

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
MONDAY, JULY 12, 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 K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, approved minutes from May 6, 2004 and May 10, 2004.

At 10:15 A.M., the County Commission met with Tim Knopp, Grant Consultant to discuss a Law Enforcement Block Grant. After discussion, 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 EXECUTION of a RESOLUTION which AUTHORIZES the filing of an application, including the understandings and assurances, requesting funds from the Local Law Enforcement Block Grant being administered through the Bureau of Justice Assistance, Washington, D.C. The aforementioned application requests funds in the amount of thirteen thousand eight hundred forty-nine dollars and 00/100ths cents (\$13,849.00) for the purpose of purchasing in-car video camera systems to be utilized by the Wood County Sheriff's Department. A ten percent (10%) cash matching fund is required; therefore, Wood County will be responsible for the amount of one thousand five hundred thirty-nine dollars and 00/100ths cents (\$1,539.00). The total grant award is in the amount of fifteen thousand three hundred eighty-eight dollars and 00/100ths cents (\$15,388.00). The Grant Application and other pertinent documentation in regard to the Local Law Enforcement Block

Grant are on file in the Office of the County Administrator. An Order was prepared regarding this matter.

At 10:30 A.M., the County Commission met with Bill Brown and Angela Ramsey, Assistant Prosecuting Attorney. (A copy of the transcript is attached to these minutes.)

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 revisions to the LAND USE ORDINANCE FOR LOCATING VIDEO LOTTERY ESTABLISHMENTS 2004 as presented by Angela Ramsey, Assistant Prosecuting Attorney.

The revisions are as follows:

**Section 4      Land Use Provisions**

Following Effective Date in the next to last sentence in the paragraph, the following should replace the last sentence. **“The measurement for playground, park and recreational area shall be from the outermost bounds of said playground, park, and recreational area closest to the proposed Video Lottery to the structure of the proposed Video Lottery.”**

The paragraph should read as follows:

**Section 4      Land Use Provisions**

**On and after the Effective Date, it shall be unlawful for any person to locate or establish a Video Lottery Establishment in or on any improvement (or part thereof) within 1000 horizontal feet, structure to structure by a straight line measurement, of any church, school, playground, park, recreational area, residence (excepting a residence owned by the Applicant, permitting all other provisions of the Ordinance are met), hotel, library, state highway interchange, or corridor or any other state facility except if such person is a Video Lottery Permittee with a license or licenses to operate Video Lottery Terminals in or on a specific Improvement or Improvements within the Territorial Limits before the Effective Date. The measurement for playground, park, and recreational area shall be from the outermost bounds of said playground, park, and recreational area closest to the proposed Video Lottery to the structure of the proposed Video Lottery.**

**Section 6.1**

The following to be added.

An application shall include, without limitation, a copy of the site plan of the Premises and the existing or proposed Improvement or Improvements, together with a letter describing the proposed Video Lottery Establishment.

The site plan shall be drawn to a scale of one-inch (1") equals fifty feet or larger and shall include the following data:

- (a) Name and address of the individual who prepared the site plan; the date of preparation, north point, and scale; a metes and bounds description of the site; tax district, map and parcel number, and the names and addresses of the Applicant and the Responsible Person; and
- (b) Existing and proposed contours of the Premises; and
- (c) Certification by a land surveyor or engineer that the dimensions and bearings on the site plan are accurately delineated and location of all easements and right-of-ways with respect to the Premises; and
- (d) Number and type of proposed Improvements on the Premises along with gross floor area of each Improvement on the Premises; and
- (e) Location, shape, exterior dimensions, and number of stories of each Improvement on the Premises; and
- (f) Location, grade, and dimensions of paved surfaces of the Premises, and of all streets, alleys, roads and highways abutting the premises; and
- (g) Complete traffic circulation and parking plan; and
- (h) Signage plan; and
- (i) Sediment and Erosion Control Plan if required by the State of West Virginia; and
- (j) Drainage plan for the Premises prepared by a registered professional engineer licensed to practice in the State of West Virginia; and
- (k) Certification of distances from adjacent properties.

