

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, NOVEMBER 13, 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 duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for Timothy C. Williams – Union District (2002 and 2003) and for Lois W. Leach – Vienna District (2003).

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to personal property for Gary R. Davis – Lubeck District (2003); Edward E. Gibson, Sr. – Parkersburg District (1999, 2000, 2001, 2002 and 2003).

At 10:00 A.M., the County Commission met with Gregory L. Galieti and Barron Koslosky from MS Consulting to discuss architectural services for Towne Square.

At 10:30 A.M., the County Commission held a hearing in regard to the Virginia E. Harvey Estate. Penny Jordan wants to be removed as co-administrator. Ms. Jordan explained why she doesn't wish to serve as co-administrator. Shirley Sheppard is the other co-administrator and she will remain as administrator. Larry Davis, a son of Virginia Harvey spoke. Richard Davis stated that she should be denied because there is a lot more to it than we are seeing. Keith Sheppard stated that some papers were not brought back down to Probate because they had to be redone. Frederick Davis and Mark Sheppard were also present for this hearing. Discussion took place. One of the gentlemen stated he was against

letting Shirley Sheppard serve alone and he would like an attorney to handle it. Jay Day, Administrative Assistant to the County Clerk, explained what a fiduciary commissioner does. Keith Sheppard suggested that Shirley be removed because of her health and let the sons worry about it. The Commission suggested that the Sheriff be appointed. The County Commission, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, Ordered that Shirley Sheppard and Penny Jordan be removed as co-administrators. The County Commission, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, appointed Sheriff Greiner as administrator, contingent upon information being turned over to Jay Day who will give it to the Sheriff.

At approximately 10:45 A.M., the County Commission met with Charlie Johnson. 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 the purchase, and installation of, six (6) replacement windows in the amount of three thousand five hundred nine dollars and 00/100ths cents (\$3,509.00) from Imperial Glass, Parkersburg, West Virginia; and the purchase, and installation of an awning in the amount of four thousand nine hundred fifty-five dollars and 00/100ths cents (\$4,955.00) from Sign Language, Parkersburg, West Virginia. Both the replacement windows and the awning are to be utilized at the Law Enforcement Building located at 328 Second Street, Parkersburg, West Virginia. Quotations were solicited by Charlie Johnson, Law Enforcement Chief Deputy. An Order was prepared regarding this matter.

At 10:55 A.M., the County Commission met with Leff Moore, Images of West Virginia, Inc. 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, did hereby PLEDGE their support and assistance to Leff Moore and Images of West Virginia, Inc., 205 First Avenue, Nitro, WV, in regard to economic development in Wood County and obtaining funding sources for such projects. The County Commission of Wood County did hereby REQUEST that the said Leff Moore contact John Carr of the Little Kanawha Soil Conservation District in regard to the storm water problems in Wood County. The County Commission of Wood County did hereby formally REQUEST that the said Leff Moore provide solutions and obtain funds for the storm water problems experienced by residents in the Boaz area of Wood County, and then return to the County Commission of Wood County. An Order was prepared regarding this matter.

At approximately 11:45 A.M., the County Commission met with Attorney Dan Marshall. 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 PRESENT a check in the amount of seventy-nine thousand twenty-three dollars and 00/100ths cents (\$79,023.00) to Attorney Dan A. Marshall, present and on behalf of S. Byrl Ross Enterprises, Inc., and the County Commission of Wood County did hereby ACCEPT the Deed for recording by and between S. Byrl Ross Enterprises, Inc. and the County Commission of Wood County. The aforementioned Deed represents the buying back, by the County Commission of Wood County, of twenty-one percent (21%) of the property sold by the said County Commission of Wood County at an AUCTION held on the 25th day of September, 2003, in the amount of sixty-four thousand six hundred eighty dollars and 00/100ths cents (\$64,680.00), plus twenty-one percent (21%) of the cost incurred by the aforementioned S. Byrl Ross Enterprises, Inc. in the demolition, the filling and the

compacting of such property, not to exceed fourteen thousand three hundred forty-three dollars and 00/100ths cents (\$14,343.00), for a total amount of seventy-nine thousand twenty-three dollars and 00/100ths cents (\$79,023.00). An Order was prepared regarding this matter.

