

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, MARCH 1, 2004

PRESENT: RICK MODESITT, PRESIDENT
ROBERT K. TEBAY, COMMISSIONER

ABSENT: K.D. MERRITT, 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 Rick Modesitt and passed, approved minutes from January 5, 2004 and January 8, 2004.

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for Kristopher R. Wilcoxon – Tygart District (2003) and Astorg Imports Inc. – Parkersburg City District (2003).

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to personal property for Beth Allen – Williams District (2003); R&C Inc. – Parkersburg City District (2003); Jillian Y. Pyles – Union District (2002); Maxine P. Davis – Parkersburg City District (2002); John R. Sleeth – Lubeck District (2002); Neil R. Buchlein – Parkersburg City District (2001); Alan Hayes – Clay District (2002); Jonathan D. Graziani – Parkersburg City District (2002); Leroy Loscar – Tygart District (2001, 2002 and 2003) and George E. Pigott – Harris District (2003).

At 10:30 A.M., the County Commission met with Donna Davis from the City of Parkersburg and City Attorney, Joseph Santer, to discuss the Annexation of Property by Minor Boundary Adjustment for property in Tygart District. After discussion, the County

Commission, upon a motion made by Rick Modesitt, seconded by Robert K. Tebay and passed, ORDERED that the property (description attached to these minutes) be annexed into the City of Parkersburg. 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 ACCEPT the proposal submitted by Richard A. Hayhurst, Attorney At Law, Parkersburg, WV, to provide services in connection with both the current and future proposals of the City of Parkersburg to utilize the tax-increment financing method of facilitating public projects in the City and for protection of the interests of the County of Wood and the taxpayers resulting therefrom. Attorney Hayhurst has set an hourly rate of one hundred thirty-five dollars and 00/100th cents (\$135.00) for his services, plus usual and customary out-of-pocket expenses, billed at par without markup. If no complication arises, Attorney Hayhurst estimates that the total bill for his services will not exceed two thousand five hundred dollars and 00/100ths cents (\$2,500.00). An Order was prepared regarding this matter.

At 11:00 A.M., the County Commission did hereby OPEN sealed bids for health insurance coverage, life insurance coverage, and dental insurance coverage for County employees. The opening of said 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 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 February 5, 2004 and on February 12, 2004, at which time the County Commission of Wood County requested proposals for the aforementioned insurance coverages.

Sealed bids were received from the following:

1. Parkersburg Benefits
Attn: Dave Roberts
PO Box 1372
Parkersburg, WV 26101
(Highmark Life Insurance Company, Medical Life Insurance Company and MetLife)
2. Parkersburg Benefits
Attn: Dave Roberts
PO Box 1372
Parkersburg, WV 26101
(Carelink Health)
3. Carelink Health Plans
Attn: Kelly E. Newhouse
500 Virginia Street
East Suite 400
Charleston, WV 25304
4. Mountain State Blue Cross/Blue Shield
PO Box 1948
Parkersburg, WV 26102
5. Jerry L. Villers & Associates
The Rivers Office Park
PO Box 244
Parkersburg, WV 26102-0244
(Carelink Health, Ameritas Dental Insurance, Mountain State Blue Cross/Blue Shield Medical Bid, American International Specialty Lines Insurance Company, and United Concordia Dental)

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and passed, did hereby ORDER that the bids be taken under advisement. An Order was prepared regarding this matter.

At 11:30 A.M., the County Commission held a hearing in regard to the William Anderson estate.

