

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, JUNE 3, 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 duly made, seconded and passed, approved Erroneous Assessment Applications in regard to personal property for SNV Holdings Inc – Parkersburg City District (2004); Paul D. & Teresa J. Titus – Slate District (2003); Jessica B. Srogi – Vienna District (2003); Janie Godfrey – Parkersburg City District (2001); Bobier Electronics Inc. – Parkersburg District (2003).

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for MES Group Inc. – Parkersburg City District (2003); John C. Bosley, Sr. – Parkersburg City District (1999, 2000, 2001, 2002 & 2003); Bobier Electronics – Williams District (2003); and Charles E. Williams – Harris District (2003).

At 9:45 A.M., the County Commission met with Ginny Conley, Prosecuting Attorney, to discuss Mountwood Park. Ms. Conley discussed the investigation into improper timbering and the open governmental meeting act and the lack of cooperation of the Board of Directors with the County; she discussed neglect of duty; she thinks it would be very costly to litigate the charges in regard to the timbering; in regard to the open governmental meeting act, the firing or terminating of Craig Pyles by Charlie Cline was a violation as well as when Mr. Mathers wanted to speak to all of the board members and Mr. Cline didn't let him which was also a

violation of the parks by-laws; she couldn't find anything showing the approval of the hiring of Michelle Rusen and what the terms of her agreement with the board were. Ms. Conley stated that since the hiring of Ms. Rusen, the agendas are more detailed and noticing is being done now. In regard to the criminal conduct investigation that Ed Galland allegedly took barbed wire to his property, it is out of the statute of limitations because of the amount of barbed wire, but Mr. Galland has since resigned. Ms. Conley stated she did a Freedom of Information Act for tapes, but has not received them yet, but should be getting them soon. 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 that they, the County Commission of Wood County, continue to monitor the Mountwood Park situation. At this time, the County Commission will not move forward with a Petition for removal, with the idea and thoughts in mind to save both the County and the Park some money by not doing that. The County Commission looks forward to the month of December when they will have three (3) appointments due. The Commission wishes to thank the Prosecutor for her work and ask that the criminal investigation go forward with anything she (Prosecuting Attorney) feels is necessary. An Order was prepared regarding this matter.

They briefly discussed the Community Corrections project grant about whether or not someone from the Sheriff's Department should attend a meeting.

At 10:30 A.M., the County Commission met with Jim Kinnett from the Area Roundtable. Mr. Kinnett gave an update on the happenings of the Roundtable.

At 10:45 A.M., the County Commission OPENED sealed bids in regard to the Property and Casualty Insurance coverage for Wood County. Receipt of the aforementioned sealed bids is pursuant to an ORDER appearing in Order Book 66, at Page 141 and bearing the date of January 12, 2004, at which time the said County Commission of Wood County ORDERED that

the bid be let; and further pursuant to a Legal Notice appearing in both local newspapers, The Parkersburg News and The Parkersburg Sentinel on April 19, 2004 and April 26, 2004. Sealed bids were received from the following.

1. Acordia
39 Twelfth Street
Parkersburg, WV 26101
Bid: \$387,251.94

2. Commercial Insurance Services
340 MacCorkle Avenue, S.E.
Suite 200
Charleston, WV 25314
Bid: \$465,620.05

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 aforementioned bids be taken under consideration. An Order was prepared regarding this matter.

The 11:00 A.M. hearing in regard to the guardianship of Kayla Marie Cooper, a minor, was cancelled.

At 12:00 Noon, the County Commission met with Greg Smith, Air Expo 2004; Blair Couch, Mid-Ohio Valley Airport and Carolyn Strock, Mid-Ohio Valley Regional Airport. 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 that the amount of ten thousand dollars and 00/100ths cents (\$10,000.00) be CONTRIBUTED to the Air Expo, c/o Mid-Ohio Valley Regional Airport, Parkersburg, West Virginia. The aforementioned amount is to be taken from monies received from the video lottery proceeds. An Order was prepared regarding this matter.

Mr. Modesitt stated he attended the LEPC meeting and presented the minutes; he presented the Wood County Emergency Services minutes.

At 1:00 P.M., the County Commission met with Fred VanKirk, Secretary of Transportation. They, along with representatives from the municipalities, toured the transportation projects in Wood County.

