

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, OCTOBER 23, 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 K.D. Merritt, seconded by Robert K. Tebay and passed, approved minutes from October 16, 2003.

At 10:30 A.M., the County Commission opened sealed proposals for the renovation of the eastern portion of the Towne Square Building, which is to be utilized as additional office space for the County. Receipt of the aforementioned proposals is pursuant to a Legal Notice appearing in both local newspapers, The Parkersburg News and the Parkersburg Sentinel, on September 25, 2003 and on October 2, 2003, at which time the County Commission of Wood County was requesting such proposals; and further pursuant to an ORDER appearing in Order Book 66, at Page 38 and bearing the date of September 18, 2003, at which time the County Commission of Wood County ORDERED that the bid be let. Proposals were received from the following.

1. Chapman Technical Group
Engineers, Architects, Interior Designers, Landscape Architects
200 Sixth Street
St. Albans, WV 25177
2. Vargo, Cassady, Ingham & Gibbs
Architects, Inc.
100 Front Street
Marietta, Ohio 45750

3. MS Consultants, Inc.
Engineers, Architects, Planners
206 Capitol Street Fourth Floor
Charleston, WV 25301
4. Michael H. Scott, AIA, NCARB
405 Colegate Drive
Marietta, Ohio 45750
5. Bradley S. Payne, Architects
501 East Seventh Street
Parkersburg, WV 26101
6. ZIMM, Inc.
Architects, Engineers
222 Lee Street, West
Charleston, WV 25302

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 the aforementioned proposals be taken under consideration. An Order was prepared regarding this matter. The Commission will make a decision on Monday as to whom they wish to interview. Bradley Payne, Architect and Phillip Warnock, Architect, were present.

At 10:45 o'clock A.M., the County Commission opened sealed bids for the demolition of a structure located at 534 Marrtown Road, Parkersburg, WV, the removal of all debris, weeds and underbrush from said property that is owned by Jeanette S. Sees. The opening of the aforementioned bids is pursuant to a Legal Notice appearing in both local newspapers, The Parkersburg News and The Parkersburg Sentinel, on October 6, 2003 and October 13, 2003 at which time the County Commission of Wood County was requesting sealed bids; and further pursuant to an ORDER appearing in Order Book 66, at Page 52 and bearing the date of October 2, 2003, at which time the County Commission of Wood County ORDERED that the bid be let. Sealed bids were received from the following.

1. Empire Builders
101 Empire Lake Drive
Parkersburg, WV 26101
Bid: \$5,390.00

2. J.C. Bosley Construction, Inc.
P.O. Box 67
Mineral Wells, WV 26150
Bid: \$9,700.00

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 the bids be taken under advisement. An Order was prepared regarding this matter.

At 11:00 A.M., the County Commission met with Dan Marshall, Attorney, to discuss a Resolution in regard to the Industrial Development Revenue Bonds. Mr. Marshall read the resolution. After discussion, 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 Bond Authorizing Resolution in regard to the Industrial Development Revenue Bonds in the amount of six million five hundred eighty dollars and 00/100ths cents (\$6,580,000.00) for Waste Management of West Virginia, Inc. 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 EXECUTE a RESOLUTION that AUTHORIZES Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to enter into a contractual Agreement by and between the Division of Criminal Justice Services, Charleston, WV, and the Wood County Commission, Parkersburg, WV, in regard to the Enforcing the Underage Drinking Laws

Program Grant Number 03-UD-110. The Enforcing the Underage Drinking Laws Program Grant will provide continued funding for the S.O.B.E.R. (Services, Observation, Behavior Modification, Education and Rehabilitation) Program. The time period for the aforementioned Grant commences on June 1, 2003 and will continue until May 31, 2004. The County Commission agrees to comply with all applicable Federal and State laws and rules, regulations and policies; and further agrees to submit a written request for any modification prior to changing any budget line item. The County Commission further agrees to hold and save the Division of Criminal Justice Services and its officers, agents and employees harmless from liability of any nature, including cost and expenses, for or on account of any suits or damages of any character whatsoever resulting from injuries or damages sustained by any persons or property resulting in whole or in part from the negligent performance or omission of any employee, agent or representative of the County Commission. 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.

At 11:15 A.M., the County Commission met with John Badgley and Patrick Krason from the YMCA. The gentlemen told the Commission how the YMCA spent the money that the Commission gave them and would like the Commission to stop in and visit the facility.

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 Rick Modesitt, in his official capacity as President and on behalf of the County Commission, is AUTHORIZED to EXECUTE the GOVERNOR'S LOCAL ECONOMIC DEVELOPMENT ASSISTANCE GRANT PROGRAM CONTRACT between THE WEST VIRGINIA DEVELOPMENT OFFICE and