At 1:00 P.M., the County Commission met with Candice Null, Sheriff S.F. Greiner and Ginny Conley, Prosecuting Attorney to discuss a pre-trial release program and Ms. Null's visit to Calhoun County.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, 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 enter into a Lease Agreement by and between the Wood County Commission, Parkersburg, West Virginia and the Westbrook Health Services, Inc., Parkersburg, West Virginia. The aforementioned Lease Agreement is in regard to premises situated in the City of Parkersburg, Wood County, West Virginia, identified as 1011 Mission Drive, Parkersburg, West Virginia and described as a 0.352 acre tract of land. The term of the aforementioned Lease Agreement is for a period of one (1) year beginning on March 1, 2004 and ending on February 28, 2005 with the rental being one dollar and 00/100ths cents (\$1.00) for the one-year period. Any and all alterations or additions of the said leased premises require written consent of the Wood County Commission. Maintenance expenses and utilities for the leased premises are to be borne by the said Westbrook Health Services, Inc. The said Westbrook Health Services, Inc. shall keep in force an insurance policy of comprehensive public liability insurance, and property damage, with respect to the leased premises, in which the limits of coverage for bodily injury shall not be less than five hundred thousand dollars and 00/100ths cents (\$500,000.00), combined single limits and on which the coverage for property damage shall not be less than three hundred thousand dollars and 00/100ths cents (\$300,000.00) per accident. Property shall be insured against perils of all risks in the amount of one hundred thousand dollars and

00/100ths cents (\$100,000.00); in which the County Commission has been named as an additional insured. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion duly made, seconded and passed, announced that a vacancy exists on the Wood County Commission on Crime, Delinquency and Correction. Said vacancy is due to the fact that John Canfield is retiring from the Wood County Sheriff's Department as stated in a memorandum from Jane Burdette, Crime Commission Membership Chairman. The vacancy is further 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 to Boards and Authorities. The County Commission, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and passed, placed Barry Murphy in nomination to fill the vacancy. 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, ORDERED that Erroneous Assessment Applications Nos. 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615 and 1616 be DENIED. Said Erroneous Assessment Applications are in the name of Newblakor Inc. and is for real property located in Slate Taxing District. 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 passed, did hereby ORDER that one (1) Bicentennial Coin, one (1) book entitled A River to Cross and two (2) atlases of Wood County be DONATED to the Parkersburg High School Crew Benefit Auction. An Order was prepared regarding this matter.

On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and passed, did hereby AWARD the bid for the Market Street Parking Area project with alternate 2, which includes heavy duty concrete for said parking area, to Schneider Construction Company, PO Box 1685, Parkersburg, WV 26102. The base bid submitted by the said Schneider Construction Company was in the amount of one hundred eleven thousand four hundred fifteen dollars and 00/100ths cents (\$111,415.00) with Add Alternate 2 in the amount of thirty-nine thousand four hundred sixty-eight dollars and 00/100ths cents (\$31,468.00) and with Deduct Alternate 1 in the amount of fifteen thousand dollars and 00/100ths cents (\$15,000.00). The aforementioned Deduct Alternate 1 included exterior lighting fixtures, wiring, pad mount transformer, photocell, lighting contractor and concrete bases. The AWARDING of such bid is pursuant to an ORDER appearing in Order Book 66, at Page 181 and bearing the date of February 23, 2004, at which time the County Commission of Wood County OPENED sealed bids pursuant to a Legal Notice requesting proposals. Documentation pertaining to the Market Street Parking Area 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 sixteen thousand two hundred eighty-six dollars and eighty-three cents (\$16,286.83) of which the amount of five thousand seven hundred six dollars and eighty-three cents (\$5,706.83) represents reimbursement to Wood County for expenses incurred during the months of November 2003 and January 2004, in regard to the 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 113 and bearing the date of December 15,

2003, 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 further pursuant to an ORDER appearing in Order Book 66, at Page 169 and bearing the date of February 9, 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 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 was in receipt of a check from the State of West Virginia in the amount of sixteen thousand two hundred eighty-six dollars and eighty-three cents (\$16,286.83) of which the amount of five thousand eight hundred ninety-two dollars and 00/100ths cents (\$5,892.00) represents reimbursement to Wood County for expenses incurred during the months of November and December 2003 and January 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 113 and bearing the date of December 15, 2003, 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 November, 2003; further pursuant to an ORDER appearing in Order Book 66, at Page 138 and bearing the date of January 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 December, 2003; and further pursuant to an ORDER appearing in Order Book 66, at Page 168 and bearing the date of February 9, 2004, at which

