

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
THURSDAY, OCTOBER 9, 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 K.D. Merritt and made unanimous by Rick Modesitt, approved minutes from September 29, 2003. The County Commission, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and made unanimous by Robert K. Tebay, approved minutes from October 2, 2003.

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for William M. Laird – Lubeck District (2002 & 2003); A. Michael McPeck, Jr. – Union District (2002 & 2003); and for Okeema A. Traugh – 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 Harold J. Weekley – Clay District (2003) and for April L. Nicewarner – Vienna District (2003).

At 10:00 A.M., the County Commission met with Ginny Conley, Prosecuting Attorney to discuss the buyout of the lease with Myers, Powell and Zivkovich, who rent office space in Towne Square. Ms. Conley stated that during negotiations, the previous owners (the sellers) did not want to buyout the law firm; Commissioners Modesitt and Merritt had instructed her to talk with the law firm renting the space and see what kind of money they were talking about;

Larry McDaniels did a valuation on the property and the value was ninety thousand dollars plus; the lease doesn't expire until 2005; the law firm agreed to a buyout of \$60,000.00; the Commission now needs to decide what to do. Kathryn Drost asked why the County is liable for the previous owners' lease agreement. Ms. Conley stated that during negotiations, the County Commissioners agreed to take the lease. Commissioner Modesitt stated they intended initially to take them and there were reductions in price based on the lease and the elevator; the Commission was seriously contemplating keeping the law firm in spaces the County wasn't going to use and have a positive income of \$30,000.00. Ms. Drost then asked why they are paying all three attorneys \$20,000.00 when two of the attorneys share offices at the same address. Ms. Conley stated they all three lease the property. More discussion took place. Commissioner Modesitt stated that the property was still purchased under appraised value. Commissioner Tebay stated that his concern was that it would be almost impossible to rehab the building with tenants in it.

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 ORDER the buyout of George Zivkovich, Blaine Myers and William G. Powell, Attorneys at Law, currently being tenants in the eastern portion of the Towne Square Building purchased by the County Commission of Wood County on September 30, 2003. The aforementioned buyout in the amount of sixty thousand dollars and 00/100ths cents (\$60,000.00) is to be distributed in the following manner; twenty thousand dollars and 00/100ths cents (\$20,000.00) made payable to George Zivkovich; twenty thousand dollars and 00/100ths cents (\$20,000.00) made payable to Blaine Myers; and twenty thousand dollars and 00/100ths (\$20,000.00) made payable to William G. Powell. An Order was prepared regarding this matter.

At approximately 10:20 A.M., the County Commission met with Janelle Dotson from the Mid-Ohio Valley Regional Council to discuss the Sequelle Telecommunications Center Project. 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 a RESOLUTION be EXECUTED in regard to the Sequelle Telecommunications Center Project being funded through the Small Cities Block Grant. By EXECUTION of this RESOLUTION, the County Commission of Wood County has given approval for payment in the amount of two hundred fifty-six thousand four hundred fifty-five dollars and seventy-six cents (\$256,455.76) made payable to the Mid-Ohio Valley Regional Council, Parkersburg, West Virginia, for the expenses of engineer, Truscom Telecommunications Engineering and Operations Consulting, New Albany, Ohio; for the purchase of software and hardware from MentorGen LLC, Worthington, Ohio; and for the purchase of office furnishings from Parkersburg Office Supply, Parkersburg, WV in regard to the Sequelle Telecommunications Project. The aforementioned amount represents Drawdown Number Five (5) in regard to the said Small Cities Block Grant. The aforementioned Small Cities Block Grant is being administered by the Mid-Ohio Valley Regional Council by agreement between the County Commission of Wood County and the Mid-Ohio Valley Regional Council. Documentation pertaining to the Small Cities Block Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

Jack Derr submitted a letter asking to be reappointed to the Wood County Parks and Recreation Commission. Mr. Derr's term does not expire until December.

At 10:45 A.M., the County Commission met with Ms. Conley; Jamie Six, County Clerk and Carole Jones, Circuit Clerk, to discuss a Record System Management Grant. Commissioner Modesitt stated there is grant money available. Discussion took place.

Commissioner Modesitt informed the Commission that he had talked to Blaine Myers in regard to the Bob Bennett development; Mr. Bennett can proceed with the one house, but the cease and desist will remain on selling any other lots. Keith Litton, compliance officer then talked to the Commission and told them he is going to pave a road out to his driveway.

At approximately 11:45 A.M., the County Commission went to Carole Jones' office in the Holmes R. Shaver Building to pack the ballots for the Board of Education election.

