

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, AUGUST 26, 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 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 August 5, 2004.

At 10:00 A.M., the County Commission met with Adam Krason from ZMM, Inc. to discuss the bids that were received. The County Commission REVIEWED and VOTED upon the following alternates submitted with the base bid of the renovations to the Judge Donald F. Black Courthouse Annex located at Third and Market Streets, Parkersburg, WV.

Alternate Number One (1)

Fountain

Motion made by Robert K. Tebay, seconded by K.D. Merritt and passed to ACCEPT Alternate Number One (1) in the amount of twenty-four thousand eight hundred seventy-nine dollars and 00/100ths cents (\$24,879.00). Rick Modesitt voted "No" on the motion.

Alternate Number Two (2)

Operable Partitions

Motion made by Robert K. Tebay, seconded by Rick Modesitt and passed to ACCEPT Alternate Number Two (2) in the amount of thirty- six thousand one hundred forty-six dollars and 00/100ths cents (\$36,146.00). K.D. Merritt voted "No" on the motion.

Alternate Number Three (3)

Drive-Thru

Motion made by Rick Modesitt, seconded by K.D. Merritt and passed to ACCEPT Alternate Number Three (3) in the amount of four thousand five hundred seventy-one dollars and 00/100ths cents (\$4,571.00).

Robert K. Tebay voted "No" on the motion.

Alternate Number Four (4)

Video Units

Motion made by Rick Modesitt, seconded by K.D. Merritt and made unanimous by Robert K. Tebay to DELETE Alternate Number Four (4) in the amount of one thousand four dollars and 00/100ths cents (\$1,004.00).

Alternate Number Five (5)

Family Court

Motion made by K.D. Merritt, seconded by Rick Modesitt and made unanimous by Robert K. Tebay to ACCEPT Alternate Number Five (5) in the amount of five thousand nine hundred eighty-nine dollars and 00/100ths cents (\$5,989.00).

Alternate Number Six (6)

Bulkheads

Motion made by Robert K. Tebay, seconded by K.D. Merritt and passed to ACCEPT Alternate Number Six (6) in the amount of six thousand six hundred eighty-four dollars and 00/100ths cents (\$6,684.00). Rick Modesitt voted "No" on the motion.

Alternate Number Seven (7)

Skylights

Motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt to ACCEPT Alternate Number Seven (7) in the amount of twenty-two thousand two hundred ninety-one dollars and 00/100ths cents (\$22,291.00).

Alternate Number Eight (8)

Fritz Tile

Motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, to ACCEPT Alternate Number Eight (8) in the amount of eight thousand nineteen dollars and 00/100ths cents (\$8,019.00).

The total amount of the seven alternates ACCEPTED by the County Commission of Wood County is in the amount of one hundred eight thousand five hundred seventy-nine dollars and 00/100ths cents (\$108,579.00), the base bid in the amount of three million five hundred sixty-seven thousand seven hundred dollars and 00/100ths cents (\$3,567,700.00). Therefore,

the renovations (base bid and alternates) to the Judge Donald F. Black Courthouse Annex is in the amount of three million six hundred seventy-six thousand two hundred seventy-nine dollars and 00/100ths cents (\$3,676,279.00). 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 the bid in regard to the renovations to the Judge Donald F. Black Courthouse Annex located at Third and Market Streets, Parkersburg, WV, be AWARDED to Silverheels, Incorporated, Marietta, Ohio, subject to approval of the CONTRACT given by Ginny Conley, Prosecuting Attorney of Wood County. AWARDING of such bid is pursuant to an ORDER appearing in Order Book 66, at Page 355 and bearing the date of August 16, 2004, at which time sealed bids were opened by the County Commission of Wood County and taken under advisement upon a motion duly made, seconded and passed. The aforementioned bids and other pertinent documentation pertaining to the renovations to the Judge Donald F. Black Courthouse Annex is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

At 10:30 A.M., the County Commission held a mandatory pre-bid meeting in regard to the Fort Boreman Historical Park Project. Clint Pifer from Environmental Design Group held the meeting.

At 11:00 A.M., K.C. Linder, Compliance Officer and William M. Brown, Engineer for the Wood County Abandoned and Dilapidated Building Ordinance, presented to the County Commission of Wood County multiple Petitions of the Wood County Enforcement Agency in regard to the following properties.