time Rick Modesitt, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTED the Request for Reimbursement for the month of January, 2004. Documentation pertaining to the Enforcing The Underage Drinking Laws Programs 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 sixteen thousand two hundred eighty-six dollars and eighty-three cents (\$16,286.83) of which the amount of three thousand five hundred dollars and 00/100ths cents (\$3,500.00) represents reimbursement to Wood County for expenses incurred during the month of December 2003, 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 152 and bearing the date of January 26, 2004, at which time the Request for Reimbursement was EXCUTED by Rick Modesitt, in his official capacity as President and on behalf of the County Commission. 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 was in receipt of a check from the State of West Virginia in the amount of sixteen thousand two hundred eighty-six dollars and eighty-three cents (\$16,286.83) of which the amount of one thousand one hundred eighty-eight dollars and 00/100ths cents (\$1,188.00) represents reimbursement to Wood County for expenses incurred during the months of November and December 2003, in regard to the Project Heavy Metal Grant Number 03-PSN-02. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 66, at Page 120 and bearing the date of


December 22, 2003, 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 further pursuant to an ORDER appearing in Order Book 66, at Page 143 and bearing the date of January 15, 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 Project Heavy Metal Program Grant is on file in the Office of the County Administrator.

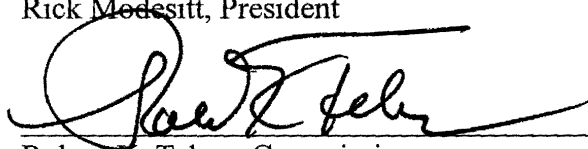
The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to enter into an addendum to the Contract of Lease Number VET-006-604 by and between the County Commission of Wood County, herein referred to as "Lessor", and the State of West Virginia, by the Secretary of the Department of Administration, herein referred to as "Lessee" for and on behalf of the Division of Veterans Affairs, herein referred to as "Tenant". Said Contract of Lease renews the lease for two (2) rooms containing approximately five hundred twenty-nine (529) square feet, more or less, on the fourth floor of the Wood County Courthouse, No. 1 Court Square in the City of Parkersburg, County of Wood, West Virginia, to be used by Veterans Affairs. Monthly rent is two hundred fifty dollars and 00/100ths cents (\$250.00) and the term of the lease will be for a twelve (12) month period beginning on July 1, 2004 and ending at midnight on June 30, 2005. 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

Robert K. Tebay, Commissioner

PURCHASE ORDERS APPROVED ON MARCH 1, 2004

29389	Tri-State Roofing & Sheet Metal	468.75
29441	Parks Hardware	16.47
29449	Parks Hardware	2.99
38012	Lowe's	36.10

To listen to this meeting, please refer to Tape #

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March 1, 2004

1. DONNA DAVIS City of PARKERSBURG
2. Joseph J. SANTER City Attorney City Parkersburg
3. Debbie Rogers Blue Cross Blue Shield
4. ~~Paul H. H.~~ PARKERSBURG BENEFITS, INC.
5. Kelly Newhouse Carelink
6. ~~Jersey D. Villers~~ Villers & Associates
7. Sharon Anderson 201-80th St. Villers
8. Charlotte J. Potter 2400-45th St. Parkersburg, WV 26109
9. Steve GREINER Wood Co Sheriff's Dept.
- 10.

IN THE 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 1st day of March, 2004, pursuant to the Order entered herein on the 2nd day of FEBRUARY, 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 1st day of MARCH, 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, and in the northerly line of 26th Avenue; Thence, with the northerly line of 26th Avenue, in an easterly direction, to the southwesterly corner of the tract of land described in a deed to Lawrence O. Smith and Freda Irene Smith, from Robert E. Newberry and Doris Virginia Newberry, dated the 2nd day of August, 1957, and recorded in the Office of the Clerk of the County Commission of Wood County, West Virginia, in Deed Book 413, at Page 118, said point being the southwesterly corner of the eastern one-half of Lot 4 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 northerly