The County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of two thousand one hundred forty-two dollars and 00/100ths cents (\$2,142.00) which represents reimbursement to Wood County for expenses incurred during the months of July, 2003 and August, 2003, in regard to the Enforcing the Underage Drinking Program Grant Number 02-UD-79. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 66, at Page 12 and bearing the date of August 25, 2003, at which time Rick Modesitt, in his official capacity as President and on behalf of the County Commission was AUTHORIZED to EXECUTE the Request for Reimbursement for the month of July, 2003; and further pursuant to an ORDER appearing in Order Book 66, at Page 32 and bearing the date of September 11, 2003, at which time Rick Modesitt, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request For Reimbursement for the month of August, 2003. Documentation pertaining to the Enforcing the Underage Drinking Program 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 letter from the Division of Criminal Justice Services, Charleston, WV, advising the County Commission of the APPROVAL of a Project Heavy Metal Program Grant in the amount of fifty-six thousand dollars and 00/100ths cents (\$56,000.00). Receipt of the aforementioned letter of approval is pursuant to an ORDER appearing in Order Book 65, at Page 481 and bearing the date of April 21, 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 Project Heavy Metal 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 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 the Request for Reimbursement in regard to the Mid-Ohio Valley Regional Highway Program Grant Number F02-157/INV2-08. Expenditures in the amount of five thousand nine hundred eighteen dollars and sixty-nine cents (\$5,918.69) were incurred during the period of July 1, 2003 to September 30, 2003, and represents payment of the purchase of a power point projector by the City of Vienna; and overtime expenditures incurred by the City of Parkersburg for law enforcement officials who participated in the Traffic Enforcement Program during the months of July, August and September, 2003. In addition to the Request for Reimbursement, the Grant Progress Report, the Financial Information from the City of Vienna, the Financial Information from the City of Parkersburg, the weekly time sheets from the City of Parkersburg, and the Project Financial Report are being submitted to the West Virginia Highway Safety Program, Charleston, West Virginia. Documentation pertaining to the Mid-Ohio Valley Regional

Highway 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 K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, did hereby 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 2004. The aforementioned Application is in the amount of twenty thousand dollars (\$20,000.00) for the purpose of providing additional technology equipment for all Wood County Schools. Documentation in regard to the Governor's Local Economic Development Assistance Program, to be utilized by the Wood County Education and Business Foundation 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 the Request for Reimbursement in regard to the Enforcing the Underage Drinking Laws Program Grant Number 03-UD-110. Expenditures in the amount of two thousand six hundred six dollars and 00/00ths cents (\$2,606.00) were incurred during the month of September, 2003, which represents payment of contractual services provided by Kelly Shook, Program Director, and represents payment of a stipend for the compliance check operation. In addition to the Request for Reimbursement; the Monthly Report; the Financial Recap; the Daily Time Record of the Program Director Kelly Shook; the Project Director's Monthly Report; the Monthly Supervisor's Report; the Monthly 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 of Wood County was in receipt of Report Number Five (5) covering the period of July 1, 2003 through September 30, 2003 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 the salary and most of the benefits of Patrick LeFebure who has been hired as the Community Gun Violence Assistant Prosecuting Attorney for Wood County. The remaining benefits of Patrick LeFebure will be provided through the budget allocation of the Prosecuting Attorney for Wood County. 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.

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 the purchase of an e-STUDIO250 Toshiba copy machine for the Clerk of the County Commission to be located in the Probate Office. The aforementioned Toshiba copy machine is in the amount of three thousand one hundred nine dollars and 00/100ths cents (\$3,109.00) which includes an automatic feeder, bypass and a short stand. Quotes were also received from Lanier and CWS. Documentation pertaining to quotes for a copy machine to be located in the Probate Office 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 Combating Underage Drinking Program Grant Number 02-UD-79. No expenditures were incurred by Wood County during the month of September, 2003. In addition to the Request for Reimbursement; the Monthly Report; the Demographic Report; 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 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 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 five hundred thirty-three dollars and four cents (\$6,533.04) were incurred by Wood County during the month of September, 2003. However, the Request for Reimbursement is in the amount of five thousand three hundred twelve dollars and 00/100ths cents (\$5,312.00) 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

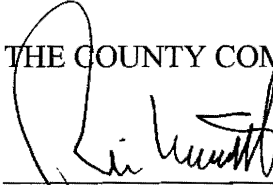


for Reimbursement; the Monthly Reports; the Financial Recap; the Daily Time Records for the Project R.E.P.A.Y./Youth Transition Coordinator and for the Juvenile Justice Liaison; the Project Director's Monthly Reports from both the Project R.E.P.A.Y. Program Coordinator and the Juvenile Justice Liaison, the Demographic Reports for both the Project R.E.P.A.Y. 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.

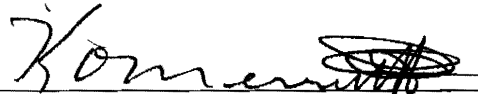
Having no further scheduled appointments or business to attend to, the County Commission adjourned.

APPROVED:

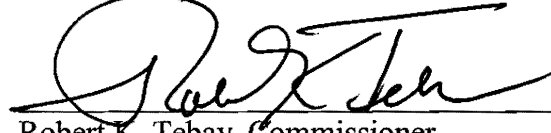
THE COUNTY COMMISSION OF WOOD COUNTY



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Rick Modesitt, President



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K.D. Merritt, Commissioner



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Robert K. Tebay, Commissioner

PURCHASE ORDERS APPROVED ON OCTOBER 9, 2003

29125	Tri-State Roofing	610.00
29131	Myers Septic	50.00
29133	State Electric Supply	28.04

29135	Parks Hardware	8.94
30816	Astorg Motor	282.39
30876	Quartermaster Police Supply	523.69
30898	Public Safety Information	109.00
30908	Morris Sales	9.36
30910	Wal-Mart	648.61
30914	Office Depot	68.11
30926	Newberry Hardware	29.85
30940	Architectural Interior Products	65.00
30942	Parkersburg Office Supply	297.97
30952	AV Presentations	1515.00

To listen to this meeting, please refer to Tape #269.

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OCTOBER 9, 2003

1. Ginny Conley
2. Karlyn Drost
3. Janelle Dotson, MOURC
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