

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
THURSDAY, JUNE 28, 2001

PRESENT: ROBERT K. TEBAY, PRESIDENT  
RICK MODESITT, COMMISSIONER  
K.D. MERRITT, COMMISSIONER

At 9:00 A.M., the County Commission of Wood County met in special session to discuss cell towers in Wood County. They met with Ginny Conley, Prosecuting Attorney, who stated she is drafting an ordinance. Due to the recent interest and substantial growth in the construction and erection of wireless telecommunications facilities within the County of Wood, the Wood County Commission, upon a motion made by Rick Modesitt, seconded by K.D. Merritt and made unanimous by Robert K. Tebay, hereby issues the following order to more effectively protect the health, safety, and welfare of the community. To assure the proper development of wireless telecommunications facilities and towers within Wood County, the County Commission will be reviewing the procedures governing the filing and reviewing of an application and for the granting of a permit to construct or use wireless telecommunications facilities or other tall structures for the purpose of providing wireless communication services. The County Commission has determined that a reasonable time to complete its review and to enact any required laws is deemed to be no more than three (3) months from the date this ORDER is entered. The County Commission will continue to accept and process applications and permits. However, if a permit is issued, it will be issued pursuant to any changes in the local law. It is **HEREBY ORDERED** no more than a three-month interim application process on the issuance of permits by the County on an application for the construction of wireless telecommunications facilities and related facilities. An Order was prepared regarding this matter.

They signed purchase orders, invoices and other correspondence.

At 9:30 A.M., the County Commission met with Mike Westfall from BOCA International; Jim Smith, Abandoned Building Committee and Keith Litton, Compliance Officer. They discussed codes for grass, trash, property, etc. Commissioner Merritt and Commissioner Modesitt want to form a committee with assorted members to determine what should be in an ordinance.

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 May 15, 2001 and May 17, 2001.

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to personal property for Gerald M. Shaffer – Williams District (2001) and for Bobby L. McClung – Lubeck District (2000). The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for Paul D. Hancock – Union District (2000, 2001); James Lee Hook – Vienna District (2001); Randy J. Givens – Vienna District (2000 & 2001); Tony A. Parker – Parkersburg City District (2001) and for Sheila L. Green – Parkersburg District (2001).

The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt 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 addressed to the Department of Health and Human Resources, Charleston, WV, with Letters of Understanding in regard to the Early Intervention/Family Support Grant Number G010594. The

aforementioned Letters of Understanding are for the Y.I.E.L.D. Program, the Q.U.I.T. Program and the P.E.A.C.E. Program. Documentation pertaining to the Early Intervention/Family Support Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

At 10:00 o'clock A.M., the County Commission opened sealed bids for an air conditioning unit(s) to be installed at the Mid-Ohio Valley Board of Health, 211 Sixth Street, Parkersburg, WV. Receipt of such bids is pursuant to an Order appearing in Order Book 64, at Page 516 and bearing the date of June 7, 2001, at which time the County Commission ORDERED that the bid be let; and further pursuant to a Legal Notice appearing in both local newspapers, The Parkersburg News and The Parkersburg Sentinel on June 12, 2001 and on June 19, 2001. Sealed bids were received from the following vendors.

1. Steers Heating & Cooling, Inc.  
3311 Dudley Avenue  
Parkersburg, WV 26104  
Bid: \$24,044.00 - Second Floor  
24,044.00 - Third Floor  
21,587.00 - First Floor
2. Murray Sheet Metal Company, Inc.  
3112 Seventh Street  
Parkersburg, WV 26101  
Bid: \$26,333.00 - per floor  
79,000.00 - total
3. American Heating & Air Conditioning Company  
3518 Elm Street  
Parkersburg, WV 26104  
Bid: \$21,823.51 - First Floor  
22,467.01 - Second Floor  
22,789.65 - Third Floor  
67,080.17 - All three Floors
4. Pleasant Air Heating & Cooling, Inc.  
P.O. Box 434  
St. Marys, WV 26170