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 APPLICATION FOR LOCATING VIDEO LOTTERY ESTABLISHMENTS, WOOD COUNTY, 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 passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Victims of Crime Act (VOCA) Grant Number 02-VA-050. Expenditures in the amount of three thousand four hundred sixty-nine dollars and seventy-six cents (\$3,469.76) were incurred by Wood County during the Month of April, 2004, which represents payment of contractual services provided by Diana Williams, Victims Advocate; represents payment of contractual services provided by Sophia Colombo, Victims Advocate Assistant; and further represents payment of cell phone and pager for Diana Williams. In addition to the Request for Reimbursement; the Financial Recap; the Monthly Progress Reports from both the Victims Advocate and the Victims Advocate Assistant; the Monthly Statistics Report; the Daily Time Records for the Victims Advocate and for the Victims Advocate Assistant; the Annual Performance Report for the Victims Advocate and the Victims Advocate Assistant; and the Project Financial Report are being submitted to the Criminal Justice Services Office in Charleston, West Virginia. Documentation pertaining to the Victims of Crime Act (VOCA) 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 duly 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 of Wood County, to EXECUTE the Request for Reimbursement and the Certification of Grant Completion in regard to the GOVERNOR'S COMMUNITY PARTNERSHIP GRANT PROGRAM funding in the amount of twenty thousand dollars and 00/100ths cents (\$20,000.00) allocated to the Wood County Boys and Girls Club. 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 of Wood County, to EXECUTE the Request for Reimbursement in regard to the Juvenile Justice and Delinquency Prevention Grant Number 03-JJC-014. Expenditures in the amount of two thousand five hundred dollars and 00/100ths cents (\$2,500.00) were incurred by Wood County during the month of April, 2004, which represents payment of contractual services provided by the Counseling and Wellness Center, Parkersburg, WV, regarding the P.E.A.C.E. (Program with Emphasis on Anger Control) Program. In addition to the Request for Reimbursement; the Monthly Report; the Daily time Records of employees of the Counseling and Wellness Center; the Financial Recap; the Monthly Project Director's Report; the Demographic Report, and the Project Financial Report are being submitted to the Criminal Justice Services Office, Charleston, West Virginia. 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 upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, appointed Norman L. Harris to fill the

unexpired term of Edward K. Galland (who resigned) on the Wood County Parks and Recreation Commission (Mountwood Park). The term will expire December 16, 2004. 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 APPROVE the Application for a Security Card submitted by Sharon Hays, Owner of Hays Abstracting. Such APPROVAL is pursuant to an Order appearing in Order Book 64, at Page 133 and bearing the date of February 25, 2003, at which time the County Commission ORDERED that Applications be completed by applicants other than local attorneys, surveyors and appraisers. 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, appointed Stephen L. Nulter to fill the unexpired term of Harry William Sweeney (who died) on the Union Williams Public Service District Board. The term will expire November 1, 2004. 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 ORDER that a five-member committee be created to look at the possibility of improving the park system in Wood County and the management of such park system. The aforementioned committee shall consist of one (1) citizen at large, one (1) County Commissioner, and three (3) members representing the three (3) parks in the County.

The following members were appointed:

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|-----------------|---|-------------------|
| Kim Broughton | - | Mountwood Park |
| Robert Enoch | - | Fort Boreman Park |
| Marty Gilchrist | - | Veterans Park |
| Robert K. Tebay | - | County Commission |

(Will be appointed - Citizen-at-Large
at later date)

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 seven thousand three hundred sixty-five dollars and forty cents (\$7,365.40), of which the amount of one thousand six hundred twenty-four dollars and sixty-five cents (\$1,624.65) represents reimbursement to Wood County for expenses incurred during the month of March, 2004, in regard to the Combating Underage Drinking Program Grant Number 02-UD-79. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 66, at Page 235 and bearing the date of April 12, 2004, at which time Rick Modesitt, in his official capacity as President and on behalf of the County Commission of Wood County, was AUTHORIZED to EXECUTE the Request for Reimbursement for the month of March, 2004. 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 of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, did hereby APPROVE Change Order Number One (1), Change Order Number Two (2), Change Order Number Three (3) and Change Order Number Four (4) presented by Schneider Construction Company, Parkersburg, WV. Change Order Number One (1) is in the amount of six thousand two hundred sixty-seven dollars and 00/100ths cents (\$6,267.00) and consists of seventy (70) cubic yards of topsoil, sidewalk repairs and an electric panel support. Change Order Number Two (2) is in the amount of eight thousand five hundred twelve dollars and 00/100ths cents (\$8,512.00) and consists of electric support for PSX and Ticket Booth. Change Order Number Three (3) is in the amount of nine thousand five hundred four dollars and 00/100ths cents

