

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, JUNE 24, 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 real property for Jesse Springer, Life Estate – Clay District (2004); and Kevin K. Chumney – Parkersburg City District (2003 and 2004).

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to personal property for Coachman's Tavern – Parkersburg City District (2004); and for Ralph E. Kidwiler – Clay District (2004).

At 10:30 A.M., the County Commission met with Chris Allen from Acordia Insurance. After discussion, the County Commission of Wood County, upon a motion duly made, seconded and passed, did hereby AWARD the bid for Property and Casualty Insurance coverage for Wood County to Acordia, 39 Twelfth Street, Parkersburg, WV. The total bid amount was three hundred eighty seven thousand two hundred fifty-one dollars and ninety-four cents (\$387,251.94). AWARDING of the aforementioned bid is pursuant to an ORDER appearing in Order Book 66, at Page 282 and bearing the date of June 3, 2004, at which time sealed bids were opened by the County Commission; and upon a motion duly made, seconded and passed, the County Commission did hereby take the bids under consideration. Acordia is the broker for the County Commission and the Property and Casualty Insurance Coverage is with the State Board

of Risk and Insurance Management. The bids and other pertinent information in regard to the said Property and Casualty Insurance coverage for Wood County are on file in the Office of the County Administrator. An Order was prepared regarding this matter.

At 10:45 A.M., the County Commission met with Ron Salter from Salter & Associates to discuss the Wood County website. The contract between Salter and the County is up in June, but he can extend it if needed; upgrade and maintenance was discussed. This will be discussed again on Monday.

At 11:00 A.M., the County Commission met with Angela Ramsey, Assistant Prosecuting Attorney and Bill Brown, County Engineer, to discuss recommendation and revisions in regard to the Video Lottery Establishments. They discussed where the points on a building are to be measured from; they may have to define "building". (Tape stops)

The County Commission, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, Ordered that a public hearing be set in regard to revisions to the Ordinance for Video Lottery Establishments. They set up a hearing date of July 12, 2004 at 10:00 A.M.

Angela Ramsey stated they have information of violations in regard to the Video Lottery Ordinance; the State is waiting on the County to do something. The County Commission, upon a motion made by Rick Modesitt, seconded by Robert K. Tebay, and made unanimous by K.D. Merritt, did hereby Authorize the Prosecuting Attorney to draft a notice letter to the establishments that are in violation because they appear to be in violation of the moratorium and authorize further action. William Brown, County Engineer was also present.

The County Commission held a public hearing in regard to the annexation of Property by Minor Boundary Adjustment, Tygart District. (This was inadvertently left off of the agenda).

After discussion, the County Commission Ordered that the property be, and the same, are hereby annexed, by minor boundary adjustment, to the petition herein and, accordingly, the corporate limits of the City of Parkersburg. An Order was prepared regarding this matter and is attached to these minutes. Joe Santer, Attorney for the City of Parkesburg and Donna Davis, City of Parkersburg were present.

The County Commission met with Bob Newell to discuss equipment for backup radio consoles. 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 bid be let for equipment for backup radio consoles at the Parkersburg Police Department located at No. 1 Government Square, Parkersburg, WV. Specifications to be prepared by the Temporary Director of the Wood County Telecommunications Center, Robert D. Newell. At such time as specifications have been prepared, the County Commission of Wood County will place a Class II legal notice in both local newspapers, The Parkersburg News and The Parkersburg Sentinel, as required by the Code of West Virginia, 1931 as Amended. The County Commission of Wood County, upon the aforementioned motion agreed to reimburse the City of Parkersburg for the cost of the eight (8) telephone lines utilized in the E9-1-1 backup, six (6) telephone lines for incoming calls and two (2) for outgoing calls at eighteen dollars and seventy-one cents (\$18.71) per line per month. As per the attached memorandum from Bill Gibbs, City of Parkersburg, the following are costs associated with additional phone service and equipment to support a backup 9-1-1 location at the Parkersburg City Building; (1) four (4) refurbished telephone sets compatible with Parkersburg's switch at one hundred seventy-five dollars and 00/100ths cents (\$175.00) each; (2) estimated installation of these sets is approximately one hundred fifty dollars and 00/100ths cents (\$150.00) to two hundred dollars

and 00/100ths cents (\$200.00) total; (3) estimated installation of said lines would be approximately forty dollars and 00/100ths cents (\$40.00) each. The aforementioned costs for equipment would be taken from the Capital Reserve Fund set up for the Wood County Emergency Services/E-9-1-1. 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 the E-9-1-1 Budget for the fiscal year 2004/2005.

The County Commission, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, instructed Mary Rader to contact Attorney Dan Marshall to handle the Nashua Photo property being in the name of Wood County.

