

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, MARCH 10, 2005

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

At 9:30 A.M., the County Commission of Wood County met in regular session. They signed purchase orders, invoices and other correspondence.

At this time the County Commission, upon a motion made by Robert K. Tebay, seconded by Gary D. Deem and made unanimous by Rick Modesitt, approved minutes from February 15, 2005, February 22, 2005 and February 23, 2005.

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to personal property for Wendi R. Delancy – Williamstown District (2003); Jennifer A. Phillips – Clay District (2003) and Melissa A. Smith – Vienna District (2002).

The County Commission of Wood County, upon a motion duly made, seconded and passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE the FUNDING ASSISTANCE CONTRACT AGREEMENT between the Courthouse Facilities Authority and the Wood County Commission in regard to the Courthouse Facilities Authority Grant Number 54-01-123104 in the amount of eighty thousand dollars and 00/100ths cents (\$80,000.00). The aforementioned funding to be utilized in the renovation of a portion of the Wood County Holding Center for the Day Report Center. The funding period begins April 1, 2005 and continues through April 1, 2006, and the said County Commission of Wood County is responsible for matching funds in the amount of twenty thousand dollars and 00/100ths cents (\$20,000.00). Documentation

pertaining to the Courthouse Facilities Authority Fund 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 by Robert K. Tebay, seconded by Gary D. Deem, and made unanimous by Rick Modesitt, did hereby give APPROVAL to the Application and Certificate for Payment Number Six (6) presented by Silverheels, Incorporated, Marietta, Ohio, who was AWARDED the Contract for the renovations of the Judge Donald F. Black Courthouse Annex by the County Commission. The current payment due is in the amount of six hundred one thousand eight hundred seventy-eight dollars and seven cents (\$601,878.07) and represents payment for mobilization; demolition of walls, ceiling, etc.; concrete demolition; trash removal and utilities; demolition of exterior doors and windows; masonry and openings; cast in place concrete; structural steel; carpentry and framing; drywall hanging; drywall finish; insulation and fireproofing; roofing demolition; rubber roof and insulation; interior doors, frames and hardware, acoustical ceilings; ductwork and insulation; HVAC units and systems; control wiring; exhaust fans, registers and grills; storm piping; water piping; gas piping; insulation and miscellaneous; electric demolition and miscellaneous; lighting; power; distribution; systems; insurance, bonds, taxes, permits; change order G-01; and change order G-02 in regard to the renovation of the aforementioned Judge Donald F. Black Courthouse Annex. Approval for the aforementioned payment was given by ZMM, Inc., Charleston, West Virginia, who has been retained by the County as the Architect for the renovation project. The total cost of the aforementioned Renovation Project 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). Documentation pertaining to the renovations 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 Gary D. Deem, seconded by Rick Modesitt and made unanimous by Robert K. Tebay, 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 Enforcing the Underage Drinking Laws Program Grant Number 04-UD-131. Expenditures in the amount of two thousand six hundred fifty-eight dollars and seventy-five cents (\$2,658.75) were incurred during the month of February, 2005. The amount of two thousand five hundred seventeen dollars and fifty-seven cents (\$2,517.57) represents reimbursement for contractual services provided by Kelly Shook, Project S.O.B.E.R. (Services, Observation, Behavior Modification, Education, and Rehabilitation) Coordinator; the amount of fifty dollars and 00/100ths cents (\$50.00) represents reimbursement for contractual services provided by McKinsey Murphy; the amount of two hundred fourteen dollars and twenty cents (\$214.20) represents reimbursement to law enforcement officials of the Parkersburg Police Department who worked overtime hours in regard to a Compliance Checkpoint operation; and the amount of twenty-one dollars and thirty-seven cents represents "buy money" provided by the Parkersburg Police Department and the Wood County Sheriff's Department. In addition to the Request for Reimbursement; the Monthly Report; the Project Director's Monthly Report; the Financial Recap; the Daily Time Records of the Program Director, Kelly Shook; the Monthly Supervisor's Report; the Project Financial report; backup data for McKinsey Murphy; the Daily Time Records of law enforcement officials with the Parkersburg Police Department; and the Demographic Reports are being submitted to the Division of Criminal Justice Services, Charleston, West Virginia. Documentation pertaining to the Enforcing the Underage Drinking Laws Program 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 Gary D. Deem, and made unanimous by Rick Modesitt, did hereby give APPROVAL to the Application and Certificate for Payment presented by Environmental Design Group, Vienna, West Virginia, on behalf of J.C. Bosley Construction, Inc., Mineral Wells, West Virginia. The J.C. Bosley Construction, Inc. was AWARDED the bid for the Fort Boreman Historical Park Project. The current payment due is in the amount of fifty thousand twenty-two dollars and 00/100ths cents (\$50,022.00), and represents payment for Site grading, utility line relocation and storm and underdrain in regard to the construction of the Fort Boreman Historical Park Project. The total cost of the construction of the Fort Boreman Historical Park Project was in the amount of one million forty-three thousand dollars and 00/100ths cents (\$1,043,000.00). Documentation pertaining to the construction of the Fort Boreman Historical Park 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 in the amount of fourteen thousand five hundred twenty-four dollars and twenty-five cents (\$14,524.25) from the State of West Virginia in regard to the Wood County Commission Homeland Security Grant/Law Enforcement Terrorism Prevention Grant Program. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 66, at Page 531 and bearing the date of February 14, 2005, 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 period of October 1, 2004 through December 31, 2004. Documentation pertaining to the Law Enforcement Terrorism Prevention Grant Program 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 Gary D. Deem and made unanimous by Rick Modesitt, announced to all concerned that they will not be in session on Monday, March 14, 2005 due to the fact they will be attending the West Virginia Association of Counties Annual Meeting to be held in Charleston, West Virginia. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Gary D. Deem, seconded by Rick Modesitt, and made unanimous by Robert K. Tebay, did hereby AUTHORIZE the EXECUTION of an AFFIDAVIT in accordance with Chapter 5A, Article 3, Section 10a. of the Code of West Virginia, 1931, as amended. The aforementioned AFFIDAVIT does hereby CERTIFY that the bidder and all related parties do not owe any debts or, if a debt is owed, that the provisions of the exception clause apply, and all State Licensing requirements are in compliance. An Order was prepared regarding this matter.