(\$9,504.00) and consists of civil support for PSX and Ticket Booth. Change Order Number Four (4) is in the amount of fourteen thousand four hundred thirty-six dollars and 00/100ths cents (\$14,436.00) and consists of supplying and setting the ticket booth. The total cost of the Market Street Parking Lot Project is in the amount of one hundred eighty-nine thousand six hundred two dollars and 00/100ths cents (\$189,602.00) after factoring in the said four (4) change orders. Documentation pertaining to the Market Street Parking Lot Project 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 check from the State of West Virginia in the amount of seven thousand three hundred sixty-five dollars and forty cents (\$7,365.40) of which the amount of five thousand seven hundred forty dollars and seventy-five cents (\$5,740.75) represents reimbursement to Wood County for expenses incurred during the month of March, 2004, in regard to the Enforcing The Underage Drinking Laws Program Grant Number 03-UD-110. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 66, at Page 232 and bearing the date of April 12, 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 for the month of March, 2004. 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.

The County Commission of Wood County, upon a motion made 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 letter addressed to the Division of Criminal Justice Services, Charleston, West Virginia, requesting a budget revision and a time revision in regard to the Enforcing the Underage Drinking Laws Program Grant Number 03-UD-110. The aforementioned letter requests that the remaining

funds in the amount of seven hundred dollars and 00/100ths cents (\$700.00) reflected in the Other Category be transferred to the Personnel/Contractual Category and be used in the payment of the S.O.B.E.R. (Services, Observation, Behavior Modification, Education and Rehabilitation) Coordinator's salary. The letter further requests that the time period of the aforementioned Grant be extended from May 31, 2004 until August 31, 2004. 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.

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 payment of an Associate Membership in the American Mosquito Control Association, Eatontown, New Jersey. The aforementioned Associate Membership is in the amount of forty dollars and 00/100ths cents (\$40.00). An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion a 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 the Letters of Intent addressed to the West Virginia Office of Emergency Services, Charleston, West Virginia. Such Letters of Intent advise the said Office of Emergency Services of the intention of the County Commission to submit a Law Enforcement Terrorism Prevention Program Grant application, an Emergency Operations Center Grant application, a County Homeland Security Planer Grant application and a Citizen Corp Grant application. An Order was prepared regarding this matter.

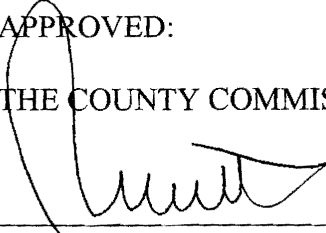
The County Commission of Wood County was in receipt of the Approval of the request for Revision to Approved Budget from the West Virginia State Auditor, Chief Inspector Division, Charleston, West Virginia, in regard to Revision No. 14 in the General


County Fund budget for the fiscal year 2003/2004. Receipt of said Approval is pursuant to an Order appearing in Order Book 66, at Page 277 and bearing the date of May 27, 2004, at which time the Request for Revision was signed by Rick Modesitt, President of the Wood County Commission. An Order was prepared regarding this matter.

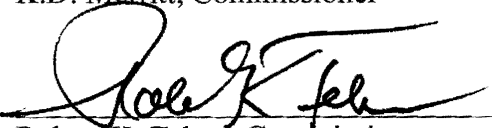
Having no further scheduled appointments or business to attend to, the County Commission adjourned at 1:00 P.M. to tour the sites with Secretary VanKirk.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


 Rick Modesitt, President


 K.D. Merritt, Commissioner


 Robert K. Tebay, Commissioner

PURCHASE ORDERS APPROVED ON JUNE 3, 2004

29723	Parkersburg Office Supply	225.09
29549	Brown Asphalt Paving Co.	4129.00
29631	Assurance Business Forms	581.00
29637	Dartek Computer Supply	3814.09
29697	Broadwaters Motorcar	32.34
29703	Broadwaters Motorcar	288.88
29711	Sam's Club	55.06
29713	Winans Services	93.79
29715	Wal-Mart	36.16
29721	Sam's Club	77.11
29725	Parkersburg Office Supply	721.00
29731	State Electric Supply	81.58
31512	Office Depot	65.49

31652	MTS Safety Products	509.49
31690	Tri-State Roofing	88.00
31700	Office Depot	130.32
31760	Dowler's Tractor Sales	23.90
31776	Parkersburg Office Supply	55.18
31814	Assurance Business Forms	295.00

To listen to this meeting, please refer to Tape #380 and Tape #381.

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June 3, 2004

1. Genny Conley
2. Jim Kinnett
3. Paul C. Hahj ~~John~~ Edmunds Land.
4. JoAnn Powell Westbrook
5. Robert Cash Westbrook
6. D. Blair Couch Mid Ohio Valley Airport
7. Greg Smith AV Expo 2004
8. CAROLYN STROCK MID. OHIO VALLEY REG. AIRPORT