At approximately 11:50 A.M., the County Commission met with Amy Harries from the Mid-Ohio Valley Regional Council. 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 the EXECUTION of a RESOLUTION that hereby formally endorses the submittal of an Intent to Apply to the West Virginia Department of Transportation in hopes of receiving transportation enhancement funding consideration. The aforementioned RESOLUTION does hereby further RESOLVE that Rick Modesitt, in his official capacity as President and on behalf of the County Commission, is AUTHORIZED to EXECUTE all necessary documents in regard to the said transportation enhancement program. Funding in the amount of eighty-eight thousand dollars and 00/100ths cents (\$88,000.00), as reflected on the Intent to Apply form, is being requested for the Lubeck Sidewalk Project which would construct approximately one thousand nine hundred (1,900) feet of sidewalk linking the Lubeck Elementary School to the Community Park along the west side of State Route 68 between Lake Street and Ridgeway in the Lubeck area of Wood County, West Virginia. Wood County would be responsible for matching funds in the amount of twenty-two thousand dollars and 00/100ths cents (\$22,000.00). Documentation pertaining the transportation enhancement grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

Administrative matters, home confinement, architects for Towne Square, etc., were discussed with Mary Rader.

The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and passed, did hereby ORDER the following contributions to be made in the following amounts.

-\$1,500.00	-	American Legion Post 15 (PA System)
-\$1,500.00	-	Civil Air Patrol, Parkersburg Composite Squadron (Materials to repaint exterior of terminal building)
-\$1,500.00	-	Parkersburg High School Baseball Facilities Committee (Upgrade Facility)
-\$ 500.00	-	The ARC of Wood County, Inc. (Secret Santa Program)
-\$1,500.00	-	Emerson K-Kids' Club (Playground Equipment)

The aforementioned contributions are to be taken from lottery funds received by the County. Commissioner Robert K. Tebay voted "no" in regard 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 K.D. Merritt 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 Juvenile Justice and Delinquency Prevention Grant Number 03-JJC-014. Expenditures in the amount of one thousand dollars and 00/100ths cents (\$1,000.00) were incurred by Wood County during the month of September, 2003, which represents payment of contractual services provided by the Counseling and Wellness Center, Parkersburg, West Virginia. In addition to the Request for Reimbursement; the Monthly Report; the Financial Recap; the Monthly Project Director's Report, the Time Records of the Counseling and Wellness Center; the Monthly Supervisor's Report; the Demographic Report; and the Project Financial Report are being submitted to the Criminal Justice Services, Charleston, West Virginia. Documentation pertaining to the Juvenile Justice and Delinquency

Prevention 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 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 Juvenile Accountability Incentive Block Grant Number 02-A-D-157. Expenditures in the amount of six thousand six hundred sixty-one dollars and four cents (\$6,661.04) were incurred by Wood County during the month of October, 2003. However, the Request for Reimbursement is in the amount of five thousand four hundred forty dollars and 00/100ths cents (\$5,440.00) which represents payment of contractual services provided by Rozann Wilcox, Juvenile Justice Liaison, and contractual services provided by Michelle Buckley, Project R.E.P.A.Y./Youth Transition Coordinator. The amount of one thousand two hundred twenty-one dollars and four cents (\$1,221.04) represents the cash match as set forth in the aforementioned Grant and includes the additional salary and the full amount of benefits of the Juvenile Justice Liaison, Rozann Wilcox. In addition to the Request for Reimbursement; the Monthly Reports; the Financial Recap; the Daily Time Records for the Project R.E.P.A.Y./Youth Transition Coordinator and for the Juvenile Justice Liaison; the Project Director's Monthly Reports from both the Project R.E.P.A.Y./Youth Transition Program Coordinator and the Juvenile Justice Liaison, the Demographic Reports for both the Project R.E.P.A.Y./Youth Transition Program Coordinator and the Juvenile Justice Liaison; and the Project Financial Report are being submitted to the Criminal Justice Services Office in Charleston, West Virginia. 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 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. 4 in the General County Fund budget for the fiscal year 2003/2004. Receipt of said Approval is pursuant to an Order appearing in Order Book 66, at Page 76 and bearing the date of October 30, 2003, at which time the Request for Revision was signed by Rick Modesitt, President of the Wood County Commission. 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 passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Expenditure Report and Reimbursement Request in regard to the West Virginia Commission on Drunk Driving Prevention Grant Number 04-09. Expenditures in the amount of ten thousand fifty-six dollars and forty-five cents (\$10,056.45) were incurred by Wood County during the period of July 1, 2003 through September 30, 2003, which represents payment of overtime compensation to law enforcement officers who participated in the Drunk Driving Prevention Program. In addition to the Expenditure Report and the Reimbursement Request, the financial documents from the City of Parkersburg, the City of Vienna, the City of Williamstown and the City of St. Marys are being submitted to the West Virginia State Police, South Charleston, West Virginia. Documentation pertaining to the West Virginia Commission on Drunk Driving Prevention 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 the removal of certain items from the offices of Commonwealth Advisors, 319 Market Street, Towne Square, Parkersburg, West Virginia. Five (5) of the six (6) items requested to be removed by the said Commonwealth Advisors are as follows: chair rail, crown molding, base molding, four interior doors and the heating/cooling deflector vents. Removal of the nine (9) ceiling lights was not given Approval by the County Commission of Wood County. With the purchase of the eastern portion of the Towne Square Building, renamed the Judge Donald F. Black Courthouse Annex, by the County Commission of Wood County, the said Commonwealth Advisors will be relocating their offices by the end of November, 2003. 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 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 02-VAW-008. Wood County incurred expenditures in the amount of four thousand one hundred twenty-eight dollars and four cents (\$4,128.04) during the month of September, 2003. However, the Request for Reimbursement is in the amount of two thousand five hundred forty-four dollars and one cent (\$2,544.01) which represents payment of contractual services provided by Angela C. Duranti, 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; which represents payment of overtime compensation paid to law enforcement personnel of the Wood County Sheriff's Department;

