

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, JANUARY 29, 2001

PRESENT: ROBERT K. TEBAY, PRESIDENT
RICK MODESITT, COMMISSIONER
K.D. MERRITT, 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 Rick Modesitt, seconded by K. D. Merritt and made unanimous by Robert K. Tebay, approved minutes from January 8, 2001.

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for Dana R. Wheeler – Tygart District (1998 & 1999); Phillip W. Peggs – Parkersburg City District (2000); Phillip W. Peggs, Sr. – Parkersburg City District (2000); Harvey Bruce Headley – Williamstown District (2000) and for Shirley J. Moellendick – Lubeck District (2000).

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to personal property for Heather L. Wilson – Lubeck District (2000); Pamela D. Walker – Parkersburg City District (2000) and for Speedway Superamerica LLC – Parkersburg City District (2000).

At 10:00 A.M., the County Commission met with Jim Miracle, Chairman of the Wood County Historic Landmarks Commission who gave an update on the groups activities.

At 10:30 A.M., the County Commission met with Sally Davis, John Chalfant, Tammy Bailey, Josie Poling and Sandra Lawrentz to discuss the upcoming Relay for Life.

At 11:00 A.M., the County Commission met with Tim Knopp, grant consultant for Wood County who discussed the Fort Boreman Park project.

At 11:30 A.M., the County Commission met with D.R. Smith, Director of Emergency Services/911; Terry Brown, Wood County Emergency Services/911 Center and Arnie C. Green, Dupont, Wood County 911 Advisory Board. Also in attendance was R.C. Heckert and another gentleman who didn't sign in. Mr. Smith submitted a written report on the incident that happened January 20, 2001 regarding a distress call. A copy of the report is attached to these minutes and shall be made a part thereof. Discussion took place.

At 1:30 P.M., the County Commission toured the Wood County Correctional Center.

The County Commission met with Mayor Jimmy Colombo, who was not a scheduled appointment. Mr. Colombo wanted to address the distress call that Mr. Smith and Mr. Heckert discussed earlier. A copy of the transcript of this meeting is attached to these minutes and shall be made a part thereof.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by K.D. Merritt and made unanimous by Robert K. Tebay, did hereby give APPROVAL to the newly revised Erroneous Assessment Application for Personal Property, Real Property and Supplemental Tickets. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of the On-Site Visit Report of Lora J. Maynard, Justice Programs Specialist with the Division of Criminal Justices, Charleston, WV, in regard to the STOP Violence Against Women Grant Number 99-VAW-014. The aforementioned Justice Programs Specialist performed such On-Site Visit on January 17, 2001, and interviewed Toni Tiano, Project Director; Michael Farnsworth, Assistant Prosecuting Attorney; Ginny Conley, Prosecuting Attorney; Chief Gary Deem of the Vienna Police

