

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, AUGUST 16, 2004

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, 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 Kenneth S. Allen – Vienna District (2000, 2001, 2002 & 2004); Harold R. Snyder – Tygart District (2004) and for Janie E. Green – Slate District (2004).

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for Betty Cowger – Vienna District (two for 2004); Jackson Hydro-Blast Service – Slate District (2004); Donald J. Wolfe – Lubeck District (2004); Jackson Trucking & Excavating – Slate District (2004) and for Minnie H. Weaver – Tygart District (two for 2004).

At 10:15 A.M., Pamela K. Young was sworn in as a dispatcher for the Wood County Sheriff's Department.

At 10:30 A.M., the County Commission met with Dianne Anderson, Blennerhassett Foundation; Donna Smith, Blennerhassett Island Superintendent; and Ray Swick, Blennerhassett Island Historical State Park, to discuss plans for Blennerhassett Island. They have been trying to get crafters on this island; the gift shop is making money; part of the problem is getting local people to the Island and part of the reason is the price of the tickets for

the boat to get to the island; the wagon people are pulling out of their bids at the end of the year and they are currently trying to get new bids for the beginning on next year; they are checking into buying the wagon; the Foundation has taken over the Putnam-Houser House. Mr. Swick stated that their duty is to preserve the history of Blennerhassett Island as it was when the Blennerhassett's lived there; they are aware that there are comments locally that there isn't enough to do on the island; they want to put a nature trail on the island; the master plan calls for the reconstruction of the Frontier Farm (plantation); he presented an Early American Life magazine that has an 11 page article about the Island; he thanked the Commission for the \$1,700.00 for the purchase a fine piece of furniture for the mansion. If anyone wishes to volunteer they can call the Park Office. The Island has picnic shelters scattered around the park and a primitive camping area; they have reenactments on the Island; a Candlelight tour of the mansion. Commissioner Modesitt stated he is very proud of the Island and the work they have done with it.

At 10:45 A.M., 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 Parkersburg Homecoming Committee to utilize the Wood County Fort Boreman Historical Park for the fireworks display subject to proof of insurance to be provided by the Parkersburg Homecoming Committee. The aforementioned fireworks display will be held Saturday evening, August 21, 2004. As stated in the letter from Zambelli Fireworks International of New Castle, Pennsylvania, it will not be necessary to dig any holes at the said Fort Boreman Park since the method of the present set up is an above ground mortar installation. An Order was prepared regarding this matter.

At 11:00 A.M., the County Commission met with Ginny Conley, Prosecuting Attorney and Bill Minear, Investigator.

At 11:05 A.M. the County Commission, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, went into Executive Session upon authority granted by West Virginia Code, Chapter 6, Article 9A, Section 4, Numbers 6 and 7 and under the Attorney Client Privilege. Mary Rader, County Administrator was present, along with Ms. Conley and Mr. Minear. They adjourned said session at 11:46 A.M.

Ms. Conley stated there are ten complaints that were looked into; of those ten, eight were substantiated and vary in degrees of importance or significance; the County Commission has limitations on what they can do; they could file a petition for removal of a board member if the allegations rise to that level, which is a very high level to meet and based upon the investigation, it doesn't appear that the allegations rise to that level; another option is to sit down with the commissioners (Lubeck PSD) and discuss what can be done; the citizens had trouble getting information and Mr. Minear, asking for the same or similar information, had no trouble getting the information; she thinks there were issues with the openness to the citizens; she encourages everyone to read the report and changes be made at the District; the Commission doesn't have the authority to tell them what to do at this point; the only Commissioner that has been there during the time that all of the issues have been raised is Lee Johnson, but they all three are working towards getting the open meetings act matter situated. Commissioner Modesitt asked if anything rises to the level for removal. Ms. Conley stated that nothing rises to the level of removal based on reviewing the State PSC decisions that have come down and addressed those issues; decisions were being made based on the advice that was being given to the commissioners (Lubeck PSD) by professionals, bad decisions were

made based on the advice from the professionals; if complaints had not been raised by the citizens, things probably would have continued.

Ms. Conley then discussed her part-time employee Angela Wallace. Ms. Rader and Ms. Conley discussed this matter, but it is inaudible. Ms. Conley stated she had no problem with not waiving the 60-day waiting period, but would like her to have insurance.

The County Commission of Wood County, upon a motion made Rick Modesitt, seconded by Robert K. Tebay and made unanimous by K.D. Merritt, did hereby RELEASE the Investigative Report prepared by William A. Minear, II of Bdygrd LC, Charleston, West Virginia, in regard to the Lubeck Public Service District. The aforementioned Investigative Report and other pertinent documents in regard to the Lubeck Public Service District are 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 Rick Modesitt, seconded by K.D. Merritt and made unanimous by Robert K. Tebay, did hereby REQUEST that Commission members of the Lubeck Public Service District meet with the County Commission of Wood County on Monday, August 23, 2004, to discuss and review the Investigative Report prepared by William A. Minear, II of Bdygrd LC, Charleston, West Virginia. Members of public service districts are appointed by the County Commission of Wood County pursuant to the Code of West Virginia, 1931, as amended. An investigation was requested by the County Commission of Wood County following numerous complaints received from residents within the Lubeck Public Service District area. An Order was prepared regarding this matter.