At 10:30 A.M., the County Commission met with Toni Tiano, Grant Consultant; Candice Null and Carrie Atkinson, Day Report Center and Tim Underwood, a counselor for the Day Report Center. Ms. Tiano stated that they have contracts through a grant that need signed by the Commission; there is no county match with these positions. Mr. Underwood will be working in the evenings to counsel people on this program; Ms. Atkinson works during the day. They discussed the gambling problem in Wood County; they discussed the types of cases they see, such as DUI's, false pretenses, etc.; they have 88 active clients; they discussed where some of the clients are working; they discussed the renovations of the day report center.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Gary D. Deem and passed, did hereby AUTHORIZE Rick Modesitt in his official capacity as President and on behalf of the County Commission, to enter into an AGREEMENT

by and between the County Commission of Wood County, Parkersburg, West Virginia and Tim Underwood, LPC, CCAC, 51 Cedar Drive, Mineral Wells, West Virginia. The County Commission is the recipient of grant funds from the State of West Virginia, Division of Criminal Justice Services, in regard to the Community Corrections General Revenue Grant for the purpose of hiring a part-time counselor, on a contractual basis, for the Day Report Center. Such Part-Time Counselor will provide evening counseling sessions, as needed, to participants of the County's Community Corrections - Day Report Center Program. For the aforementioned services, the County Commission of Wood County shall compensate Tim Underwood at the rate of fifty dollars and 00/100ths cents (\$50.00) an hour for up to four (4) to eight (8) hours per week for a maximum amount of four thousand three hundred dollars and 00/100ths cents (\$4,300.00). The term of the aforementioned AGREEMENT shall begin on March 1, 2005 and terminate on June 30, 2005. If for any reason, the conditions and provisions of said AGREEMENT are not carried out by Tim Underwood, the County Commission shall pursue all administrative, contractual and legal remedies available by law, including such sanctions and penalties, which may be available through these remedies. The terms contained in the aforementioned AGREEMENT may be modified or amended at any time by mutual consent of the County Commission, Tim Underwood, and the Division of Criminal Justice Services. Documentation pertaining to the Community Corrections General Revenue 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 Gary D. Deem and passed, did hereby AUTHORIZE Rick Modesitt in his official capacity as President and on behalf of the County Commission, to enter into an AGREEMENT by and between the County Commission of Wood County, Parkersburg, West Virginia and

