

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
THURSDAY, APRIL 24, 2003

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

At 9:30 A.M., 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 Rick Modesitt and made unanimous by K.D. Merritt, approved minutes from May 23, 2003.

At 10:30 A.M., the County Commission met with James Smith, County Engineer and Keith Litton, Compliance Officer for Wood County to discuss the Abandoned Building Ordinance County Litter Control Officer.

The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, did hereby ORDER that Simon Tuttle and Velma Tuttle be notified by certified mail and ORDERED to demolish and/or remove any structures located upon their property, remove and cleanup any accumulation of refuse or debris, remove overgrown vegetation from their property, and take such other action as deemed reasonable and necessary by the Wood County Compliance Officer and the Wood County Engineer for the Abandoned Building Ordinance, all to be completed within thirty (30) days from receipt of the aforementioned certified mail. The aforementioned ORDER is in accordance with Chapter 7, Article 1, Section 3ff of the Code of West Virginia, 1931, as amended. The Simon Tuttle and Velma Tuttle property is located in Lubeck Taxing District,

Wood County, West Virginia and identified on the tax records as Tax Map 180, Parcel M. An Order was prepared regarding this matter.

At 11:30 A.M., the County Commission met with Debbie Murphy from the Children's Home Society who discussed Children's Memorial Flag Day. After discussion, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, did hereby EXECUTE a PROCLAMATION in which the County Commission PROCLAIMS April 25, 2003 as Children's Memorial Flag Day. An Order was prepared regarding this matter.

The County Commission met with Teresa Roberts and April Jenkins from the Cultural Center of Fine Arts. The County Commission is donating \$2,000.00 to the center. Ms. Roberts and Ms. Jenkins informed the County Commission as to what the money will be used for and what their center does in regard to tourism.

Mary R. Rader, Director of the Wood County Planning Commission, presented to the County Commission of Wood County a revised plat of Phase III and Phase IV of Pointe West Subdivision. The said Phase III and Phase IV of Pointe West Subdivision is being developed by Pointe West Limited Liability Company and was previously approved for recordation by both the Wood County Planning Commission and the County Commission of Wood County. The said revised plat more clearly defines the area between lot numbers 630, 632, 634 and 636 as a "common right-of-way for ingress and egress to lot numbers 630, 632, 634 and 636" rather than "common area". Following review of the revised plat, the County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt did hereby AUTHORIZE Rick Modesitt, in his official capacity as president and on behalf of the County Commission, to EXECUTE the plat of Phase III and

Phase IV of Pointe West Subdivision for recordation. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and passed, did hereby AUTHORIZE Rick Modesitt, 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 01-VAW-010. Wood County incurred expenditures in the amount of two thousand seven hundred sixty-three dollars and sixty cents (\$2,763.60) during the month of January, 2003, 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. In addition to the Request for Reimbursement, the Monthly Reports for the Wood County STOP Team and for the Prosecuting Attorney; the Monthly Progress Report of Assistant Prosecuting Attorney; the Prosecution Tracking Forms; the Daily Time Records for the Assistant Prosecuting Attorney; 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, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE a CONTRACT by and between the Sisters of Saint Joseph Charitable Fund, Parkersburg, WV, and the County Commission of Wood County, Wood County, WV, in regard to the Y.I.E.L.D.

Program and the Q.U.I.T. Program. Funding in the amount of six thousand nine hundred dollars and 00/100ths cents (\$6,900.00) has been approved for both the Y.I.E.L.D. (Youth In Effective Legal Diversion) Program and the Q.U.I.T. (Quality Intervention and Treatment) Program for a period of twelve (12) months beginning April 28, 2003. The signing of the aforementioned Contract is pursuant to an Order appearing in Order Book 65, at Page 441 and bearing the date of March 3, 2003, at which time Rick Modesitt, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Grant Application. Documentation pertaining to the Sisters of Saint Joseph Charitable Fund 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 Robert K. Tebay, seconded by Rick Modesitt and passed, did hereby AUTHORIZE Rick Modesitt, 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 01-VAW-010. Wood County incurred expenditures in the amount of two thousand five hundred fifty-five dollars and seventy-one cents (\$2,555.71) during the month of February, 2003; however, the Request for Reimbursement is in the amount of two thousand five hundred eight dollars and ninety-eight cents (\$2,508.98) 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 overtime compensation paid to law enforcement personnel of the Wood County Sheriff's Department; and for overtime compensation paid to law enforcement personnel of the City of Vienna in regard to the STOP

Domestic Violence Program Grant. Funds in the amount of forty-six dollars and seventy-three cents (\$46.73) were utilized as cash funds, as set forth in the aforementioned Grant, and is being provided through the benefits provided by the County to the said Michael D. Farnsworth, Jr., Assistant Prosecuting Attorney. Cash funds were also provided for overtime expenses, plus benefits, being provided by the County of Wood to law enforcement officials who participated in the STOP Domestic Violence Program. In addition to the Request for Reimbursement, the Monthly Reports for the Wood County STOP Team and for the Prosecuting Attorney; the Monthly Progress Report of the Assistant Prosecuting Attorney; the Prosecution Tracking Forms; the Monthly Demographic Reports submitted by the Prosecuting Attorney, the City of Vienna, and the Wood County Sheriff's Department; the financial information submitted by the Prosecuting Attorney, the City of Vienna, and the Wood County Sheriff's Department; the Daily Time Records for the Assistant Prosecuting Attorney, the City of Vienna, and the Wood County Sheriff's Department; 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 discussed the Sid's parking lot and the Smith Building.