Department and Sgt. D.R. McEwen of the Parkersburg Police Department. As stated in the aforementioned Report, the Project Objectives are clearly written, realistic and attainable; Project Records are adequately maintained; the Financial Documents are adequately maintained; Personnel records are on file for staff people; Travel expenditures are adequately documented; and a method for logging volunteer hours is in place and volunteer hours are being used as an in-kind match. As further stated in the Report, the Project Coordinator is working with the Prosecution, the local law enforcement agencies, DHHR, Adult Probation Services, Family Crisis Intervention Center, Child Protective Services, Voices For Children, Mental Health Services, Visitation Services, the local schools and the local hospitals. 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.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by K.D. Merritt and passed, did hereby AUTHORIZE Robert K. Tebay, in his official capacity as President and on behalf of the County Commission, to EXECUTE the letter of request in regard to the STOP Violence Against Women Grant Number 99-VAW-014. The County Commission of Wood County is requesting that the amount of four thousand dollars and 00/100ths cents (\$4,000.00) of the five thousand dollars and 00/100ths cents (\$5,000.00) allocated, be transferred from the Wood County Sheriff's Department Overtime Fund to the Parkersburg Police Department Overtime Fund. 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.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by K.D. Merritt and passed, did hereby AUTHORIZE Robert K. Tebay, 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 00-VAW-014. Wood County incurred expenditures in the amount of three thousand four hundred thirty-one dollars and fifty-one cents (\$3,431.51) during the month of December, 2000. However, the Request for Reimbursement is in the amount of two thousand three hundred thirty-four dollars and seventy-eight cents (\$2,334.78) which represents payment of contractual services provided by Michael D. Farnsworth, Jr., Assistant Prosecuting Attorney, who is responsible for enhancing the Silence Affects Families Everywhere (S.A.F.E.) Team to improve the criminal justice system's response to violence against women; for payment of advertising costs associated with the aforementioned S.A.F.E. Team; for overtime compensation paid to law enforcement personnel of the Vienna Police Department in regard to the STOP Domestic Violence Program. Funds in the amount of one hundred seventy-nine dollars and eighty-two cents (\$979.82) were utilized as cash funds, as set forth in the aforementioned Grant, and is being provided through the remaining salary and benefits provided by the County to the said Michael D. Farnsworth, Jr. In addition to the Request for Reimbursement, the Monthly Progress Report, the Monthly Demographic Reports completed by both the County and the City of Vienna. The Daily Time Records for both the County and the City of Vienna; the Overtime Records, the S.A.F.E. committee minutes and the Project Financial Reports are being submitted to the Criminal Justice Services, Charleston, West Virginia. 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.

The County Commission of Wood County was in receipt of the On-Site visit Report of Lora J. Maynard, Justice Programs Specialist with the Division of Criminal Justice Services,

Charleston, WV, in regard to the Victims of Crime Assistance (VOCA) Grant Number 99-VA-011. The aforementioned Justice Programs Specialist performed such On-Site Visit on January 17, 2001 and interviewed Toni Tiano, Project Director, and Diana Walker, Victim Advocate. As stated in the aforementioned Report, the Project Objectives are clearly written, realistic and attainable; the Records are adequately maintained and in compliance with the Grant Award; the Financial Documents are being provided in a timely and satisfactory manner; Personnel records are on file for staff people; Travel expenditures are adequately documented; and the method of logging volunteer hours is in place and volunteer hours are being used as an in-kind match. As further stated in the Report, Project Coordination is being performed with the Prosecution, the local Law Enforcement agencies, the Victims Services, the S.A.F.E. Team, local hospitals, the County Coroner, local CRASH Team, the local schools and the local churches. Documentation pertaining to the Victims of Crime Assistance (VOCA) 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 Adjustment Number Four (4) from the Division of Criminal Justice Services, Charleston, WV in regard to the Juvenile Accountability Incentive Block Grant Number 99-A-D-017. Receipt of the aforementioned Adjustment Notice changes the AUTHORIZED OFFICIAL from Holmes R. Shaver to Robert K. Tebay as the individual to EXECUTE documents upon behalf of the County Commission in regard to the aforementioned Grant. Documentation pertaining to the Juvenile Accountability Incentive Block 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 Adjustment Number Two (2) from the Division of Criminal Justice Services, Charleston, WV in regard to the Juvenile

Accountability Incentive Block Grant Number 99-A-D-008. Receipt of the aforementioned Adjustment Notice changes the AUTHORIZED OFFICIAL from Holmes R. Shaver to Robert K. Tebay as the individual to EXECUTE documents upon behalf of the County Commission in regard to the aforementioned Grant. Documentation pertaining to the Juvenile Accountability Incentive Block Grant is on file in the Office of the County Administrator.

