

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, SEPTEMBER 4, 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 personal property for Janet L. Putnam – Parkersburg City District (2003); Ronald A. Newman – Clay District (2003); Harley J. Lynch – Parkersburg City District (2003); Randall J. Morris – Parkersburg District (2003); Harley J. Lynch – Parkersburg City District (2002); Gina K. Flinn – Parkersburg District (2003); Marilyn P. Dehart – Vienna District (2003); Roger D. Wilson – Parkersburg City District; Bernard Williamson – Williamstown District (2003).

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for Randy B. VanFossen – Parkersburg City District (two for 2003); Buster M. Adkins – Slate District (2003); Bernhardt M. Thomas, Jr. – Williamstown District (2003); Juanito M. Aya-Ay – Parkersburg City District (1999, 2000, 2001, 2002 & 2003); Karen S. Bazan – Vienna District (2003); Everett P. Vincent – Parkersburg City District (two for 2003).

At 10:30 A.M., the County Commission met with Larry Skeen, Attorney and George Cosenza, Attorney, to discuss the Iva Jane Smith estate. Discussion took place as to where and when a motion to have the executrix removed was filed. Jamie Six, County Clerk, stated that is not on file anywhere. After more discussion, the County Commission, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, hereby ordered that this hearing be adjourned to an unknown date after the matter of service is determined and/or after the court trial to be held on October 28, 2003.

At 11:15 A.M., the County Commission met with Harvey Rutter and his son Chris Rutter to discuss Harvey Rutter's property on Nicolette Road. After discussion, the County Commission told Mr. Rutter they could not issue him a permit at this time. They will be going out to look at the property again.

At 11:30 A.M., the County Commission met with Vince Collins from Steptoe and Johnson to discuss the issuance of solid waste disposal facilities revenue bonds. Ken Westfall and Ron Levine were also present. 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 a RESOLUTION in regard to the Issuance of Industrial Development Revenue Bonds. Such bonds would be utilized in the planning, design acquisition, construction and equipping of certain equipment, structures, and improvements and all necessary appurtenances and related facilities for the Waste Management of West Virginia (Parkersburg) Transfer Station located at the intersection of U.S. Route 50 East and Dry Run Road in Wood County, WV and for the Northwestern Landfill at the intersection of U.S. Route 50 East and Dry Run Road in Wood County, WV.

At 11:45 A.M., the County Commission met with Jenny Keup, Volunteer Action Center and Mary Maxwell, Volunteer Action Center Information and Referral Specialist to discuss a database for emergency calls that do not need 911.

Charlie Johnson, Chief Deputy, discussed a regional concept plan that the West Virginia Office of Emergency Services is proposing; they will provide training and equipment at no cost to the county; during the next two weeks they will be demonstrating the equipment.

The County Commission of Wood County was in receipt of a letter from Dan Casto requesting that the County Commission of Wood County assist the Lubeck Public Service District and its customers in finding an alternative to such a sudden and drastic increase in water rates by sixty-four percent (64%). Also attached to the aforementioned letter are calculations completed by Mr. Casto in regard to the two (2) loans currently in existence of the Lubeck Public Service District, and a Letter of Protest in reference to the Lubeck Public Service District's Notice of Intent to Raise Water Rates signed by forty-nine (49) residents. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of the Technical Review from the West Virginia Development Office, Charleston, WV, in regard to the County's Fiscal Year 2003 Small Cities Block Grant Application in the amount of seven hundred fifty thousand dollars and 00/100^{ths} cents (\$750,000.00) for a waterline extension in the Wadesville area through the Lubeck Public Service District. Adequate public notice was not given for the County Commission's resubmission public hearing held on June 2, 2003, and the project did not reference any documented health threats in the proposed project area are the deficiencies set forth in the aforementioned letter. The Mid-Ohio Valley Regional Council, Parkersburg, WV, on behalf of the County Commission of Wood County, administers Small Cities Block Grants.

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.

The County Commission of Wood County was in receipt of a letter from the West Virginia Development Office, Charleston, WV, stating that all funds available in the fiscal year 2002 have been committed. The aforementioned letter is in regard to the Governor's Community Partnership Grant Application submitted by the County on behalf of the Mineral Wells Volunteer Fire Department requesting funds for a Community Center Project. The Mineral Wells Volunteer Fire Department has been invited to submit an application for the fiscal year 2004. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of a letter of approval from the West Virginia Development Office, Charleston, West Virginia, in regard to the transfer of funds in the amount of twenty thousand dollars and 00/100ths cents (\$20,000.00) from the Engineering line item to the Equipment line item. Such a transfer would allow the purchase of furniture from the Small Cities Block Grant funds in regard to the Sequelle Communications Alliance, Inc. Receipt of the aforementioned letter is pursuant to an Order appearing in Order Book 66, at Page 6, and bearing the date of August 18, 2003, at which time a RESOLUTION was EXECUTED by the County Commission of Wood County. 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.