Carrie Atkinson, 1523 Lake Hills Drive, Parkersburg, West Virginia. The County Commission is the recipient of grant funds from the State of West Virginia, in regard to the Community Corrections General Revenue Grant for the purpose of hiring an Administrative Assistant, on a contractual basis, for the Day Report Center. Such Administrative Assistant will provide clerical work for the County's Community Corrections - Day Report Center. For the aforementioned services, the County Commission of Wood County shall compensate Carrie Atkinson at the rate of ten dollars and 00/100ths cents (\$10.00) an hour for up to twenty-five (25) hours per week up to twenty-six (26) weeks for a maximum amount of six thousand four hundred dollars and 00/100ths cents (\$6,500.00). The term of the aforementioned AGREEMENT shall begin on January 1, 2005, and terminate on June 30, 2005. If, for any reason, the conditions and provisions of said AGREEMENT are not carried out by Carrie Atkinson, the County Commission shall pursue all administrative, contractual and legal remedies available by law, including such sanctions and penalties which may be available through these remedies. The terms contained in the aforementioned AGREEMENT may be modified or amended at any time by mutual consent of the County Commission, Carrie Atkinson, and the Division of Criminal Justice Services. Documentation pertaining to the Community Corrections General Revenue Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

At 11:00 A.M., the County Commission met with Chief Judge, Robert Waters; Magistrates Emily Bradley, Brenda Marshall, Donna Jackson and Joyce Purkey; and Paulina Yearego, Interim Magistrate Clerk. Judge Waters discussed the need for additional space at the Magistrate Court Building. Ms. Yearego submitted some figures and stated that Magistrate Court brings in a lot of money for the County; then she discussed what fees they actually

collect, which ones go to the State and which ones go to the County; she wants to move the Clerk's Office to the new area, she would like the front office and would like another bathroom; she hopes they don't take the rent into consideration when they make their decision (they won't receive more rent if the Magistrates use this space). Emily Bradley presented a drawing of what they would like to do. Ms. Bradley stated they would like to have a place for victims to sit so they are not sitting with the defendants. Commissioner Modesitt stated they are getting mandated with many things that the County has to pay for; he asked if they have asked the State for funding to assist with the renovations. Judge Waters stated that this is not a major renovation. Ginny Conley, Prosecuting Attorney, stated that the Supreme Court can tell her where she can go in the Magistrate Court. There was discussion about who was to get the space when the Family Law Master moves out; the Prosecuting Attorney's access to the Magistrate Court; and the front and back offices. Commissioner Tebay stated they need to see a plan on paper. Commissioner Modesitt stated he thinks they need to get a contractor to the building. The Commission will visit Magistrate Court on March 17, 2005 at 11:30 A.M.

At approximately 11:45 A.M., the County Commission met with Rocky Peck, President of the Wood County Planning Commission. Mr. Peck gave a report on the public hearing they held in regard to an ATV ordinance; most of the people attending the meeting were against an ordinance; the planning commission decided to not follow the request of Community Acres request for an Ordinance. They did not have any participation at the hearing from Community Acres. Ms. Conley was in attendance at this meeting and she stated that those at the meeting were told that this ordinance was only for Community Acres; some thought it was Countywide. Mr. Peck stated he doesn't see a need for a second hearing because they will probably get the

same kind of feedback they got at the first hearing. Commissioner Tebay stated that if they receive a petition, they would be obligated to hold a public hearing.

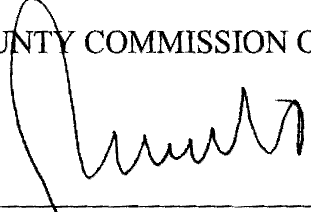
The second thing that Mr. Peck discussed was a comprehensive plan for Wood County that is an unfunded mandate. He stated it will take at least \$100,000.00; he suggested discussing this with the economic development group.