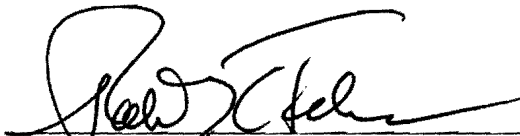
The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by K.D. Merritt and made unanimous by Robert K. Tebay, did hereby ORDER that the estimated quotation in the amount of twelve thousand one hundred seventy dollars and 00/100ths cents (\$12,170.00) received from McHenry Electric Company, Inc., Parkersburg, WV, be ACCEPTED. The aforementioned estimated quotation is for the update of the electrical system at the Mid-Ohio Valley Board of Health, 211 Sixth Street, Parkersburg, WV. McHenry Electric Company, Inc., wishes to do the electrical system update on a time and materials basis; thus, the estimated quotation. An Order was prepared regarding this matter.

Upon a motion duly made, seconded and passed by the County Commission it is hereby ORDERED that the fees for keeping and maintaining prisoners in the Wood County Correctional Center (Jail) for the months of January, February and March, 2001 be \$41.92 per prisoner per day. It is further ORDERED that the appropriate agencies and authorities be notified by forwarding them a copy of the Order that 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


Robert K. Tebay, President


Rick Modesitt, Commissioner


K.D. Merritt, Commissioner

PURCHASE ORDERS APPROVED ON JANUARY 29, 2001

27336	Stuart Oil	2986.40
26417	Assurance Business Forms	48.00
26439	Walmart	58.37
26493	Chapman Printing	269.74
26499	Newberry Hardware	19.10
26511	Uncle Bob's	24.99
26513	Assurance Business Forms	957.20
27104	Bosley Construction	182.11
27390	Broadwaters Motorcar	54.95
27410	NOE Office Equipment	106.50
27412	Astorg Motor	500.00
27418	Emerson Occupational & Industrial Supply	882.00
27430	Workingman's Store	354.99
27452	Parkersburg Office Supply	117.70

To listen to these minutes, please refer to Tape #58



CENTRAL TELECOMMUNICATIONS CENTER
O F W O O D C O U N T Y
911 Core Road, Parkersburg, WV 26101 • 304-420-0911

January 29, 2001

President Robert Tebay
Wood County Commission
#1 Courthouse Square
Parkersburg, WV 26101

RE: R.C. HECKERT 9-1-1 COMPLAINT

Dear President Tebay:

On Thursday, January 25, 2001, Mr. R.C. Heckert appeared before this Commission and gave a statement that insinuated that the 9-1-1 Center had failed to respond to his request for assistance on Saturday, January 20, 2001. On behalf of the employees of the Central Telecommunications Center, I adamantly refute his charges.

The 9-1-1 Center has been operational since June 1, 1999. We were charged by this Commission to operate this call center with compassion, accuracy and rapid response. We have operated with minimum staffing and, on a daily basis, deal with the myriad problems typical of a call center. Never have we failed to give aid and assistance to the public or emergency responders when requests for service are made. We have made mistakes. However, we learn from them and strive to improve on our ability to complete our assigned tasks. Was a mistake made in this instance? Absolutely not.

In his statement, Mr. Heckert said that 9-1-1 did not work when he called for help. I have four tapes of conversations of calls made by myself, telecommunicators and Assistant Director Terry Brown with the following people and agencies: Mike Pifer, Pifer's Towing; Petty Officer Whitney, U.S. Coast Guard; Neal Towing; Atlas Towing; Dravo Towing; Captain Dean, Parkersburg Fire Department; Parkersburg Police Department; and Chief John Burgy, Wood County Rescue Squad. All of these calls were made in an effort to help Mr. Heckert get his boat secured from the ice pack on the Little Kanawha River.

Mr. Heckert never gave a clear reason for being on the river. He is quoted as saying that I do not know anything about the river. Mr. Heckert stated that his engine failed and that was why he became stuck in the ice and debris on the river. On tape three, time stamped 2117 hours, Mr. Heckert can be heard saying "If anyone ever asks, we backed down here and the engine quit running." This statement makes me question what purpose Mr. Heckert really had for being on the river.

Mr. Heckert also stated in his complaint that all he wanted was a john boat to bring a line out to his boat. In his conversations with me by telephone, he said that a john boat would not work. He wanted the twin engine boat that the Parkersburg Fire Department had. I informed him that the city did not own such a boat, only a single-engine outboard.