The County Commission of Wood County was in receipt of a letter from the West Virginia Emergency Response Commission, Charleston, WV, advising the County Commission of approval of the 2004 HMEP Planning Grant Application in the amount of five thousand dollars and 00/100ths cents (\$5,000.00). Grant funds are to be expended or obligated by

September 30, 2004 and the terms of the aforementioned Grant commence September 1, 2003 and continue to September 30, 2004. Documentation pertaining to the HMEP Grant is on file in the Office of the County Administrator. The Grant Application was completed by the Local Economic Planning Commission on behalf of the County Commission of Wood County, and the required Progress Reports will be completed by the aforementioned Local Economic Planning Commission. 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 Sworn Statement In Proof of Loss in regard to a lightning strike in the month of July, 2003. The aforementioned lightning strike caused a power surge that damaged the camera system and the power supply board located at the Wood County Magistrate Court Building, 308 Second Street, Parkersburg, WV. The total invoice for the damages, completed by Miller Communications, Parkersburg, WV, is in the amount of two thousand nine hundred ninety-four dollars and twenty-one cents (\$2,994.21); however, the County's deductible is in the amount of one thousand dollars and 00/100ths cents (\$1,000.00). The Sworn Statement In Proof of Loss, EXECUTED by Rick Modesitt, will be forwarded to the County's insurance carrier, State Board of Risk and Insurance Management, Charleston, WV.

The County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of two thousand three hundred ten dollars and 00/100ths cents (\$2,310.00) which represents reimbursement to Wood County for expenses incurred during the month of June, 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 65, at Page 550 and bearing the date of July 10, 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. 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.

Terry L. Brown, Director of Wood County Emergency Services/E-9-1-1, presented to the County Commission of Wood County, a New Road Name Request Form from Richard E. Carr and Erosa L. Carr to name the road to their residence. The said Request does not interfere with the scheduled readdressing and mapping for the E-9-1-1 Master Street Addressing Guide. Richard E. Carr and Erosa L. Carr, along with resident Christina Riser requested the road be named EVELYN LANE. The road to be known as EVELYN LANE provides access to the aforementioned residences as stated in the Carr's Request Form. The road to be known as EVELYN LANE is locate on Progress Ridge Road 1.5 miles from U.S. Route 50 in Walker Taxing District, Tax Map 360, Parcel Number 00K40000. The request by Richard E. Carr and Erosa L. Carr is in accordance with Chapter 7, Article 1, Section 3 of the Code of West Virginia, 1931, as amended, which deals, in part, with the County Commission naming or renaming thereof of roads, ways, streets, avenues, drives and the like to assure uniform, nonduplicative conversion of all rural routes to city-type addressing on a permanent basis. The County Commission does hereby find that the said request, made in writing, by Richard E. Carr and Erosa L. Carr, and the approval from the Wood County Emergency Services/E-9-1-1, is in proper form and is hereby ORDERED to be filed. NOW, THEREFORE, 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, does hereby ORDER that the aforementioned

road be named EVELYN LANE. The County Commission does further ORDER that a copy of the ORDER, along with the New Road Name Request Form, be certified by the Clerk of the County Commission for entry in the Office of the Clerk of the County Commission. An Order was prepared regarding this matter.

Terry L. Brown, Director of Wood County Emergency Services/E-9-1-1, presented to the County Commission of Wood County, a New Road Name Request Form. The said Request does not interfere with the scheduled readdressing and mapping for the E-9-1-1 Master Street Addressing Guide. No one on this road could agree on a road name; therefore, Terry L. Brown requested the road be named BENT TREE ROAD. The road to be known as BENT TREE ROAD is located off Sugar Camp Road in Steele Taxing District, Tax Map 440, Parcel Number 000B. The request is in accordance with Chapter 7, Article 1, Section 3 of the Code of West Virginia, 1931, as amended, which deals, in part, with the County Commission naming or renaming thereof of roads, ways, streets, avenues, drives and the like to assure uniform, nonduplicative conversion of all rural routes to city-type addressing on a permanent basis. The County Commission does hereby find that the said request, made in writing, and the approval from the Wood County Emergency Services/E-9-1-1, is in proper form and is hereby ORDERED to be filed. NOW, THEREFORE, 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, does hereby ORDER that the aforementioned road be named BENT TREE ROAD. The County Commission does further ORDER that a copy of the ORDER, along with the New Road Name Request Form, be certified by the Clerk of the County Commission for entry in the Office of the Clerk of the County Commission. An Order was prepared regarding this matter.

