

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, SEPTEMBER 5, 2002

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 invoices and other correspondence.

The County Commission, upon a motion duly made, seconded and passed, approved an Erroneous Assessment Application in regard to real property for Frank A. Saubier, Jr. – Parkersburg City District (2002).

The County Commission, upon a motion duly made, seconded and passed approved Erroneous Assessment Applications in regard to personal property for Family Christian Stores – Vienna District (2002) and for Ronald G. Barr – Lubeck District (2002).

At 10:00 A.M., the County Commission held a hearing in regard to the Annexation of Property by Minor Boundary Adjustment, Parkersburg District. Attorney Joseph Santer and Donna Davis from the City of Parkersburg were present. The Commission finds that the Petition is in proper form and the area proposed to be annexed is a proper subject for annexation by minor boundary adjustment and therefore, it is ORDERED that said property, be and the same are, hereby annexed by minor boundary adjustment, to the petitioner herein and, accordingly, the corporate limits of

Parkersburg, WV 26102

Bid: 2003 Envoy

\$26,503.00 Each

Total - \$53,006.00

Upon a motion made by Rick Modesitt, seconded by K.D. Merritt and made unanimous by Robert K. Tebay, the aforementioned bids were taken under advisement until such time as the bids may be reviewed by the Sheriff's Department. Upon the recommendation of the Sheriff's Department, 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 AWARD the bid for the two (2) vehicles to Mullen Motors, Thirteenth at Liberty, Parkersburg, WV. The Sheriff's Department cited safety features and better warranty as the basis for their recommendations. An Order was prepared regarding this matter.

At 10:45 A.M., the County Commission held a hearing in regard to the Vernon McGown estate. Attorney David Palmer was present and asked that one of his employees be appointed administer of the estate without bond. No money will be handled. The County Commission, upon a motion duly made, seconded and passed, appointed Stephanie Waldron.

At 11:00 A.M., the County Commission met with Charles Dailey to discuss a building permit that will be expiring. Mr. Dailey told the Commission he heard that his building permit would not be renewed; that some of his neighbors have been helpful and kind to him; some of his neighbors have joined together to bring a hardship on him; Joel Stout went on his property making accusations. More discussion took place. Mr. Dailey thinks the neighbors are trying to humiliate him; he explained his family's health problems (Mother and wife). Mr. Dailey quoted some items from the bible. Mr. Dailey helped one of his neighbors and didn't charge him a penny; he has offered to hang dry-wall; he doesn't fit in with the clique; someone cut trees on the Burdette property and he asked for the wood for his furnace and they told him he

could have it, he went to examine the wood and a neighbor accused him of lying and stealing and the neighbor wanted to cause him bodily harm; they have destroyed his siding on his house, he has had two flat tires and found sharp glass near his car; he is insured by State Farm; they have made it most difficult for him to finish his first project; there is a veteran excavator in his neighborhood and has never offered to help him; there is a building contractor who has never offered to help him; Mr. Poole is an expert landscaper; they don't choose to offer to help, but they choose to come to the Commission to complain; they have the option to buy him out; he can't make any promises on how long it will take him or how long they can afford to live where they are. More discussion took place. Mr. Dailey stated he has not done anything intentionally to provoke his neighbors or intentionally bring down the value of the property. Commissioner Merritt stated that he has brought down the value. Commissioner Tebay stated that the building permit was issued for a year plus thirty days and wants him to come back in thirty days with the project either done or a plan of how he can be helped. Commissioner Merritt suggested he talk to people and see what he can get done; he doesn't want him to bad mouth his neighbors and he won't listen to them bad mouth him; he would be upset too if he lived there and that house set there for ten months. Commissioner Merritt said that he could come up with a plan and if he needs ideas, he can call the Commission and ask for ideas on how he can get help with certain things; you have to have a goal. More discussion took place. Discussion took place about an article in the paper. Commissioner Merritt stated the Commission wasn't taking sides; they want what is good for everyone. Commissioner Modesitt stated that was a safety issue and a construction site that hasn't been touched in ten months. More discussion. Commissioner Tebay stated they would have to have definite plans before they will renew the building permit. The Commission would like him to come back on

September 30, 2002. Mr. Dailey wants to know what happens if he doesn't get this done or changed. Commissioner Modesitt stated they would go through Circuit Court and have a judge tell you what you're going to do and when you're going to do it.

After this meeting, the County Commission met with Jack Ankrom, EDG Inc. to discuss plans for Fort Boreman. Mr. Ankrom suggested "revisiting" the master plan to make sure things are still going to work. Bob Enoch, Fort Boreman Park Commission member, was present for this meeting.

The Commission then met with Jack Buckley, Maintenance Superintendent to discuss the demolition of the Recreation Area of the Holding Center.