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 that an independent Consultant be hired to determine if the Towne Square building is physically and structurally sound, and if the building could be effectively converted to County offices and meeting rooms. 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 ORDER that MS Consultants, Inc., Engineers, Architects, Planners, 206 Capitol Street, Fourth Floor, Charleston, WV, perform the Town Square Building Review as per the attached quotation outlining Option Number Two which could be completed, along with Option Number One, in the amount of five thousand nine hundred fifty dollars and 00/100ths cents (\$5,950.00). Robert K. Tebay voted "no" to the aforementioned motion. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and passed, did hereby AUTHORIZE Rick Modesitt, 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 01-VAW-010. Wood County incurred expenditures in the amount of two thousand six hundred thirty-two dollars and 00/100ths cents (\$2,632.00) during the month of March, 2003, 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. In addition to the Request for Reimbursement, the Monthly Reports for the Wood County STOP Team and for the Prosecuting Attorney; the Monthly Progress Report of the Assistant Prosecuting Attorney; the Prosecution Tracking Forms; the financial information submitted by the Prosecuting Attorney; the Daily Time Records for the Assistant Prosecuting Attorney; 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, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, did hereby AUTHORIZE a full page advertisement in the amount of one hundred dollars and 00/100ths cents (\$100.00) for the Vienna Volunteer Fire Department who will be hosting the State Convention for volunteer fire departments on August 7, 2003, at Ohio Valley College. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and made unanimous by K.D. Merritt reappointed Larry Stephens, Emergency Medical Services Provider (Dwane Weekley, Alternate – Emergency Medical Services Provider); Guy Brown, West Virginia State Police; Thomas Blondin, General Public; K.D. Merritt, Wood County Commission and Robert Newell, City of Parkersburg Police Chief (replacing Thomas Dent) to the Wood County 9-1-1 Advisory Board. Said appointments are further pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, which deals with the procedure policy for appointments to boards and authorities. The new terms will expire April 30, 2006. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of the payment reimbursement check in regard to the Community Gun Violence Prosecution Grant Number 2002-GP-CX-0127. Funds in the amount of ten thousand dollars and 00/100ths cents (\$10,000.00) were requested through the Phone Activated Paperless Request System from the United States Department of Justice, Office of Justice Programs, Washington, D.C., which represents eighty percent (80%) of the salary and benefits of Jessica Shockley, who has been hired as the Community Gun Violence Assistant Prosecuting Attorney for Wood County. The remaining

salary of Jessica Shockley will be provided through the budget allocation of the Prosecuting Attorney for Wood County. The grant reimbursement check will be deposited in the County's General Fund Checking Account (0000038-8381) at the United National Bank. The aforementioned request is for the period of January 1, 2003 through March 31, 2003. Documentation pertaining to the Community Gun Violence Prosecution Grant 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 K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, placed Kevin Roberts in nomination to fill an unexpired term on the Wood County Planning Commission due to the resignation of Joel Stout. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, did hereby ORDER that an additional amount of two thousand dollars and 00/100ths cents (\$2,000.00) be allocated to the Wood County Cemetery to update the drainage of the cemetery following groundwork being done to level some areas to make the entire cemetery more even. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, did hereby ACCEPT the ADOPTED RATE SCHEDULE FOR WOOD COUNTY VOLUNTEER FIRE DEPARTMENTS presented by Jay Parsons of the Mineral Wells Volunteer Fire Department and signed by Paul K. Marshall of Deerwalk Volunteer Fire Department, Jay Parsons of



Mineral Wells Volunteer Fire Department, Tom Smith of Washington Bottom Volunteer Fire Department, Terry Hefner of Waverly Volunteer Fire Department, and Andy Rawson of Pond Creek Volunteer Fire Department. (Verbal approval given from Eastwood Volunteer Fire Department as per Jay Parsons.) In accordance with Chapter 7, Article 1, Section 3d, of the Code of West Virginia, 1931, as amended, "No fee for any single incident or accident shall exceed five hundred dollars, except an incident or accident involving hazardous materials." was included in the aforementioned motion made by the County Commission. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion duly made, seconded and passed, did hereby VOID the ORDER dated April 21, 2003 and appearing in Order Book 65, at Page 481 in regard to the overpayment of property taxes received by the City of Williamstown. An error has been made in the calculation of repayment; therefore, a new AGREEMENT is forthcoming. 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 Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, placed Jane Gainer of Counseling and Wellness Center, 936 Market Street, Parkersburg, WV, with a background in Mental Health Care and Service, in nomination to the Community Criminal Justice Board for Wood County. An Order was prepared regarding this matter.

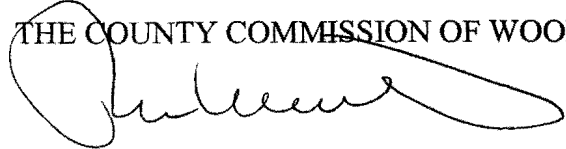
The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and passed, did hereby welcome any development proposals that

would assist in downtown growth and stabilization, particularly the Smith Building. 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:

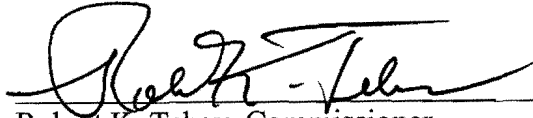
THE COUNTY COMMISSION OF WOOD COUNTY



Rick Modesitt, President



K.D. Merritt, Commissioner



Robert K. Tebay, Commissioner

To listen to this meeting, please refer to Tape #255.

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4/24/03

1. Deb Murphy Children's Home Society
2. Teresa Roberts The Cultural Center of Fine Arts
3. April Jenkins " " "
4. Les Patchoul Christ Valley Racing Club
- 5.
- 6.