1. Jim Pilgrim
1 Maple Drive
Mineral Wells, WV 26150
2. Paul L. or Ellen L. Fordyce
RR2 Melrose Addition
Washington, WV 26181
3. Terry Archer
1014 Gihon Road
Parkersburg, WV 26101
4. Jeff Daggett
Route 1, Box 126D
Mineral Wells, WV 26150
5. Alonzo E. Charleton
525 Fort Boreman Avenue
Parkersburg, WV 26101

Presentation of such petitions is pursuant to Article 3, Section 3.2, paragraphs (d) and (e) of the Wood County Abandoned and Dilapidated Building Ordinance. Upon a motion duly made, seconded and passed, the County Commission of Wood County did hereby ORDER that the aforementioned PETITIONS be mailed to the aforementioned property owners. Said property owners have ten (10) days, from receipt of said PETITION, to request a hearing before the County Commission of Wood County. If such hearing is not requested, the County Commission of Wood County may ORDER the owner of such property to clean up or demolish such dwelling or building within a reasonable time. Upon the failure of the property owner to perform such duties as outlined by the County Commission of Wood County, the said County Commission of Wood County shall advertise for and seek contractors to make the said ORDERED repairs or demolition, and/or initiate a civil proceeding in the Circuit Court of Wood County. An Order was prepared regarding this matter.

The County Commission of Wood County made the following decisions in regard to previous Petitions received from the Wood County Enforcement Agency and presented to the said County Commission of Wood County on July 15, 2004 by William M. Brown, Engineer for the Wood County Abandoned and Dilapidated Building Ordinance.

1. George or Doris A. Conley
1607 Washington Blvd.
Belpre, Oh 45714

Certified letter mailed July 20, 2004, did not receive proof of service nor has the letter been returned to the County Commission.

Upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, the County Commission of Wood County did hereby ORDER that a legal notice be placed in both local newspapers which will serve as notice to the aforementioned Conleys that the County Commission of Wood County will be going out to bid in regard to property owned by them and located on Bull Creek Road.

2. Earl McCoy
1415 First Avenue
Parkersburg, WV 26101

Certified letter mailed on July 9, 2004 with return of service dated July 10, 2004 and received by the County Commission of Wood County.

Mr. McCoy has failed to call and set up an appointment before the County Commission of Wood County; therefore, the County Commission of Wood County did hereby ORDER that the bid be let in regard to this property upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt.

3. Harlan Williams
67297 Willow Grove Road
St. Clairsville, OH 43950

Certified letter mailed on July 9, 2004 with return of service received by the County Commission of Wood County. Mr. Williams failed to call and set up an appointment for a hearing with the County Commission of Wood County.

Therefore, the aforementioned County Commission of Wood County does hereby ORDER that the bid be let for the cleanup of the property owned by Harlan

Williams upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt.

4. Fred C. and Twila Park
621 Cedar Grove Road
Parkersburg, WV 26101

Certified letter mailed on July 9, 2004 with return of service received by the County Commission of Wood County signed by Twila Park and dated July 10, 2004. The Parks' failed to call and set up an appointment for a hearing with the County Commission.

Therefore, the aforementioned County Commission of Wood County does hereby ORDER that the bid be let for the cleanup of property owned by the Parks upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt.

5. Clifford P. Monroe
RR 2 Box 138
Mineral Wells, WV 26150

Certified letter mailed July 9, 2004. The aforementioned certified letter has been returned to the County Commission advising that the "letter not deliverable as addressed, unable to forward".

Therefore, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, the County Commission of Wood County did hereby ORDER that a legal notice be placed in both local newspapers which will serve as notice to the aforementioned Mr. Monroe that the County Commission of Wood County will be going out to bid in regard to property owned by Mr. Monroe and known as the Old Rockport School.

Documentation pertaining to the aforementioned petitions is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

At 11:15 A.M., Kathy Tucker was sworn in as Assistant E-911 Director.

At 11:20 A.M., the County Commission met with Bob Newell, Temporary Director of the E-911, Kathy Tucker, Assistant Director of the E-911 and Ron Salter, Salter and Associates, to discuss public relations/public information campaign for the Telecommunications Center. Mr. Salter and Mr. Newell discussed how to get problems solved; telling the public about emergency call system and what 911 does; it depends on how much money can be spent as to what they can come up with on this campaign; Mr. Salter thinks

television and radio should be used and the website needs to be redone; 911 shouldn't be used like 411; maybe use an insert for the newspapers. Mr. Newell and Mr. Salter will continue to work on this.

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 a Partial Release on Lot Number Forty-Five (45) of Woodland Falls Subdivision. Said Subdivision is of record in the Office of the Clerk of the County Commission of Wood County, West Virginia, in Plat Book Number One A (1-A) at Page Four Hundred Thirty-Eight (438), to which Plat reference is hereby made and had for a more particular description. With the approval of said Partial Release, the County Commission does hereby release the lien in regard to Lot Number Forty-Five (45) of the certain Notice of Lien which is dated February 16, 1995, executed by Ronald J. Mullenix and Rita K. Mullenix, as shown in Lien Book 639, at Page 482, which said Notice of Lien secures a bond in the amount of fifty thousand dollars and 00/100ths cents (\$50,000.00). In all other respects, the said Notice of Lien shall remain and be a valid and subsisting lien on the premises described therein. Said Partial release is to be shown of record in the Office of the Clerk of the County Commission of Wood County. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of the Cash Statements and Asset Lists for the Escrow Account - Expense Fund, the Expense Fund, the Rebate Fund, the Bond Fund and the Principal Prepayment Fund from The Bank of New York, Church Street Station, New York, New York, in regard to the Wood County, West Virginia Single Family Mortgage Revenue Bond Issue, 1997 Series. The said Cash Statements and Asset Lists are for the period ending July 31, 2004. Documentation pertaining to the said Single Family Mortgage