Bid: \$20,845.00 - Price per floor  
62,535.00 - Price for total project

5. Tri-State Roofing & Sheet Metal Company

P.O. Box 188

Davisville, WV 26142

Bid: \$29,990.00 - Price per floor

(Performance bond – additional \$713.00 per floor)

6. Appalachian Heating

P.O. Box 770

Bradley, WV 25818

Bid: \$28,219.00 - Price for each system

7. Singer Sheet Metal Company, Inc.

P.O. Box 7

Parkersburg, WV 26102

Bid: \$31,905.00 - First Floor

\$31,393.00 - Second Floor

\$31,393.00 - Third Floor

\$92,071.00 - Price for total project

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 take the bids under consideration. An Order was prepared regarding this matter.

At 10:30 A.M., the County Commission held a hearing in regard to the Carrie Mixer estate. Attorney was Dave Palmer.

At 10:45 A.M., the County Commission met with Harold Yglesias in regard to the naming of his road. Mr. Yglesias thinks 911 is great, but doesn't like the name his street has been changed to. Mr. Yglesias presented a letter of what he would like his street named. The Commission instructed Mr. Yglesias to send a letter of request to D.R. Smith at the 911 Center.

The County Commission made a motion to pay the dues to the Association of Counties.

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 DENY the

request made by Edward T. "Pete" Wasmer III to rename Moats Street to Wasmer Avenue due to the fact that Moats Street was named after the Moats family. The aforementioned Moats Street is located in Williams Taxing District with access from 46<sup>th</sup> Street, Vienna, WV.

An Order was prepared regarding this matter.

At 11:00 A.M., the County Commission held a hearing in regard to the guardianship of Alexandra and Charles Seaford, minors. Attorney was Rick Wolfe. Mr. Wolfe is the attorney for Jamie Seaford. Judy Nichols is Jamie Seaford's mother. The County Commission, upon a motion duly made, seconded and passed, appointed Judy Nichols as guardian for Alexandra and Charles Seaford.

At 11:30 A.M., the County Commission met with Chris Allen from Acordia to discuss insurance quotes. Mr. Allen asked for a 30-day extension.

The current County Commission of Wood County became aware that an ORDER had been inadvertently omitted from the Court Order Book in regard to a one million dollars and 00/100ths cents (\$1,000,000.00) Grant by the County Commission in 1999 to LUIGINO'S, Inc. As reflected in the minutes of the meeting held by the County Commission of Wood County on Monday, June 28, 1999, a motion was made by David A. Couch, seconded by Robert K. Tebay and made unanimous by Holmes R. Shaver to approve a one million dollars and 00/100ths cents (\$1,000,000.00) Grant to Luigino's, Inc. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and made unanimous by Robert K. Tebay, did hereby EXECUTE the Wood County Correctional Center Letter of Agreement with the Mid-Ohio Valley Health Department. The Mid-Ohio Valley Health Department will provide up to one (1) provider clinic per month at the Wood County Correctional Center, and the County Commission will be billed

for provider and nursing services not to exceed five thousand dollars and 00/100ths cents (\$5,000.00) per month. Provider services would also be available to Wood County female citizens incarcerated in the Wirt County Jail facility on a one (1) clinic per week basis. Sick call will be available at the Wood County Correctional Center five (5) days a week, Monday through Friday, and nursing professionals will be made available for court cases as necessary at the hourly charge of thirty-five dollars and 00/100ths cents (\$35.00) per hour and mileage at the rate of thirty four and one half cents (\$.345) per mile. The County Commission will be billed at the rate of fifteen dollars and 00/100ths cents (\$15.00) per hour for dietary services provided by the WIC staff which includes the setting-up and/or the reviewing of menus for the Correctional Center. The aforementioned Letter of Agreement is for the period of July 1, 2001 through October 31, 2001, or until such time it ceases to exist as a full-time Correctional Center. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and passed, did hereby AUTHORIZE Robert K. Tebay, in his official capacity as President and on behalf of the County Commission, to enter into an AGREEMENT by and between the County Commission of Wood County, Parkersburg, West Virginia, and Professional Services Industries, Inc., 153 Williams Highway, Parkersburg, West Virginia, in regard to concrete cylinder testing for the Wood County Planning Commission. The aforementioned testing consists of a compressive strength testing of concrete samples taken at the site by the County Compliance Officer at the time of pouring concrete at any specific subdivision as required by the Subdivision Regulations for Wood County. The cost per cylinder for such testing is in the amount of thirteen dollars and 00/100ths cents (\$13.00) which includes