At 11:30 A.M., the County Commission met with Amy Fanta and John Badgley from the YMCA to discuss their new facility on Market Street. The site will be opening on

September 7, 2004 and they are asking to put a flier in with county employee checks or set up in the lobby to meet with employees on their lunch breaks. Commissioner Modesitt stated they would prefer the flier. Mr. Badgley invited the Commissioners to the open house on September 2, 2004. Mr. Badgley will get numbers together in regard to corporate rates or helping employees costs.

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 TABLE the request from Rocky A. Peck, Chairman of the Wood County Executive Committee, to put the following individuals in nomination for The Spirit of Wood County Awards: Daniel Byler, President of the Parkersburg High School Young Republicans Club; Howard Scott, Wood County Extension Agent; and Mrs. Marge Nicely for her services to the Community and the Wood County Rural Community. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of the response prepared by Amy Harries of the Mid-Ohio Valley Regional Council, Parkersburg, West Virginia, and remitted to the West Virginia Development Office, Charleston, West Virginia, on behalf of the County Commission of Wood County, in regard to Wood County's fiscal year 2004 Small Cities Block Grant Application. The aforementioned response addresses the Technical Review completed by the aforementioned West Virginia Development Office in regard to the Wadesville Area Water Line Extension to be completed through the Lubeck Public Service District. The Mid-Ohio Valley Regional Council, by Agreement, signed by both parties, does hereby ADMINISTER Small Cities Block Grants on behalf of 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 the Financial Management System Audit from the West Virginia Development Office, Charleston, West Virginia, in regard to the Fiscal Year 2001 Small Cities Block Grant for the Sequelle Communications Alliance, Inc. Project. Such Financial Management System Audit was performed by Anthony T. White, Auditor of the Community Development Division, on July 14, 2004. No findings of noncompliance with Federal and State requirements for the Small Cities Block Grant financial records were found. The aforementioned Small Cities Block Grant is being administered by the Mid-Ohio Valley Regional Council through an intergovernmental agreement signed by both the Mid-Ohio Valley Regional Council and the County Commission of Wood County. Documentation pertaining to the Fiscal Year 2001 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 the fully executed HOUSING CONSORTIUM COOPERATION by and between the City of Parkersburg, the City of Vienna, the City of Williamstown and Wood County. Receipt of the fully executed HOUSING CONSORTIUM COOPERATION is pursuant to an ORDER appearing in Order Book 66, at Page 340 and bearing the date of August 2, 2004, at which time the County Commission of Wood County did hereby EXECUTE the aforementioned HOUSING CONSORTIUM COOPERATION on behalf of Wood County. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of Grant Adjustment Notice Number One (1) from the Division of Criminal Justice Services, Charleston, West Virginia, in regard to the Victims of Crime Act Assistance Program Grant Number 03-VA-034. The aforementioned Grant adjustment Notice gives approval to a personnel change in which Erin

Lentz has replaced Sophia Colombo, Assistant Victims Advocate, who resigned her position. Documentation pertaining to the Victims of Crime Act Assistance 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 the Financial Management System Audit from the West Virginia Development Office, Charleston, WV, in regard to the Fiscal Year 2000 Small Cities Block Grant for the Progress Ridge Water Extension Project being completed through the Lubeck Public Service District. Such Financial Management System Audit was performed by Anthony T. White, Auditor for the Community Development Division, on July 14, 2004. No findings of noncompliance with Federal and State requirements for the Small Cities Block Grant financial records were found. The aforementioned Small Cities Block Grant is being administered by the Mid-Ohio Valley Regional Council through an intergovernmental Agreement signed by both the Mid-Ohio Valley Regional Council and the County Commission of Wood County. Documentation pertaining to the Fiscal Year 2000 Small Cities Block Grant is on file in the Office of the County Administrator.

The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt 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 Project Heavy Metal Grant Number 03-PSN-02. Expenditures in the amount of eight hundred eighty-two dollars and 00/100ths cents (\$882.00) were incurred by Wood County during the month of July, 2004, which represents payment of contractual services provided by Greg Collins, Project Safe Neighborhoods Coordinator. In addition to the Request for Reimbursement; the Monthly Report; the Grant Progress Report; the Daily Time Records for the Project Safe Neighborhood Coordinator; and the Project Financial Report are