The first call from Mr. Heckert came at 1958 hours advising he was stuck in ice on the Little Kanawha River. I met with Chief John Burgy of Wood County Rescue at the scene. We discussed the possibility of putting the Rescue Squad's boat in. John advised that the boat was being winterized and that he did not have anyone qualified to handle a boat in this type of weather.

Terry Brown contacted Captain Dean of the Parkersburg Fire Department. He advised that the department boat could not be launched because there wasn't a place above the Heckert vessel where he could safely put in nor did he feel that he could put a crew out on the boat in this type of weather.

Mr. Heckert stated in his complaint that I advised the U.S. Coast Guard that all boats in Wood County were being winterized. That is not true. I did not say that.

Mr. Heckert said that there was never a tone activated for a Volunteer Fire Department. That is correct. It was determined that his position on the river was within the city limits. The primary responsibility for river response rests with the Department of Natural Resources and the U.S. Coast Guard because the Little Kanawha River is used by commercial vessels.

Mr. Heckert stated that I didn't call anybody. In fact, a total of 46 telephone calls were made by myself, Terry Brown and the telecommunicators regarding his request for help. Mr. Heckert called from his vessel ten times. There were numerous radio transmissions with the Parkersburg Police Department and Wood County Rescue. From 1958 hours when the call came in, to 0337 hours, the Heckert vessel was in constant contact with myself or Terry Brown, who made numerous inquiries with various individuals and agencies in a dedicated effort to assist Mr. Heckert.

Mike Pifer called the Center at 0120 hours advising that the Heckert boat was dislodged from the ice jam but the cable had snapped and the boat was moving downstream with the current in a large pack of ice. Scott Heckert called the Center at 0234 hours and thanked everyone for their help and assistance. Wood County Rescue 19 advised Terry Brown by radio at 0337 hours that the boat was tied off at Point Park.

A total time of five hours and 22 minutes had elapsed from the time of the original call until the vessel was free from the ice jam, not seven or eight hours as Mr. Heckert mentioned in his complaint.

Mr. Heckert stated that one individual should not be responsible for Emergency Services and 9-1-1. I take issue with that statement. The Incident Command System is recognized as the centerpiece for managing emergencies. This system requires one person to be in charge of an incident.

Since the inception of the Central Telecommunications Center, we have worked with the Fire Departments to develop the call out procedures they use. I did not write the procedures. The fire departments wrote their own procedures and that is what is used by the Central Telecommunications Center. All police agencies as well as emergency medical service personnel are dispatched according to protocols prepared by those agencies. No agency in Wood County is operating under any mandate from the Central Telecommunications Center. The Center receives information and distributes that

information to the proper responders. At no time has the Central Telecommunications Center had the authority to directly control any agency.

Mr. Heckert stated that the problem with 9-1-1 had almost cost him his life. There was no danger of major flooding and the ice was moving on the river. Two years ago, a large ice jam formed on the Little Kanawha. I requested assistance from the State Office of Emergency Services and the U.S. Army Corps of Engineers provided a Hydrologist Engineer. Nelson Towing of Point Pleasant spent approximately 17 hours dislodging ice and clearing the channel. Nelson Towing then moved the Heckert vessel to the Ohio River to escape further ice jams. That situation was far more dangerous than what occurred on Saturday evening. The total cost of the emergency operation was approximately \$15,000. It was conducted successfully and without loss of property.

I believe that the 9-1-1 system in Wood County works extremely well and will continue to improve. Without 9-1-1, a similar situation would have spiraled out of control because of the lack of linked communications. We were able to talk to multiple agencies and maintain open lines for the citizens of Wood County to use for other emergency matters during this entire incident. If Mr. Heckert has a personal problem with me or disagrees with my management of Wood County Emergency Services and 9-1-1, then he should discuss the matter with me. There is no basis for his conclusion that 9-1-1 doesn't work.