a complete report furnished to the Office of the County Administrator to be filed in the appropriate subdivision file. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of the Approval of the Request for Revision to Approved Budget from the West Virginia State Auditor, Chief Inspector Division, Charleston West Virginia, in regard to Revision No. 14 in the General County Fund budget for the fiscal year 2000/2001. Receipt of said Approval is pursuant to an Order appearing in Order Book 64, at Page 526 and bearing the date of June 25, 2001, at which time the Request for Revision was signed by Robert K. Tebay, President of the Wood County Commission. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and passed, did hereby AUTHORIZE Robert K. Tebay, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Standard Maintenance Service Agreement by and between Noe Office Equipment, Parkersburg, West Virginia, and the County Commission of Wood County, Parkersburg, West Virginia. The aforementioned Maintenance Service Agreement is on a Model 4910, Serial Number XK032707, Copy Machine located in the Office of the Assessor and covers the period of June 28, 2001 to June 28, 2002. The annual rate is in the amount of six hundred forty-nine dollars and twenty-eight cents (\$649.28) for twenty thousand (20,000) copies per year, with any overage at \$.032 per copy. The aforementioned Service Agreement includes labor, parts, drum, and all consumables except paper and toner. An Order was prepared regarding this matter.

D.R. Smith, Director of Wood County Emergency Services/9-1-1, presented to the County Commission of Wood County a letter stating that the request from Timothy T. Miller, President of Miller Communications, Inc., and Managing Member of Hi-Tech Business

Associates, L.L.C., to name the driveway to the Hi-Tech Business Park does not interfere with the scheduled readdressing and mapping for the 9-1-1 Master Street Addressing Guide. Mr. Miller has requested the driveway be named WIRELESS WAY. The driveway to be known as WIRELESS WAY provides access to the aforementioned business park from Jewell Road as stated in Mr. Miller's letter. The driveway to be known as WIRELESS WAY is located in Lubeck Taxing District and the request by Mr. Miller is in accordance with Chapter 7, Article 1, Section 3 of the Code of West Virginia, 1931, as amended, which deals, in part, with the County Commission naming or renaming thereof of roads, ways, streets, avenues, drives and the like to assure uniform, nonduplicative conversion of all rural routes to city-type addressing on a permanent basis. The aforementioned driveway to be known as Wireless Way is approximately three hundred (300) feet in length. The County Commission does hereby find that the said request, made in writing, by Mr. Miller, and the letter of approval from the Wood County Emergency Services/9-1-1 is in proper form and is hereby ORDERED to be filed. NOW, THEREFORE, 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, does hereby ORDER that the aforementioned newly created road be named WIRELESS WAY. The County Commission does further ORDER that a copy of the ORDER, with tax map attached, be certified by the Clerk of the County Commission for entry in the Office of the Clerk of the County Commission of Wood County. An Order was prepared regarding this matter.

