

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, SEPTEMBER 22, 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 made unanimous by Rick Modesitt, approved minutes from September 4, 2003. 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 8, 2003, September 11, 2003 and September 15, 2003.

The County Commission, upon a motion duly made, seconded and passed, approved an Erroneous Assessment Application in regard to real property for Gary D. Meredith - Parkersburg City District (2003).

At 10:30 A.M., the County Commission held a hearing in regard to a Petition for Annexation by Minor Boundary Adjustment from the City of Vienna. Attorney for the City of Vienna, David Underwood was present, along with Craig Metz, Public Works Director. Mr. Underwood presented the Affidavit of Publication and an Affidavit of Craig Metz, attesting to the posting of the Notice of Hearing within the area proposed to be annexed. After testimony, and having no persons appearing in opposition, the County Commission did hereby Order that the area described in said Petition and further described in the map attached to these minutes and the same is hereby annexed by minor boundary adjustment and incorporated into the

corporate limits of the Petition. Petition shall pay all costs of these proceedings. 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. No expenditures were incurred during the month of July, 2003. In addition to the Request for Reimbursement (no expenses reflected), the Monthly Report, the Project Director's Monthly 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.

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 Roger Stout in nomination for reappointment to the Wood County Recreation Commission. The new term will expire September 15, 2006. 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 with the purchase of new flags and new stands for such flags, that the American Flag and the West Virginia Flag previously displayed in the Office of the County Commission of Wood County,

Room 203, Wood County Courthouse, be given to the Oil and Gas Museum, Third Street, Parkersburg, West Virginia. 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 purchase of three (3) file cabinets for Chief Judge, Robert A. Waters. The cost of such file cabinets is in the amount of five hundred seventeen dollars and fifty-five cents (\$517.55). An Order was prepared regarding this matter.

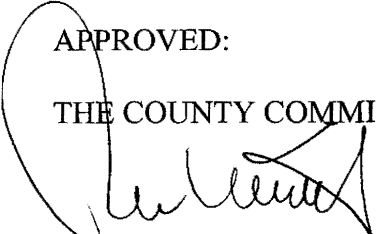

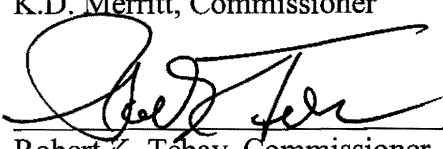
Linda Bonnett was sworn in as a part-time Deputy County Clerk.

Jeff Goode was sworn in as a member of the Region V EMS Board.

Having no further scheduled appointments or business to attend to, the County Commission adjourned at approximately 12:30 P.M., except for Commissioner Tebay, who was present until 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 22, 2003

29065	CR Malcom & Associates	223.36
29073	State Electric	4.60
29087	Winans Services	96.33
29089	Vic's Sales & Service	34.00
29091	Parks Hardware	13.50
29093	Parks Hardware	35.99
30850	Lemon's Garage	36.00
30864	Parks Hardware	7.87
30868	Badger Lumber	51.90
30870	Parks Hardware	8.99
30874	Parkersburg Printing	775.00
30888	Parks Hardware	10.18

To listen to this meeting, please refer to Tape #260 and Tape #261.

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DAVE UNDERWOOD

September 22, 2003

CRAIL METL

F. G. K. Anklam - EDE, INC.

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IN THE COUNTY COMMISSION
OF WOOD COUNTY, WEST VIRGINIA

In Re: Petition for Annexation
By Minor Boundary Adjustment
City of Vienna, a municipal corporation

ORDER

This 22nd day of September, 2003, came the City of Vienna, a municipal corporation, the Petitioner herein, by David G. Underwood, its attorney and Craig Metz, its Public Works Director, for hearing upon the Petition for Annexation by minor boundary adjustment heretofore filed and scheduled for hearing this day.

WHEREUPON, Counsel for the Petitioner tendered unto the Commission and asked leave to file the Affidavit of Publication evidencing the publishing of the Notice of Hearing as required by West Virginia Code 8-6-5(e), as amended, which Affidavit is hereby deemed proper in all respects and is hereby ORDERED FILED; and

WHEREUPON, Counsel for the Petitioner tendered unto the Commission and asked leave to file the Affidavit of Craig Metz, attesting to the posting of the Notice of Hearing within the area proposed to be annexed, which Affidavit, being deemed proper in all respects is hereby ORDERED FILED; and

WHEREUPON, the Commission having reviewed the Petition and the exhibit attached thereto and upon further consideration of the evidence presented and the representations of counsel for the Petitioner, the Commission does hereby make the following Findings of Facts, to-wit:

1. The Notice of Hearing as required by West Virginia Code 8-6-5(e), as amended, has been properly published according to law and has been prominently posted at not less than five (5) public places within the area proposed to be annexed.

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2. The area proposed to be annexed is contiguous to the corporate limits of the Petitioner except only as may be separated by a right-of-way in favor of CSX Corporation (formerly the B&O Railroad Company) as shown upon the plat exhibited to the Petition.

3. No persons have appeared this day in opposition to the Petition.
4. The area proposed to be annexed is owned in fee simple by the Petitioner and is used as a maintenance garage for the storage and maintenance of equipment, vehicles and related items used and owned by the Petitioner.
5. No persons other than the Petitioner reside within or otherwise use or occupy the area sought to be annexed.
6. An accurate map showing the metes and bounds of the area sought to be annexed is attached to the Petition and is made a part of the record herein.
7. No streets or highways are located within the area sought to be annexed except as may be shown upon the map attached to the Petition.
8. The area sought to be annexed is wholly within the County of Wood and no other municipality has made application to annex the same.
9. The proposed annexation is in the best interest of the County of Wood as a whole.
10. Each and every statement and allegation contained in the Petition is hereby found to be accurate and truthful.

ACCORDINGLY, and based upon the Findings of Fact herein above set forth, it is duly CONCLUDED that —

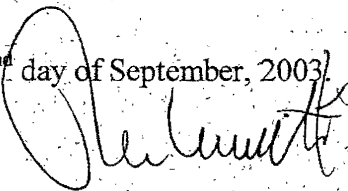
1. The area proposed to be annexed is hereby deemed a proper subject for annexation by minor boundary adjustment by the Petitioner in accordance with West Virginia Code 8-6-1, et seq., as amended, in all respects.
2. All requirements as to publication and posting have been fully and lawfully satisfied.
3. The best interest of the Petitioner and the County of Wood shall be better served by granting the relief prayed for in the Petition in that the area proposed to be annexed is wholly owned and occupied by the Petitioner.

ACCORDINGLY, it is hereby ORDERED that the area described in the Petition and further described in the map attached to this Order is, and the same is hereby

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annexed by minor boundary adjustment and incorporated into the corporate limits of the
Petitioner. Petitioner shall pay all costs of these proceedings.

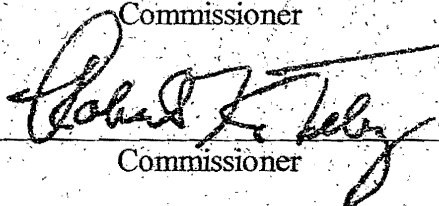
Enter this 22nd day of September, 2003.



Commissioner



Commissioner



Commissioner



SCALE 1"=30'
04/22/2003
PROJECT 03-209