At approximately 11:55 A.M., the County Commission met with K.D. Merritt, Sheriff; Ginny Conley, Prosecuting Attorney and Mark King; Deputy, to discuss mental hygiene duties required by the State Code. Deputy King presented a copy of a letter he received from the Attorney General's Office. Deputy King stated that there are things they are doing that they don't have to be doing in regard to medical placement, medical clearance, etc.; transferring patients from one hospital to another mental health facility. Sheriff Merritt stated they have no problem doing what the court orders say to do. Deputy Sheriffs are tied up for many hours on mental hygiene cases that could be spent on other things in the County. Sheriff Merritt stated that the decisions need to come from the Judge and the Commissioners; they would like cooperation between the courts. They are at this meeting to let the Commission be aware of what is going on. Ms. Conley stated they need to determine which Sheriff is to transport patients; she discussed the medical clearance and how Deputies have to sit at the hospitals for many hours; mental hygiene commitments are only supposed to be emergency ones in the middle of the night and non-emergency ones should be held until morning; she will discuss this with Judge Reed. Commissioner Tebay stated that it would be a good idea to have a meeting with the judge, the Sheriff, a mental hygiene commissioner. Ms. Conley stated she wants to get the laws down and then they will do that.

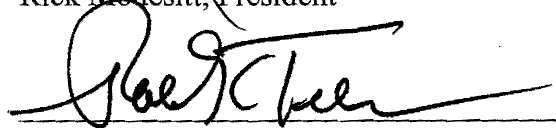
Having no further scheduled appointments or business to attend to, the County Commission adjourned at approximately 12:30 P.M.

APPROVED:

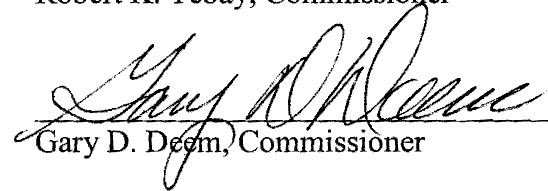
THE COUNTY COMMISSION OF WOOD COUNTY



Rick Modesitt, President



Robert K. Tebay, Commissioner



Gary D. Deem, Commissioner

PURCHASE ORDERS APPROVED ON MARCH 10, 2005

30331	Parkersburg Office Supply	70.29
30347	Assurance Business Forms	81.10
30335	Parkersburg Office Supply	189.99
30353	Signs Now	105.21
30401	Martin Marietta Aggregates	41.62
30405	State Electric Supply	2.37
30411	NOE Office Equipment	43.08
30413	Ecolab	62.78
30415	Bestway Equipment	10.00
30423	Architectural Interior Product	65.52
32670	NCLETTTC	150.00
32696	Honor & Harrison	253.80
32746	Office Depot	67.19
32756	Office Depot	136.30
32780	Big Mac Printing	116.20
32800	Signs Now	250.50
32810	Gall's Inc	96.63
32818	Novak's Designs	190.80
32824	Diamondback	584.96

32828	NOE Office Equipment	34.95
32830	Broadwaters Motorcar	14.26
32832	Mahone Tire	541.56
32836	Badger Lumber	77.46
32840	Astorg Motor	96.80
32864	Broadwaters Motorcar	56.37
32866	Office Depot	14.24
32868	Broadwaters Motorcar	50.58
32870	Broadwaters Motorcar	8.29
32872	Broadwaters Motorcar	6.82
32878	Matheny Motor	39.71
32880	Pifer's Service Center	10.60
32882	Astorg Motor	17.91
32884	Broadwaters Motorcar	16.35
32886	Parkersburg Office Supply	10.00
32888	State Electric Supply	117.67
32892	Parkersburg Lock Service	48.45
32890	Broadwaters Motorcar	8.36

To listen to this meeting, please refer to Tape #468 and Tape #469.

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Wood County Commission Meeting
Held March 10, 2005

Please Print

1.	TIMOTHY UNDERWOOD
2.	Toni Tiano
3.	Candice N M
4.	Carrie Robinson
5.	Emily Bradley
6.	Paulina Yeargan
7.	Brenda Marshall
8.	Donna Jackson
9.	Joyce S. Purkey
10.	A Conly
11.	Robert A. Water
12.	Mark E. King
13.	Rodney Beck
14.	
15.	
16.	
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