D.R. Smith, Director of Wood County Emergency Services/9-1-1, presented to the County Commission of Wood County a letter stating that the request from homeowners on roads named Brierwood Drive and Brierwood Circle located in Section 5 of Brierwood Subdivision to rename the roads in said Subdivision to Timberland Drive and Millstone Lane, respectively, does



not interfere with the scheduled readdressing and mapping for the 9-1-1 Master Street Addressing Guide. The renamed roads to be known as TIMBERLAND DRIVE AND MILLSTONE LANE provide access in the aforementioned Subdivision as stated in the petitioner's letter. The renamed roads to be known as TIMBERLAND DRIVE AND MILLSTONE LANE are located in Williams Taxing District, and the request by the aforementioned homeowners is in accordance with Chapter 7, Article 1, Section 3 of the Code of West Virginia, 1931, as amended, which deals, in part, with the County Commission naming or renaming thereof of roads, ways, streets, avenues, drives and the like to assure uniform, nonduplicative conversion of all rural routes to city-type addressing on a permanent basis. The County Commission does hereby find that the said request, made in writing, by homeowners of Brierwood Subdivision, Section 5, and the letter of approval from the Wood County Emergency Services/9-1-1 is in proper form and is hereby ORDERED to be filed. NOW, THEREFORE, 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, does hereby ORDER that the aforementioned renamed roads be named TIMBERLAND DRIVE AND MILLSTONE LANE. The County Commission does further ORDER that a copy of the ORDER, with tax map attached, be certified by the Clerk of the County Commission for entry in the Office of the Clerk of the County Commission of Wood County. An Order was prepared regarding this matter.

Jeffery Board and Jessica Davis were sworn in as part-time help in the Wood County Assessor's Office.

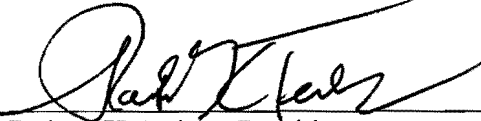
Dawn Huxley, Cindy Mowery and Angie Wix were sworn in as Deputy Assessors with the Parkersburg/Wood County Humane Society.

Shana Modesitt and Amanda Mowery were sworn in as Dog Wardens, Humane Officers, Deputy Assessors and Special Officers for the Parkersburg/Wood County Humane Society.

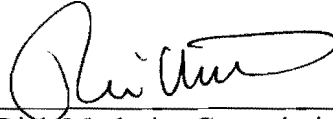
Having no further scheduled appointments or business to attend to, the County Commission adjourned at approximately 12:30 P.M.

Approved:

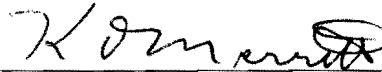
THE COUNTY COMMISSION OF WOOD COUNTY



Robert K. Tebay, President



Rick Modesitt, Commissioner



K. D. Merritt, Commissioner

PURCHASE ORDERS APPROVED ON JUNE 28, 2001

26793	Mid-South Uniform Supply	73.13
26825	Tri-State Roofing	755.25
26833	Stuart Oil Company	2616.87
26837	Parks Hardware & Supply	12.28
26839	State Electric Supply	77.96
26841	Industrial Rubber Products	27.05
27904	Chapman Printing Co.	192.15
27928	BI Incorporated	6411.41
27948	Hicks Outdoor Advertising	3400.00
27986	Sir Speedy Printing	16.25
28002	Chapman Printing	152.00

28006	Battery Zone	438.00
28008	Hornor & Harrison	184.50
28018	Wharton Cadillac	19.85
28026	Office Depot	17.27
28028	Tri-State Roofing	373.50
28032	Wal-Mart	200.24
28036	Broadwaters Motorcar	25.20
28040	Office Depot	99.99
28042	Walmart	416.55
28048	Office Depot	319.98
28050	Parker Electric	231.00
28056	Kramer's Photo Supply	39.69
28082	Pleasant Air Heating & Cooling	62535.00

June 28, 2001

Ginny Conley  
James E. Smith  
Michael M. Westfall -  
KEITH LITTON  
Harold Yglesias  
Judy Nichols  
Jamie Deafal  
Kurt Wolf  
Chris Allen