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 EXECUTE a CONTRACT by and between the Mid-Ohio Valley Board of Health, Parkersburg, WV, and the Wood County Commission, Wood County, WV. As provided in Chapter 16, Article 2 of the Code of West Virginia, 1931 as amended, the Mid-Ohio Valley Board of Health AGREES to render and provide local health services and the use of public health facilities and the County Commission of Wood County AGREES to pay eighty-six thousand seven hundred fifty dollars and 00/100ths cents (\$86,750.00) on an annual basis for such services. 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 one hundred eighty-eight dollars and fifteen cents (\$34,188.15), of which the amount of twenty thousand dollars and 00/100ths cents

(\$20,000.00) represents funding from the GOVERNOR'S COMMUNITY PARTNERSHIP GRANT PROGRAM allocated to the Wood County Boys and Girls Club. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 66, at Page 280 and bearing the date of June 3, 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 and the Certification of Grant Completion. Documentation pertaining to the GOVERNOR'S COMMUNITY PARTNERSHIP GRANT PROGRAM 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 K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, appointed Shawn Graham and K.C. Linder to the Wood County 9-1-1 Advisory Board. Mr. Graham's and Mr. Kinder's terms will expire April 30, 2007. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and passed, did hereby AUTHORIZE K.D. Merritt, in his official capacity as President Pro Tem and on behalf of the County Commission, to EXECUTE the GRANT CONTRACT AGREEMENT between the West Virginia Department of Transportation, Division of Motor Vehicles, Charleston, WV and Wood County Commission, Parkersburg, WV, in regard to the Victims of Crime Act Assistance Program Grant Number 03-VA-034. The aforementioned AGREEMENT commences on July 1, 2004 and will continue until June 30, 2005. 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, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and made unanimous by Robert K. Tebay appointed Dan Keep, as the Camden-Clark

Hospital representative, on the Local Emergency Planning Commission Board. His term will expire December 31, 2005. 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 the EXECUTION of a RESOLUTION in regard to the Enforcing Underage Drinking Laws Grant Number 04-UD-131. With the EXECUTION of the aforementioned RESOLUTION, Rick Modesitt, in his official capacity as President and on behalf of the County Commission, is hereby AUTHORIZED to EXECUTE the GRANT CONTRACT AGREEMENT between the Division of Criminal Justice Services and the Wood County Commission; the Certifications Regarding Lobbying, Debarment; the EEOP Certification and the Special Conditions and Assurances. Documentation pertaining to the Enforcing Underage Drinking Laws 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 Todd Bloss to replace Larry Edwards on the Local Emergency Planning Commission. His term will expire December 31, 2005. 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 Juvenile Accountability Incentive Block Grant Number 02-A-D-157. Expenditures in the amount of five thousand three hundred twenty-eight and 00/100ths cents (\$5,328.00) were incurred by Wood County during the month of May, 2004, which represents payment of contractual services provided by Rozann Wilcox, Juvenile Justice Liaison;

and Michelle Buckley, Project R.E.P.A.Y./Youth Transition Coordinator. The required cash match as set forth in the said Grant has been met; therefore, no match is required this month. In addition to the Request for Reimbursement; the Monthly Reports; the Financial Recap; the Daily Time Records for the Project R.E.P.A.Y./Youth Transition Coordinator and for the Juvenile Justice Liaison; the Project Director's Monthly Reports from both the Project R.E.P.A.Y. Program Coordinator and the Juvenile Justice Liaison; the Demographic Reports for both the Project R.E.P.A.Y. Program Coordinator and the Juvenile Justice Liaison and the Project Financial Report are being submitted to the Criminal Justice Services Office in Charleston, West Virginia. Documentation pertaining to the Juvenile Accountability Incentive 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, 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 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 one thousand dollars and 00/100ths cents (\$1,000.00) were incurred by Wood County during the month of May, 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 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 EXECUTE the Request for Reimbursement in regard to the Project Heavy Metal Grant Number 03-PSN-02. Expenditures in the amount of one thousand one hundred seventy dollars and 00/100ths cents (\$1,170.00) were incurred by Wood County during the month of May, 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 Office, 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 a letter from Lavada Williamson, Director of Local Government Services Division of the Office of the State Auditor, Charleston, WV, ADVISING the County Commission of the APPROVAL of the Levy Estimate for the fiscal year ending June 30, 2005. Receipt of the aforementioned letter is pursuant to an ORDER appearing in Order Book 66, at Page 239 and bearing the date of April 15, 2004, at which time the County Commission of Wood County was in receipt of a letter received from the Office of the State Auditor stating that a Notice of a CONDITIONAL APPROVAL OF THE LEVY ESTIMATE (BUDGET) had been given to 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 Robert K. Tebay and made unanimous by Rick Modesitt, did hereby APPROVE the Application for a Security Card submitted by Susie Essof, Title Abstractor for Golden & Amos, PLLC. 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 Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, did hereby EXECUTE a RESOLUTION that AUTHORIZES Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE a Grant Application requesting funding from the West Virginia Governor's Highway Safety Program through the State of West Virginia Department of Motor Vehicles for the purpose of a Sustained DUI Enforcement Program in the Mid-Ohio Valley Region. The request for funding is in the amount of forty-seven thousand seven hundred forty dollars and 00/100ths cents (\$47,740.00) and would provide overtime funds for several law enforcement agencies within the Mid-Ohio Valley Regional Highway Safety Program. In addition to the Grant Application, the aforementioned motion and resolution, does hereby AUTHORIZE Rick Modesitt to EXECUTE the Conditions and Assurances and the Special Conditions. The aforementioned Grant Application along with additional documentation pertaining to the said Grant is being remitted to the Governor's Highway Safety Program, Charleston, WV. Documentation pertaining to the Sustained DUI