COPY

direction, with the line dividing the easterly and westerly one-half of Lot 4 of the said South Acres Addition, to the northerly line of Lot 4 of the said South Acres Addition; Thence, in an easterly direction, with the northerly line of Lots 4, 5, 6, 7 and 8 of the said South Acres Addition, to the line dividing the easterly and westerly one-half of Lot 8 of the said South Acres Addition, Thence, in a southerly direction, with the said dividing line, to the northerly line of 26th Avenue; Thence, in an easterly direction, with the northerly line of 26th Avenue, to the intersection of the northerly line of 26th Avenue with the northerly prolongation of the easterly line of 18th Avenue; Thence, with the easterly line of 18th Avenue and its northerly prolongation, in a southerly direction, to the northwesterly corner of Lot 14 of South Acres Addition; Thence, in an easterly direction, with the northerly line of Lot 14 of the said South Acres Addition, to the northeasterly corner of Lot 14 of South Acres Addition; Thence, in a southerly direction, with the easterly line of Lots 14 and 15 of the said South Acres Addition, to the southeasterly corner of Lot 15 of South Acres Addition; Thence, in a westerly direction, with the southerly line of Lot 15 of South Acres Addition, to the easterly line of 18th Avenue; Thence with the easterly line of 18th Avenue, in a southerly direction, to the northwesterly corner of Lot 17 of South Acres Addition; Thence, in an easterly direction, with the northerly line of Lot 17 of the said South Acres Addition, to the northeasterly corner of Lot 17 of South Acres Addition; Thence, in a southerly direction, with the easterly line of Lot 17 of the said South Acres Addition, to the southeasterly corner of Lot 17 of South Acres Addition; Thence, in a westerly direction, with the southerly line of Lot 17, crossing 18th Avenue, and with the southerly line of Lot 28, to the southwest corner of Lot 28 of South Acres Addition; Thence, in a northerly direction, with the westerly line of Lots 28, 27, 26, 25 and 24 of the said South Acres Addition; to the northwesterly corner of Lot 24 of South Acres Addition; Thence, in a westerly direction, with the northerly line of Lots 24 and Lot 30 of the said South Acres Addition, to the southwest corner of Lot 21 of South Acres Addition; Thence, in a northerly direction, with the westerly line of Lot 21 of South Acres Addition, to the southerly line of 26th Avenue; Thence, in a westerly direction, with the southerly line of 26th Avenue, to a point in the existing Corporation Line of the City of Parkersburg; Thence, in a northerly direction, with the existing corporation line of the City of Parkersburg, to the beginning, containing 3.548 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.

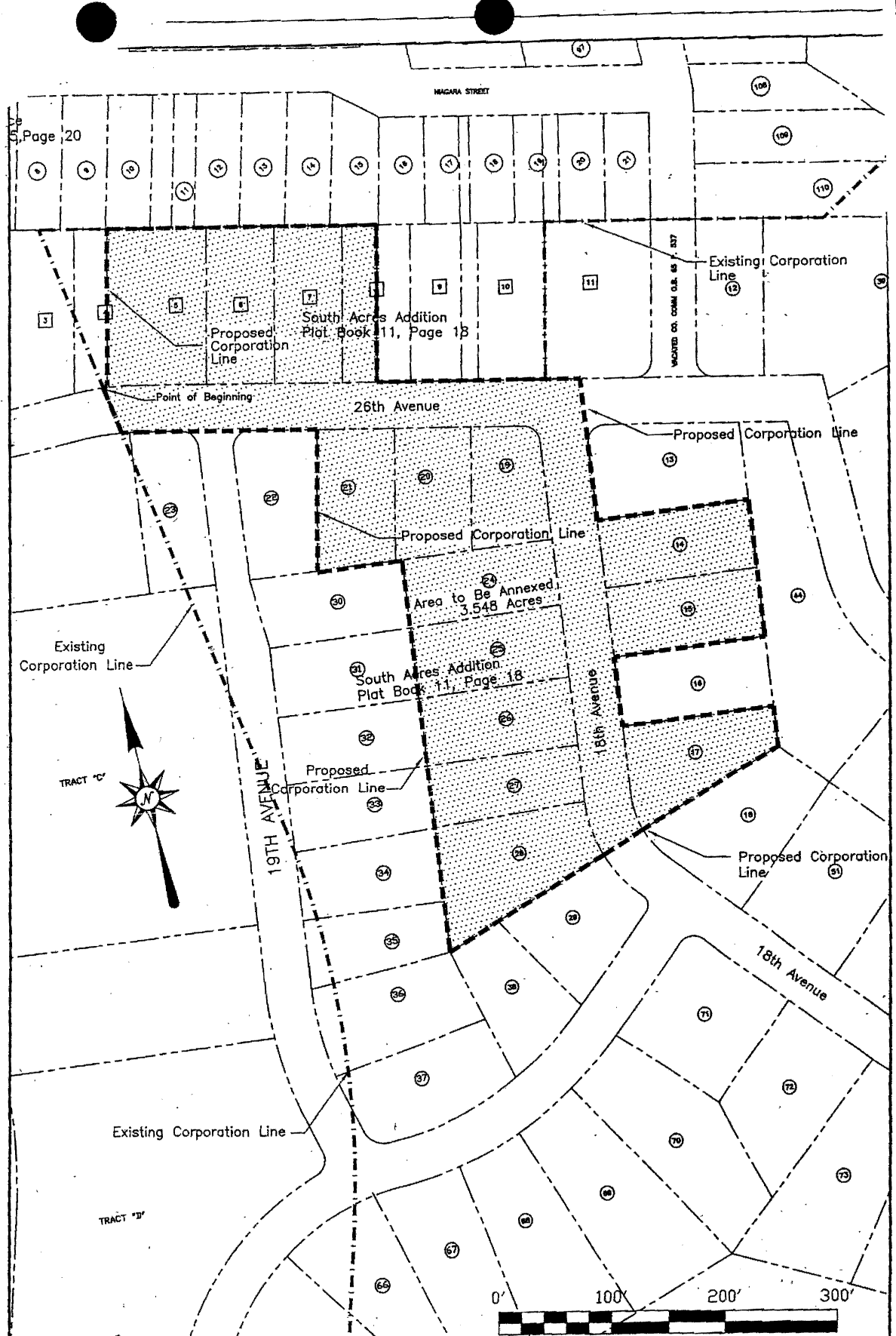
Dated this 1st day of March, 2004.