The telecommunicators and staff of the Central Telecommunications Center are as dedicated and skilled as any in West Virginia. The demands put on these people are staggering and they are to be commended for the outstanding work that they perform twenty four hours a day, seven days a weeks in all types of weather and uncontrolled situations.

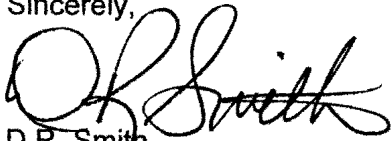
I have been accused of being defensive of the 9-1-1 Center. I have to agree with that comment. If I, as a director, cannot defend the efforts of the employees in my charge, then I do not deserve their respect and dedication. I will continue to fight for every ounce of respect and assistance that I can for the employees of the Central Telecommunications Center since I demand razor sharp knowledge and skills from them.

When I was appointed Director of Emergency Services in 1996, Wood County did not have a Local Emergency Planning Committee and had not received grant funding since 1986. There was no Emergency Operations Plan or functional Emergency Operations Center. Wood County is now one of twelve counties in the state with a working L.E.P.C and has received over \$60,000 in grants because of the work that has gone into getting Emergency Services properly prepared for its designed purpose. Wood County has been honored at the State Emergency Response Conference for programs dealing with Counter Terrorism and Commodity Flow Studies. Our Emergency Operations Plan and Commodity Flow Study have been used as a model by other counties. Wood County and Washington County, Ohio are the first counties from different states to combine emergency response through the Community Alert Network. Wood County was second in the state to complete its Risk Management Plan. The 9-1-1 Center has been recognized by Verizon as the third largest center in the state and is the only fully integrated Public Service Answering Point in West Virginia. Our Center is equipped to handle the Phase I implementation for cellular phones. I am also honored to have been selected by 9-1-1 directors around the state as last year's as president of the West Virginia E- 911 Council. I have dedicated myself to making Wood County Emergency

Services and Central Telecommunications Center the best in West Virginia and I will not stop until that goal is reached.

We have not shirked our duties at Central Telecommunications Center. We have worked long and hard to realize our goals. If I have ever given you the appearance that I am conducting these operations to the best of my ability for the purpose of personal recognition, I assure you that nothing is further from the truth. I have weaknesses and I will strive to improve upon them. I do take great pride in my ability to be loyal. From my first day as Emergency Services Director, I have taken my responsibilities very seriously. I will continue to do so with that same enthusiasm.

Sincerely,

A handwritten signature in cursive script, appearing to read "D.R. Smith". The signature is written in black ink and is positioned above the typed name and title.

D.R. Smith
Director

Wood County Emergency Services/9-1-1

January 29, 2001

Jim Miracle	WC Historic Landmarks
John Chaloux	Relay For Life
Sally H. Davis	Relay For Life
Jimmy Bailey	Relay For Life
Josie Poling	Relay for Life - ACS
Pandra Lawrentz	Relay for Life - ACS
Tim Knopp	Grant Consultant
DR Smith	Wood County ES/911
Terry Brown	Wood County ES/911
Arnie C Green	DuPont Wood Cty 911 A Board
R C Heddy	Individual
Jimmy Pollock	City of Hecksburg

TRANSCRIPT OF MEETING HELD JANUARY 29, 2001
WOOD COUNTY COMMISSION OFFICE
WOOD COUNTY COURTHOUSE

THOSE IN ATTENDANCE WERE: ROBERT K. TEBAY, RICK MODESITT, K.D. MERRITT (COMMISSIONERS) AND MAYOR JIMMY COLOMBO.

Robert Tebay – Did you sign in Jimmy?

Jimmy Colombo – Yes, I did. Basically I would like

Robert Tebay – Colombo on behalf of citizen Colombo or Mayor Colombo?

