantor at any time, in any manner and for any purpose not inconsistent with the full use and enjoyment by the Grantee, its successors and assigns, of the rights and privileges herein granted.

This easement is to replace an easement between the parties, which is no longer required and Lubeck Public Service District hereby grants and conveys to D. Keith Mayer and Robin A. Smith Mayer, husband and wife, all of its right, title and interest in and to the easement recorded in the aforesaid Clerk's Office in Deed Book 982, page 526.

DECLARATION OF CONSIDERATION OR VALUE

The undersigned hereby declare that the transfer of the above property is exempt from taxation, this being a conveyance to a political subdivision of the State of West Virginia.

D. Keith Mayer, Grantor

Robin A. Smith Mayer, Grantor

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

The foregoing Easement Agreement was acknowledged before me this ____ day of September, 1999, by D. Keith Mayer and Robin A. Smith Mayer, husband and wife.

My commission expires: _____.

Notary Public

This instrument prepared by Lawrence M. Ronning, Attorney at Law,
P. O. Box 1625, Parkersburg, West Virginia 26102