ENTER:

COUNTY COMMISSION OF WOOD COUNTY

By: 

Its President



SCALE = 1 INCH = 100 FEET

DATE: 1/07/04

DRAWN BY: TMH

CHECKED BY:

Tygart District Map 51

LOTS 4-8, 14-15, 17, 19-21, & 24-28
SOUTH ACRES ADDITION
PLAT BOOK 11, PAGE 18

Exhibit A

CITY OF PARKERSBURG, W.VA.

DEPARTMENT OF PUBLIC WORKS

DIVISION OF ENGINEERING

PROPOSED ANNEXATION

26TH AVENUE EAST OF DIKE CREEK

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

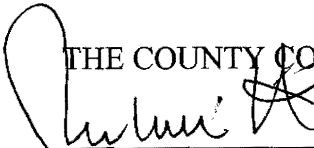
IN RE: ADDENDUM TO MINUTES OF MEETING
HELD MONDAY, MARCH 1, 2004

PRESENT: RICK MODESITT, PRESIDENT
K.D. MERRITT, COMMISSIONER
ROBERT K. TEBAY, COMMISSIONER

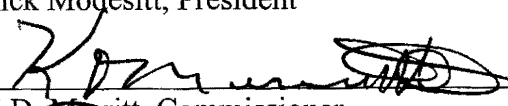
The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K. D. Merritt and passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission of Wood County, to EXECUTE the Request for Advance or Reimbursement in the amount of twenty-five thousand dollars and 00/100ths cents (\$25,000.00) in regard to the LEGISLATIVE BUDGET DIGEST PROGRAM being administered by the Governor's Office of Economic Development, Charleston, WV. The aforementioned LEGISLATIVE BUDGET DIGEST PROGRAM provided funding to assist in the development of the Wood County Fort Boreman Historical Park. An Order was prepared regarding this matter.

APPROVED:

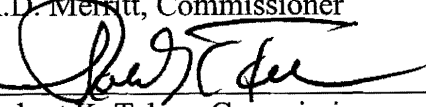
THE COUNTY COMMISSION OF WOOD COUNTY



Rick Modesitt, President



K.D. Merritt, Commissioner



Robert K. Tebay, Commissioner