Jimmy Colombo – Mayor Colombo. Not knowing what transpired here this morning with Mr. Smith's letter to you about the incident on the Little Kanawha River. In reading his letter to you, I would like to bring to your attention to two (someone coughs). Number one, on page two, um, he mentioned that Terry Brown contacted Captain Deem, of the Parkersburg Fire Department, he advised that the department could not be launched, the boat could not be launched because there wasn't a place above Heckert's vessel where he could safely put in nor did he feel, put a crew out in this type of boat. Well, the initial request was for a Boston Whaler, they thought we had a Boston Whaler with an inboard motor, which we do not have. We have a fiberglass boat (inaudible) with an outboard motor, which is totally inappropriate for this kind of thing, but, the way these things are done is not done through proper channels even though that through his request further down the next paragraph after that, Mr. Heckert said there was never a tone activated for a volunteer fire department. That is correct according to D.R. Smith, which is correct. It was determined the position of the river was in the city limits. Well, I don't know about that but Mr. Heckert, D.R. Smith has covered many floods there in Happy Valley and he knows that that river there is not in the City of Parkersburg. The City of Parkersburg line comes up right through here and goes across the Fifth Street fill, cuts across the other way, goes by the plants, cuts back into the river, where Murray's house is, it stays on the bank for a short ways up through there. The river is not (inaudible) it is the district, it is the fire district of either Eastwood or Blennerhassett, whoever, whoever calls that. If this tone was activated and asked for help, there actually would have been, I'm sure Rick you've been in this before about mutual agreements with cities and things, if that tone was activated in the City of Vienna, pardon me, the city of, either of those fire

departments called for help, our fire department would have been there to help them. But, we would not have been on the scene unless the mutual aid agreement would have been called and that fire, volunteer fire department had to be called out and they were not called out, so . I don't know, I think this puts our people in a bad light, also puts our city police in a bad light too, because I don't think, um, and they follow the mutual aid kind of thing too. Unless they were called out by whomever, you know the state (inaudible) how's that work (inaudible)

Robert Tebay – I don't think the City police had been called out at all, the Sheriff's Department

Rick Modesitt - No, I think the only call that was made, or that he told me about was he called Captain Deem, at the fire department and asked for the boat

Jimmy Colombo – He asked for a Boston Whaler, which is a wooden boat with a reinforced hull with inboard motor and we do not have that kind of boat.

Rick Modesitt – You had some type of outboard (inaudible) But he asked for a boat to be launched he said (inaudible)

Jimmy Colombo – But, but for us to be, for us to be there, it would've had to been a request from, my understanding of how the rules go, participation through the volunteer fire department would have called us and we would have been there. I'm just saying that I feel that puts our people on bad language, I don't think that is proper. I would have the city (inaudible) the rest of this thing, but I mean, I don't want you to think that we're not here to help him. I personally helped Mr. Heckert last year when he was stranded in a boat there, and no body would talk to the lock people, I called the Belleville lock people and they were kind enough to drop the water for him a foot, a foot, just so the ice would start moving again. I worked with him before on that. That's not because it was in the city, I believe that's not in the city then, but I mean if somebody calls for help, then I'm sure you guys would do the same thing, you would help also.

Robert Tebay – Well, you know, we (inaudible) I don't know where the money came from, the Governor's Office I think, to move, ice plowed the last time, trash, brush and stuff up there

Jimmy Colombo – That was through mitigation, Bob, that was through mitigation and actually you're not familiar with that, but that one pier, there's a hug hole that goes straight down. In fact, those tall trees that you see floating down the water

can actually go straight down and stand up and you never see the top of them. That's what attracts that (inaudible) You know, we try to, after that was over, (inaudible) D.R. tried to get further mitigation that would go into Worthington Creek and take care of some of that (inaudible) there. But that particular case that you talked about, there is a huge sinkhole, massive hole.

Robert Tebay – The contractor didn't clean the hole out, I guess.

Jimmy Colombo – I don't think they can, need to fill it up somehow....

Robert Tebay - Stone or something

Jimmy Colombo – It's huge, you can stand one of those huge trees right up in it and that's what happened, trees go up and attracts the wind and holds things. That's all. Thank you very much for allowing me to be here today. Appreciate it.