for overtime compensation paid to law enforcement personnel of the City of Vienna, and for overtime compensation paid to law enforcement personnel of the City of Parkersburg in regard to the STOP Domestic Violence Against Women Program Grant. Funds in the amount of five hundred eight dollars and five cents (\$508.05) were utilized as cash funds, as set forth in the aforementioned Grant, and is being provided by the County to the said Angela C. Duranti, Assistant Prosecuting Attorney, and is being provided through the benefits provided by the County to the law enforcement personnel who participated in the STOP Violence Against Women Program Grant. In addition to the Request for Reimbursement, the Monthly Reports for the Wood County STOP Team, the Monthly Reports for the S.A.F.E. (Silence Affects Families Everywhere) Team, the Monthly Report from the Office of the Prosecuting Attorney; the Prosecution Tracking Forms; the Monthly Demographic Reports submitted by the City of Vienna, the City of Parkersburg and the Wood County Sheriff's Department; the financial information submitted by the City of Vienna, the City of Parkersburg and the Wood County Sheriff's Department; the Daily Time Records for the City of Vienna, the City of Parkersburg, the Prosecuting Attorney for Wood County, 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 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 Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, did hereby ORDER the EXECUTION of a RESOLUTION in which the County Commission of Wood County does hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the

County Commission, to EXECUTE a Grant Application. The aforementioned Grant Application requests funding in the amount of five thousand dollars and 00/100ths cents (\$5,000.00) from the State of West Virginia, Department of Motor Vehicles, Charleston, West Virginia. The said amount of five thousand dollars and 00/100ths cents (\$5,000.00) represents awards won by local law enforcement agencies that participated in the Click It or Ticket Seat Belt Challenge Program. Documentation pertaining to the Click It or Ticket Challenge Grant Awards 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 Grant Adjustment Notice Number Three (3) from the Division of Criminal Justice Services, Charleston, West Virginia, in regard to the Juvenile Accountability Incentive Block Grant Number 01-A-D-108. The aforementioned Grant Adjustment Notice does hereby DE-OBLIGATE the amount of two thousand six hundred eighty-four dollars and twenty-three cents (\$2,684.23) and thereby CLOSES the said Juvenile Accountability Incentive Block 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 a check from the State of West Virginia in the amount of one thousand forty-four dollars and seventy-nine cents (\$1,044.79) which represents reimbursement to Wood County for expenses incurred during the months of July and August, 2003 in regard to the STOP Violence Against Women Grant Number 02-VAW-008. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 66, at Page 15 and bearing the date of August 25, 2003, at which time the Request for Reimbursement was EXECUTED by Rick Modesitt, in his official