The County Commission of Wood County, upon a motion duly made, seconded and passed, announced that a vacancy will exist on the Wood County Recreation Commission. Said vacancy is pursuant to the expiration of Jamie Sprague's term on September 15, 2002 and is further pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing 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 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 a RESOLUTION in which it is resolved that the County Commission of Wood County does hereby AGREE to the terms as set forth in the Governor's Community Partnership Grant Program Application for the fiscal year 2002. The aforementioned Application is in the amount of eighty-three thousand three hundred eighty-four dollars and 00/100ths cents (\$83,384.00) to construct a community hall to the existing fire station of the Mineral Wells

Volunteer Fire Department. Documentation pertaining to the Governor's Community Partnership Grant Program is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

Pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing with the procedure policy for appointments to Boards and Authorities, the County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by Robert K. Tebay and made unanimous by K.D. Merritt, placed Sean Andrews in nomination to replace Jamie Sprague on the Wood County Recreation Commission. 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 a RESOLUTION in which it is resolved that the County Commission of Wood County does hereby AGREE to the terms as set forth in the Local Economic Development Assistance Program Application for the fiscal year 2003. The aforementioned Application is in the amount of twenty-nine thousand five hundred sixty-dollars and 00/100ths cents (\$29,560.00) for the purchase of a breathing air compressor to fill breathing air bottles for fire fighting, and for the purchase of radios for each of the Mineral Wells Volunteer Fire Department engines with communications capable of speaking with any firefighter at a moment's notice. Documentation in regard to the Local Economic Development Assistance Program, to be utilized by the Mineral Wells Volunteer Fire Department, 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 Request for Reimbursement in regard to the Juvenile Justice and Delinquency Prevention Program Grant Number 02-JJV-079. No expenditures were incurred during the month of August, 2002. In addition to the Request for Reimbursement, the Monthly Reports, the Financial Recap, the Monthly Supervisor's Reports and the Project Financial Report are being submitted to the Division of Criminal Justice Services, Charleston, West Virginia. Documentation pertaining to the Juvenile Justice and Delinquency Prevention 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 Rick Modesitt, seconded by K.D. Merritt and made unanimous by Robert K. Tebay, did hereby give APPROVAL to the CHANGE ORDER from Schneider Construction Company, Parkersburg, West Virginia, in regard to the Mineral Wells School Sidewalk project. The Contract Sum of fifty-eight thousand dollars and 00/100ths cents (\$58,000.00) will increase in the amount of twelve thousand three hundred seventy-seven dollars and sixty-eight cents (\$12,377.68) making the new Contract Sum in the amount of seventy thousand three hundred seventy-seven dollars and sixty-eight cents (\$70,377.68). The seeding of grass on the properties has not been completed at this time; therefore, the County Commission will hold the amount of two thousand dollars and 00/100ths cents (\$2,000.00) as retainage until this has been completed. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion duly made, seconded and passed, did hereby AUTHORIZE Robert K. Tebay, in his official capacity as President and on

behalf of the County Commission, to EXECUTE a PTA AWARENESS MONTHS PROCLAMATION. 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 ORDER the purchase of a sandblasted sign from Sign Language Design, Parkersburg, West Virginia, for Veterans Park. The said sign is a one-sided forty-four (44) inches by sixty (60) inches, in size, with red, white and blue ribbons with full color eagle, and will be installed at the entrance to the aforementioned Veterans Park with two (2) pressure treated poles for the amount of one thousand nine hundred sixty-five dollar and 00/100ths cents (\$1,965.00). 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 Request for Reimbursement in regard to the Juvenile Justice and Delinquency Prevention Program Grant Number 02-JJV-079. No expenditures were incurred during the month of July, 2002. In addition to the Request for Reimbursement, the Monthly Reports, the Financial Recap, the Monthly Supervisor's Reports and the Project Financial Report are being submitted to the Division of Criminal Justice Services, Charleston, West Virginia. Documentation pertaining to the Juvenile Justice and Delinquency Prevention Program Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

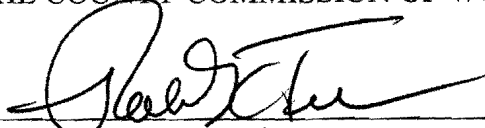
Mary R. Rader, Director of the Wood County Planning Commission, presented to the County Commission of Wood County, a plat of Patriot Point Subdivision. The said Patriot Point Subdivision consists of ten (10) lots, is located in Slate Taxing District and is being

developed by Kenneth K. Carney and E. Denese Carney. Mineral Wells Public Service District will provide water facilities, and sewer facilities will be provided by individual septic tanks. All other utilities will be provided by the respective utility companies as stated in their letters. A Soils Report for the aforementioned Subdivision has been prepared by the Natural Resources Conservation Service and a Construction Sediment Control Plan has been prepared and submitted to the Division of Environmental Protection, Charleston, West Virginia. A Homeowners' Association, along with Restrictions, for the Subdivision known as Patriot Point Subdivision has been reviewed and given approval. A bond in the amount of forty-one thousand two hundred fifty dollars and 00/100ths cents (\$41,250.00) has been set by the Planning Commission to insure improvements in the aforementioned Patriot Point Subdivision are completed in accordance with the Subdivision Regulations for Wood County. Following discussion and review, 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 position as President and on behalf of the County Commission, to EXECUTE the aforementioned plat of Patriot Point Subdivision for recordation. An Order was prepared regarding this matter.

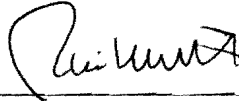
Having no further scheduled appointments or business to attend to, the County Commission adjourned at approximately 2:00 P.M.

APPROVED:

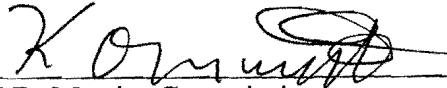
THE COUNTY COMMISSION OF WOOD COUNTY



Robert K. Tebay, President



Rick Modesitt, Commissioner



K.D. Merritt, Commissioner

To listen to this meeting, please refer to Tape #201 and Tape #202.

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SEPT. 5, 2002

1. Joseph T. SANTER
2. Angela Davis
3. Galson
4. Yuri J. Sullivan - Matheny Motors -
5. Marko Kelly
6. Rick Anton - EDS, INC.
7. Jack & Bunker
- 8.
- 9.
- 10.