Enforcement 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 a check from the State of West Virginia in the amount of five thousand dollars and 00/100ths cents (\$5,000.00) which represents funding from the LOCAL ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM GRANT allocated to the Wood County Veterans Park. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 66, at Page 290 and bearing the date of June 10, 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 and the Certification of Grant Completion. Documentation pertaining to the 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 was in receipt of a check from the State of West Virginia in the amount of six thousand two hundred eighty-eight dollars and ninety-nine cents (\$6,288.99) which represents reimbursement to Wood County for expenses incurred during the month of April, 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 267 and bearing the date of May 20, 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 April, 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 was in receipt of a check from the State of West Virginia in the amount of two thousand five hundred dollars and 00/100ths cents (\$2,500.00) which represents reimbursement to Wood County for expenses incurred during the month of April, 2004, in regard to the Juvenile Justice and Delinquency Prevention Grant Number 03-JJC-014. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 66, at Page 361 and bearing the date of June 3, 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. 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.

Kim Wood was sworn in as a Sheriff's Tax Office Deputy.

Nick Deem was sworn in as an employee of the Central Telecommunications Center.

Having no further scheduled appointments or business to attend to, the County Commission adjourned at approximately 12:00 Noon.

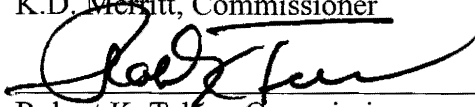
APPROVED:


THE COUNTY COMMISSION OF WOOD COUNTY

Rick Modesitt, President



K.D. Mersitt, Commissioner



Robert K. Tebay, Commissioner

PURCHASE ORDERS APPROVED ON JUNE 24, 2004

29383	Parkersburg Office Supply	160.21
29717	Tri-State Roofing	114.00
31434	Sir Speedy Printing	125.00
31752	Glotfelty Enterprises	192.45
31766	Astorg Motor	253.75
31786	Easton Printing	115.00
31792	Sam's Club	40.47
31794	Amera-Chem	74.90
31798	Batteries Direct	145.00
31800	Poynters Best Office	138.64
31804	Gall's Inc.	2732.13
31806	Astorg Motor	49.69
31808	Broadwaters Motorcar	51.51
31810	Astorg Motor	472.83
31824	Chapman Printing	338.61
31832	Office Depot	103.30
31836	Lemon's Garage	21.00
31838	Parkersburg Office Supply	23.34
31842	Apco	95.00

To listen to this meeting, please refer to Tape #387.

ab

June

24, 2004

PLEASE

PRINT

Chris Allen

DONNA DAVIS

Tom Salter

S&A.

10:45

JOE SANTER

Angela Ramsey

Bill Brown

Bob NEWELL

COPY

COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

**IN RE: Annexation of Property by
Minor Boundary Adjustment
Magisterial District of Tygart,
Wood County, West Virginia**

FINAL ORDER

This 24th day of JUNE, 2004, pursuant to the Order entered herein on the 20th day of MAY, 2004, this proceeding came on for hearing before the County Commission of Wood County, West Virginia; and this day came Petitioner, The City of Parkersburg, a municipal corporation, by Joseph T. Santer, its City Attorney.

In view of the findings of fact made herein on the 24th day of JUNE, 2004, this Commission accordingly concludes that the Petition herein is in proper form; that the area proposed to be annexed is a proper subject for annexation by minor boundary adjustment, and therefore, it is

ORDERED that the following described property, formerly situate in the Magisterial District of Tygart, Wood County, West Virginia, be, and the same are, hereby annexed, by minor boundary adjustment, to the petitioner herein and, accordingly, the corporate limits of the City of Parkersburg be, and the same are, hereby changed by virtue of such annexation, to include said property described as follows:

BEGINNING at a point in the existing Corporation Line of the City of Parkersburg, said point being the southeasterly corner of Lot 22 of South Acres Addition, as shown in Plat Book 11, Page 18, in the Office of the Clerk of the County Commission of Wood County, West Virginia; Thence, in a westerly direction, with the southerly line of Lot 22 of the said South Acres Addition, to the southwesterly corner of Lot 22 of South Acres Addition, said point being in the easterly line of 19th Avenue; Thence, in a northerly direction, with the easterly line of 19th Avenue to the southerly line of 26th Avenue; Thence, with the southerly line of 26th Avenue, in an easterly direction, to the northeasterly corner of Lot 22 of South Acres Addition; Thence, in a southerly

direction, with the easterly line of Lot 22 of the said South Acres Addition, to the beginning, containing 0.200 acres, as shown on the attached plat, which is made a part of this description.

This description was written by Tom M. Henderson, LLS No. 718, and is based on instruments of record.

A plat of said property for the purposes of this Order of Annexation is attached hereto and incorporated herein by reference.

Dated this 24th day of June, 2004.

ENTER:

COUNTY COMMISSION OF WOOD COUNTY

By: 

Its President