capacity as President and on behalf of the County Commission; and further pursuant to an ORDER appearing in Order Book 66, at Page 29 and bearing the date of September 11, 2003, at which time the Request for Reimbursement was EXECUTED by Rick Modesitt in his official capacity as President and on behalf of the County Commission. The amount of the Request for Reimbursement as reflected on the ORDER dated August 25, 2003 was incorrect. The Request for Reimbursement should have been in the amount of three hundred twenty dollars and thirty-two cents (\$320.32) not in the amount of two hundred ninety dollars and sixty cents (\$290.60). 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 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 Victims of Crime Act (VOCA) Grant Number 02-VA-050. Expenditures in the amount of four thousand one hundred seventy-two dollars and thirty-five cents (\$4,172.35) were incurred by Wood County during the month of September, 2003. However, the Request for Reimbursement is in the amount of three thousand five hundred seven dollars and seventy cents (\$3,507.70) which represents payment of contractual services provided by Diana Williams, Victims Advocate; represents payment of contractual services provided by Sophia Colombo, Victims Advocate Assistant; and further represents payment of cell phone and pager for Diana Williams. The amount of six hundred sixty-four dollars and sixty-five cents (\$664.65) represents the cash match as set forth in the aforementioned Grant and includes benefits, insurance and partial salary of Diana Williams, Victims Advocate,

employed in the Office of the Wood County Prosecuting Attorney. In addition to the Request for Reimbursement; the Financial Recap; the Monthly Progress Reports from both the Victims Advocate and the Victims Advocate Assistant; the Daily Time Records for the Victims Advocate and for the Victims Advocate Assistant; the Monthly Statistics Report; the Annual Performance Report; and the Project Financial Report are being submitted to the Criminal Justice Services Office in Charleston, West Virginia. Documentation pertaining to the Victims of Crime Act (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, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, announced that a vacancy exists on the Wood County Parks and Recreation Commission (Mountwood Park). Said vacancy is due to the receipt of a resignation from R. Charles Cline 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 Robert K. Tebay, seconded by K.D. Merritt 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 Combating Underage Drinking Program Grant Number 02-UD-79. Expenditures in the amount of two thousand six hundred thirty-eight dollars and 00/100ths cents (\$2,638.00) were incurred by Wood County during the month of October, 2003, which represents payment of contractual services provided by Kelly Shook, Project S.O.B.E.R. (Services, Observation, Behavior Modification, Education and Rehabilitation)

Coordinator, and further represents payment of a gift certificate awarded to the billboard contest winner in regard to the aforementioned Grant. In addition to the Request for Reimbursement; the Monthly Report; the Demographic Report; the Daily Time Records of the Project S.O.B.E.R. Coordinator; the Financial Recap; the Demographic Forms; the Monthly Supervisor's Report; the Project Director's Monthly Report; and the Project Financial Report are being submitted to the Criminal Justice Services, Charleston, West Virginia. Documentation pertaining to the 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, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Request for Reimbursement in regard to the Enforcing the Underage Drinking Laws Program Grant Number 03-UD-110. No expenditures were incurred during the month of October, 2003. In addition to the Request for Reimbursement (no expenses reflected), the Monthly Report, the Project Director's Monthly Report, the Demographic Report; and the Project Financial Report are being submitted to the Division of Criminal Justice Services, Charleston, West Virginia. Documentation pertaining to the Enforcing the Underage Drinking Laws Program Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.


The County Commission adjourned at approximately 12:00 Noon.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

Rick Modesitt, President


K.D. Merritt, Commissioner


Robert K. Tebay, Commissioner

PURCHASE ORDERS SIGNED ON NOVEMBER 13, 2003

29185	Gall's Inc.	128.87
29199	PIT Computers	89.99
29217	Lowe's	157.71
29219	PAMS	30.96
29225	Broadwaters Motorcar	33.33
29227	Broadwaters Motorcar	28.83
30002	Office Depot	160.70
29229	Lemon's Garage	107.00
30962	Parkersburg Office Supply	109.28
30982	Filtech, Inc.	738.33
30998	Parkersburg Office Supply	19.04
31044	United Refrigeration	23.32

To listen to this meeting, please refer to Tape #284, Tape #285 and Tape #286.

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November 13, 2003

KEITH SHEPPARD

~~Coretta Wingat~~

W

Greg Galieti

Berrow Koslosky
C. J. Johnson

Slurp's Dept.

Fredrick R. Davis

Larry L. Davis

Robert Davis

Penny Jordan

Steve Sheppard

~~Keith Sheppard~~

Marty Sheppard

Legg Moore

Amy Harries

MOORE

Art M