Revenue Bonds 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 Number Three (3) from the Division of Criminal Justice Services, Charleston, West Virginia, in regard to the STOP Violence Against Women Grant Number 02-VAW-008. The aforementioned Grant Adjustment DEOBLIGATES the amount of four thousand two hundred sixty-one dollars and seventy-three cents (\$4,261.73) from the law enforcement category of the aforementioned STOP Violence Against Women Grant. The aforementioned Grant Adjustment does hereby CLOSE the aforementioned Grant effective August 24, 2004. Documentation pertaining to the STOP Violence Against Women 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 that hereby AUTHORIZES Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE all necessary documents in regard to the Local Economic Development Assistance Program application for the Erickson All-Sports Facility in the amount of eleven thousand dollars and 00/100ths cents (\$11,000.00). Pertinent documentation pertaining to the aforementioned Local Economic Development 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, upon a motion made by Rick Modesitt, seconded by Robert K. Tebay and made unanimous by K.D. Merritt, did hereby APPROVE the following individuals for the part-time position of Parking Lot Attendants.

Donald Heath
William Gary Vaughn
Betty E. Morrison

The aforementioned individuals will work twenty (20) hours per week and are a part of the Senior Community Service Employment Program administered by the National Council On The Aging, Inc. 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 that hereby AUTHORIZES Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE all necessary documents in regard to the Local Economic Development Assistance Program application for the Wood County Beef Association in the amount of two thousand five hundred dollars and 00/100ths cents (\$2,500.00). Pertinent documentation pertaining to the aforementioned Local Economic Development Assistance Program Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

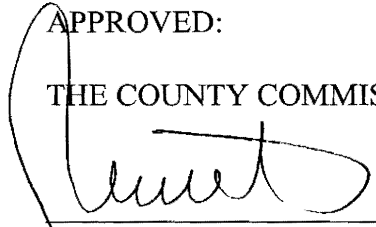
Pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing with the procedure policy for appointments being made by the County Commission of Wood County, the Commission announced that a vacancy will exist on the Wood County Recreation Commission's Board of Members due to Larry Allen's term expiring September 15, 2004. The County Commission, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt placed Larry Allen in nomination for reappointment to the Wood County Recreation Commission's Board of Members. The new term will expire on September 15, 2007. An Order was prepared regarding this matter.

Duane E. Jones, Assistant 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 Michael Bell, to name the road that provides access to residences. The said Request does not interfere with the scheduled readdressing and mapping for the E-9-1-1 Master Street Addressing Guide. Michael Bell, along with residents Bonnie Bell, Jason Bell, Michelle Bell and Gladys Bell, requested the road be named BELL DRIVE. The road to be known as BELL DRIVE is located on Stillwell Road 1/8 mile past Fore Timber, Walker Taxing District, Tax Map 340, Parcel Number K. The request by Michael Bell 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, non-duplicative 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 Michael Bell, 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 BELL DRIVE. The County Commission does further ORDER that a copy of the ORDER, along with the New Road 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.

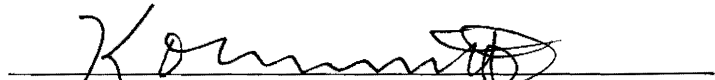
Having no further scheduled appointments or business to attend to, the County Commission adjourned at approximately 2:00 P.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



Rick Modesitt, President



K.D. Merritt, Commissioner



Robert K. Tebay, Commissioner

PURCHASE ORDERS APPROVED ON AUGUST 26, 2004

31992	Office Depot	158.70
32010	Broadwaters Motorcar	1235.76
31958	Wal-Mart	328.68
29901	Broadwaters Motorcar	4583.32
29935	Surfcontrol	1791.00
29943	Chapman Printing	182.28
29949	Parkersburg Office Supply	12.11
29959	Parkersburg Office Supply	73.58
32044	Office Depot	216.45
32042	Parkersburg Printing	1365.00
32028	Broadwaters Motorcar	97.81
32018	Broadwaters Motorcar	34.65
32016	The Hitchman	58.00
32014	Triumph Auto Glass	160.00
31987	Fire Extinguisher	471.14

To listen to this meeting, please refer to Tape #410 and Tape #411.

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August 26, 2004

John Matthews - Silverheels, Incorporated

Adam Krason - ZMM, Inc.

Belinger - Wood Co. Compliance

Ben Brown - Wood Co ENGINEER

Bob Newell - 911

Tom Salter - S&A

Kathy Tucker - 911

JEFF Hertz - PPD

Paul Vensel - PPD

Delmas Barker - PPD