being submitted to the Criminal Justice Services Offices, Charleston, West Virginia. Documentation pertaining to the Project Heavy Metal 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 Grant Award and the fully executed GRANT CONTRACT AGREEMENT between the DIVISION OF CRIMINAL JUSTICE SERVICES, Charleston, West Virginia, and the WOOD COUNTY COMMISSION, Wood County, West Virginia, in regard to the Juvenile Justice and Delinquency Prevention Grant Number 04-JJV-002. Receipt of the aforementioned fully executed GRANT CONTRACT AGREEMENT is pursuant to an ORDER appearing in Order Book 66, at Page 286 and bearing the date of June 7, 2004, at which time the County Commission of Wood County EXECUTED a RESOLUTION that AUTHORIZED Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to enter into such GRANT CONTRACT AGREEMENT. The said Juvenile Justice and Delinquency Prevention Grant will provide funding in the amount of forty-three thousand one hundred dollars and 00/100ths cents (\$43,100.00) for the P.E.A.C.E. (Program with Emphasis on Anger Control and Empathy) Program, the Q.U.I.T. (Quality Intervention and Treatment) Program, and the Y.I.E.L.D. (Youth In Effective Legal Diversion) Program. The time period for the aforementioned Grant commences on July 1, 2004 and will continue until June 30, 2005. 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 K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, did hereby give APPROVAL to the Proposal submitted by Ellis Tree Service, Davisville, West Virginia, to trim

various trees around County-owned property. The aforementioned Proposal is in the amount of one thousand two hundred dollars and 00/100ths (\$1,200.00) which includes the trimming of five (5) trees around the Wood County Courthouse, the trimming of trees along Market Street near the Wood County Judicial Building, the trimming of seventeen (17) trees around the Magistrate Court Building, the pruning of lower limbs of three (3) locust trees in the rear of the Wood County Magistrate Court Building, the trimming of one (1) tree at the Wood County Holding Center, and the disposal of all debris from the aforementioned trees and the cleanup. The trimming, disposal and cleanup will be done on a Saturday or late evening. 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 thirty-four thousand three hundred forty-nine dollars and eighty-nine cents (\$34,349.89), of which the amount of thirty-three thousand three hundred fourteen dollars and ninety-nine cents (\$33,314.99) represents reimbursement to Wood County for expenses incurred during the time period of April 1, 2004 through June 30, 2004, in regard to the Mid-Ohio Valley Regional Highway Safety/Safe Communities Program Grant Number F04HS-10. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 66, at Page 329 and bearing the date of July 22, 2004, 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 Mid-Ohio Valley Regional Highway Safety/Safe Communities 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 Rick Modesitt and made unanimous by Robert K. Tebay, did hereby ORDER the

purchase of a street sign from the General County Fund budget at the request of Monica J. Sturm who resides out Lost Pavement Road, turn right on gravel road past Missouri Run Road. The aforementioned street sign is to be named BARNSTABLE DR. 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 thirty-four thousand three hundred forty-nine dollars and eighty-nine cents (\$34,349.89), of which the amount of one thousand thirty-four dollars and ninety cents (\$1,034.90) represents reimbursement to Wood County for expenses incurred during the time period of April 1, 2004 through June 30, 2004, in regard to the Mid-Ohio Valley Regional Highway Safety/Safe Communities Program Grant Number F04-157/INV3-04. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 66, at Page 329 and bearing the date of July 22, 2004, 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 Mid-Ohio Valley Regional Highway Safety/Safe Communities 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 Grant Adjustment Notice Number Three (3) from the Division of Criminal Justice Services, Charleston, West Virginia, in regard to the Victims of Crime Act (VOCA) Assistance Program Grant Number 02-VA-050. The aforementioned Adjustment Notice does hereby DEOBLIGATE remaining funds in the amount of one thousand four hundred ninety-four dollars and seventeen cents (\$1,494.17), and thereby CLOSES the aforementioned Grant. 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, upon a motion duly made, seconded and passed, did hereby AUTHORIZE Rick Modesitt, as President and on behalf of the County Commission, to EXECUTE the letter addressed to the West Virginia Development Office, Charleston, WV, enclosing the Small Cities Block Grant Program Income Activity Reporting Forms for the Lubeck Public Service District Water Extension Project, Grant Number 92SCBG0139X and for the Sequelle Telecommunications Equipment Purchase Project, Grant Number 01SCBG0113. The administration of the Small Cities Block Grants is the function of the Mid-Ohio Valley Regional Council as per an agreement signed by both the Mid-Ohio Valley Regional Council and the County Commission of Wood County. An Order was prepared regarding this matter.

The County Commission was in receipt of a letter of resignation from K.C. Linder, Emergency Services Interim Director/Compliance Officer.

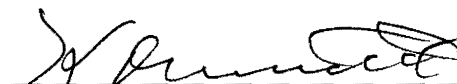
Having no further scheduled appointments or business to attend to, the County Commission adjourned at approximately 12:30 P.M.

APPROVED:

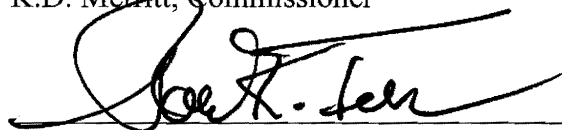
THE COUNTY COMMISSION OF WOOD COUNTY



Rick Modesitt, President



K.D. Merritt, Commissioner



Robert K. Tebay, Commissioner

To listen to this meeting, please refer to Tape #406 and Tape #407.

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August 16, 2004

DIANNE ANDERSON, BLEND. FOUNDATION

DONNA SMITH, BLEND. SUPERINTENDENT

Ray Suick, Blennerhassett Island Historical State Park

Genny Conley - Pros. CPS

Bill Mineau - Inv. CPS

Joan Badley, Amy Fanta - YMCA