Terry L. Brown, Director of Wood County Emergency Services/E-9-1-1, and presented to the County Commission of Wood County, a New Road Name Request Form from Thomas G. Sanders to name the road to his residence. The said Request does not interfere with the scheduled readdressing and mapping for the E-9-1-1 Master Street Addressing Guide. Thomas G. Sanders requested the road be named TANGLEWOOD DRIVE. The road to be known as TANGLEWOOD DRIVE provides access to the aforementioned residence as stated in Mr. Sanders' Request Form. The road to be known as TANGLEWOOD DRIVE is approximately .9 mile off Red Hill Road, first driveway past Hope Freewill Baptist Church on the left in Clay Taxing District, Tax Map 50, Parcel Number E. The request by Thomas G. Sanders is in accordance with Chapter 7, Article 1, Section 3 of the Code of West Virginia, 1931, as amended, which deals, in part, with the County Commission naming or renaming thereof of roads, ways, streets, avenues, drives and the like to assure uniform, nonduplicative conversion of all rural routes to city-type addressing on a permanent basis. The County Commission does hereby find that the said request, made in writing, by Thomas G. Sanders, and the approval from the Wood County Emergency Services/E-9-1-1, is in proper form and is hereby ORDERED to be filed. NOW, THEREFORE, 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, does hereby ORDER that the aforementioned road be named TANGLEWOOD DRIVE. The County Commission does further ORDER that a copy of the ORDER, along with the New Road Name Request Form, be certified by the Clerk of the County Commission for entry in the Office of the Clerk of the County Commission. An Order was prepared regarding this matter.

Mary R. Rader, Director of the Wood County Planning Commission, and presented to the County Commission of Wood County a plat of lot numbers nineteen (19) through twenty-nine (29) of the Mary Jo Berry property located in Harris Taxing District. The said division of land falls within one of the exemptions set forth in the Subdivision Regulations for Wood County that does not require review of the entire Planning Commission. Such an exemption, in accordance with the said Subdivision Regulations for Wood County, could be signed by staff. Such exemption is as follows, "The formation of individual lots, provided such lots are each five acres or larger in size and if located adjacent of a public way, shall have a minimum width (or frontage) of 200 feet along such public way." However, due to the number of lots, previous legal counsel had suggested that a plat be prepared, approved by both the Wood County Planning Commission and the County Commission of Wood County, and then recorded in the Plat Books located in the Record Room in the Office of the Clerk of the County Commission.

Following review of the aforementioned plat, 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 give APPROVAL to the said plat and did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to place his signature upon the aforementioned plat for recordation. An Order was prepared regarding this matter.

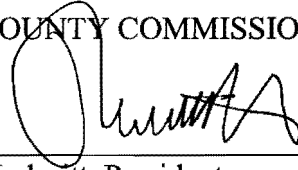
The County Commission of Wood County was in receipt of a letter from First National Bank, Parkersburg, WV, in which the said First National Bank ASSIGNS to the County Commission of Wood County the Certificate of Deposit Number 205746834 in the amount of forty thousand three hundred dollars and 00/100ths cents (\$40,300.00) as the bond for Worthington Terrace II Subdivision. Such bond is to insure that street improvements will be

completed as reflected on the plat of Worthington Terrace II Subdivision and as stated in the Subdivision Regulations for Wood County. The said Worthington Terrace II is located in Parkersburg Taxing District, consists of four (4) lots and is being developed by Harold V. Headlee. Water and sewer facilities are being provided by the City of Parkersburg. An Order was prepared regarding this matter.

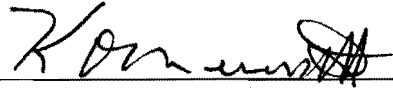
Having no further scheduled appointments or business to attend to, the County Commission adjourned at approximately 2:00 P.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



Rick Modesitt, President



K.D. Merritt, Commissioner



Robert K. Tebay, Commissioner

PURCHASE ORDERS APPROVED ON SEPTEMBER 4, 2003

28933	Casto & Harris	354.35
28939	WV Uniforms	244.85
29027	Sam's Club	218.26
29031	Wolfe Safety & Supply	26.40
29033	Broadwaters Motorcar	8.58
29035	Parks Hardware	7.96
29043	Winans Services	120.02
29045	PAMS	300.11
29047	Parks Hardware & Supply	15.92
29049	Casto & Harris	30.00
30662	WV Uniforms	71.45

30752	Wharton Cadillac	57.33
30778	Kincheloe Motors	149.48
30780	Kramer's Photo Supply	13.28
30782	Broadwaters Motorcar	861.38
30786	Broadwaters Motorcar	389.95
30796	Office Depot	111.43
30798	Astorg Motor	6.09
30806	United Refrigeration	101.84

To listen to this meeting, please refer to Tape #254 and Tape #255.

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~~H. Lee Rutter~~
H. C. Rutter

Ken Westfall

Ron Levine

Steve Collins

Jenny Keup

VAC

Mary Maxwell

VAC I+R