Following the motion to ACCEPT the aforementioned Revisions to the LAND USE ORDINANCE FOR LOCATING VIDEO LOTTERY ESTABLISHMENTS 2004, the County Commission of Wood County did hereby ADOPT the said LAND USE ORDINANCE FOR LOCATING VIDEO LOTTERY ESTABLISHMENTS 2004 with the aforementioned Revisions upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt. An Order was prepared regarding this matter.

At 11:00 A.M., the County Commission met with Adam Krason from ZMM, Inc. to discuss the plans, bid specifications, etc. of the Judge Donald F. Black Courthouse Annex. After discussion, 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 APPROVE the plans and the bid specifications for renovations to the Judge Donald F. Black Courthouse Annex as presented by Adam Krason of ZMM, Inc., Architects and Engineers, Charleston, WV. Bid Opening has been set for 10:30 A.M. on Monday, August 9, 2004, before the County Commission of Wood County with a mandatory pre-bid conference for prime bidders at 2:00 P.M. on July 29, 2004 at the site. The plans, bid specifications and all pertinent documentation in regard to the renovations to the Judge Donald F. Black Courthouse Annex 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 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 Grant document in regard to the FY2004 HOMELAND SECURITY GRANTS which therefore Acknowledges receipt and acceptance of the aforementioned HOMELAND SECURITY GRANTS as set forth by the Department of Military Affairs and Public Safety, West Virginia

Office of Emergency Services, Charleston, WV. The following Programs are being funded in the following amounts.

- (1) Homeland Security Planner Programs, CFDA 97.004, fifty thousand dollars and 00/100ths cents (\$50,000.00) project period of December 1, 2003 until May 1, 2005.
- (2) Law Enforcement Terrorism Prevention Program, CFDA 97.004, two hundred ninety-five thousand nine hundred forty dollars and 00/100ths cents (\$295,940.00), project period of December 1, 2003 until May 1, 2005.
- (3) Citizen Corps Grant Program, CFDA 97.004, ten thousand dollars and 00/100ths cents (\$10,000.00), project period of December 1, 2003 until May 1, 2005.
- (4) Emergency Operations Center Program, CFDA 97.004, thirty thousand dollars and 00/100ths cents (\$30,000.00), project period of December 1, 2003 until May 1, 2005.

Documentation pertaining to the Homeland Security Grants 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 AUTHORIZE, by EXECUTION, the EQUAL EMPLOYMENT OPPORTUNITY PLAN (EEOP) FOR WOMEN AND MINORITIES. The aforementioned EEOP is being approved with the intent and purpose of guiding management in achieving equal employment opportunities for minorities and females. The aforementioned EEOP Plan shall be applicable for the time period of July 1, 2004 through June 30, 2005 and shall also apply to all grants received by the County Commission of Wood County. An Order was prepared regarding this matter.

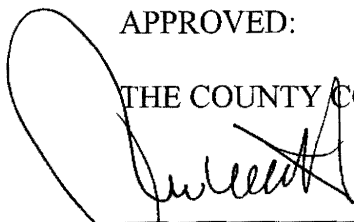
The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and made unanimous by Robert K. Tebay, did hereby ORDER that

the amount of four hundred thousand dollars and 00/100ths cents (\$400,000.00) be transferred from the E-9-1-1 Fund to the Capital Reserve Fund set up at WesBanco Bank, Inc., Parkersburg, WV. The aforementioned amount reflects the ending balance of the E-9-1-1 fund as of June 30, 2004. The said Capital Reserve Fund has a fixed rate of 3.6% interest. 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:

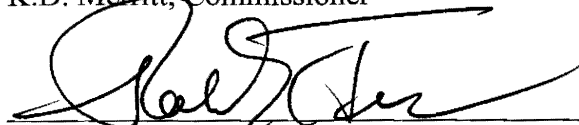
THE COUNTY COMMISSION OF WOOD COUNTY



Rick Modesitt, President



K.D. Merritt, Commissioner



Robert K. Tebay, Commissioner

PURCHASE ORDERS APPROVED ON JULY 12, 2004

29805

Office Depot

\$70.01

To listen to this meeting, please refer to Tape #392 and Tape #393.

ab

7/12/04

Please Sign In

Tim Knopp

LEBG

Bill Brown

Angela Ramsey

Adam Krasow

Pros. Office

ZMM, Inc.