THE WOOD COUNTY COMMISSION in regard to funds allocated to the Veterans Park. The aforementioned funds are in the amount of five thousand dollars and 00/100ths cents (\$5,000.00) and are to be utilized for the purchase of playground equipment, monument renovations and handicap accessibility at all picnic shelters. The aforementioned Grant Program shall be completed by June 30, 2004 and may only be extended by mutual written agreement of both parties dependent on the re-appropriation of funds under the Governor's Local Economic Development Assistance Program Grant. Any changes to the scope of the services of the work to be performed, as stated above, shall be mutually agreed upon by and between the West Virginia Development Office and the County Commission, and shall be incorporated in written agreements to this Contract. The aforementioned Contract may be terminated by giving written notice one party to the other party, and specifying the effective date of such termination. Sealed bids must be solicited for all commodities or supplies related to this Project, which have an estimated value of over ten thousand dollars and 00/100ths cents (\$10,000.00). The Grant Program, executed by Rick Modesitt, and the fully EXECUTED RESOLUTION, are attached to this Order and should be made a part thereof. 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 EXECUTION of a RESOLUTION in regard to the Juvenile Justice and Delinquency Prevention Grant Number 03-JJC-014. With the EXECUTION of the aforementioned RESOLUTION, Rick Modesitt, in his official capacity as President and on behalf of the County Commission, is hereby AUTHORIZED to EXECUTE the GRANT CONTRACT AGREEMENT between the Division of Criminal Justice Services and the

Wood County Commission; the Certifications Regarding Lobbying, Debarment, and the Special Conditions and Assurances. Documentation pertaining to the Project Heavy Metal 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 the Notice of Grant Award Change from the State of West Virginia in regard to the Wood/Jackson Regional Highway Safety/Safe Communities Grant Number F03HS-11. The aforementioned Notice of Grant Award Change extends the project period through December 31, 2003. Documentation pertaining to the Wood/Jackson Regional Highway Safety/Safe Communities 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 letter from the State Recycling Coordinator with the Division of Natural Resources, Charleston, WV in regard to the Recycling Assistance Grant application submitted by the County Commission of Wood County for funding in the amount of seventy-four thousand three hundred seventy-four dollars and 00/100ths cents (\$74,374.00). The aforementioned amount of funding to be utilized for the purchase of a turbo loader/backhoe and a brush chipper for the Wood County Compost Facility located at the County owned Veterans Park. The aforementioned letter informs the County Commission of Wood County that the County's application will not be considered for Recycling Assistance Grant monies for FY2004. Documentation pertaining to the Recycling Assistance 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 ADOPT the

Floodplain Development Permit Application and the Certificate of Compliance For Development In A Special Flood Hazard Area in accordance with the Federal Emergency Management Agency (FEMA). 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 a PROCLAMATION be EXECUTED proclaiming November 15, 2003 as AMERICA RECYCLES DAY in Wood County. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of the Affidavit of Circulation and Qualification from The Parkersburg News and The Parkersburg Sentinel in accordance with Chapter 59, Article 3 of the Code of West Virginia, 1931, as amended. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion duly made, seconded and passed, ORDERED that Erroneous Assessment Application No. 1444 pertaining to real property, found in Order Book 66, at Page 62 and bearing the date of October 16, 2003, be voided due to the fact it is for tax year 2003, and the land commissioner did not collect amounts for 2003. Said Erroneous Assessment Application is in the name of Teddy L. Smith and is for property located in Parkersburg City District. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion duly made, seconded and passed, ORDERED that Erroneous Assessment Application No. 1443 pertaining to real property, found in Order Book 66, at Page 62 and bearing the date of October 16, 2003, be voided due to the fact this ticket is a taxable bill. Said Erroneous Assessment Application is

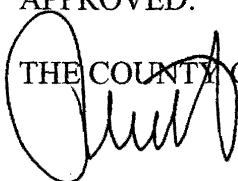
in the name of Teddy L. Smith and is for property located in Parkersburg City District. An Order was prepared regarding this matter.

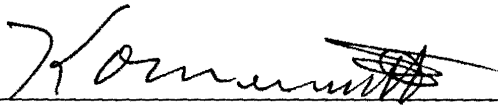
The County Commission of Wood County, upon a motion duly made, seconded and passed, ORDERED that Erroneous Assessment Application No. 1445 pertaining to real property, found in Order Book 66, at Page 62 and bearing the date of October 16, 2003, be voided due to the fact it is for tax year 2003, and the land commissioner did not collect amounts for 2003. Said Erroneous Assessment Application is in the name of Teddy L. Smith and is for property located in Parkersburg City District. An Order was prepared regarding this matter.


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

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


Rick Modesitt, President


K.D. Merritt, Commissioner


Robert K. Tebay, Commissioner

PURCHASE ORDERS APPROVED ON OCTOBER 23, 2003

29143	Wharton Cadillac	32.50
29145	Casto & Harris	758.00

29147	Dayton Legal Blank	199.68
29149	Chapman Printing	74.00
29151	Mahone Tire	24.00
29151	Mahone Tire	24.00
29153	WV Uniforms	31.35
29157	State Electric Supply	22.20
29161	Parks Hardware	51.99
29163	Parkersburg Office Supply	612.00
29165	Wal-Mart	51.21
29173	Parks Hardware	5.47
29177	Sam's Club	53.54
29179	S/W Graphics	715.42
30912	Lexis Nexis	103.80
30916	Parkersburg Office Supply	101.33
30928	Sam's Club	69.66
30930	Oreck Floor Care	33.75
30932	Wal-Mart	51.67
30938	Miller Communications	558.99
30958	Miller Communications	90.00
30964	Lock Around the Clock	169.32
30986	Toshiba	3109.00

To listen to this meeting, please refer to Tape #273 and Tape #274.

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October 23, 2003

1. STANLEY S. PAYNE, ARCHITECT
2. PHILLIP A. WARNOCK, ARCHITECT
3. DAN MARSHALL, ARCH.
4. JOHN BADGLEY YMCA
5. PATRICK KEASON YMCA
- 6.
- 7.
- 8.
- 9.
- 10.