

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, MARCH 21, 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 invoices and other correspondence.

The County Commission of Wood County was in receipt of a check from the West Virginia Development Office, Charleston, West Virginia, in the amount of twenty thousand dollars and 00/100ths cents (\$20,000.00), which represents payment of expenses incurred by the Blennerhassett Historical Foundation in regard to the Governor's Community Partnership Grant Number 05-496 to be utilized for the construction of two (2) chimneys on the Putman-Houser House located on Blennerhassett Island. Documentation pertaining to the Governor's Community Development 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 nine hundred ninety-nine dollars and ninety-four cents (\$5,999.94), which represents reimbursement to Wood County for expenses incurred during the months of November and December, 2004, in regard to the STOP Violence Against Women Grant Number 03-VAW-008. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 66, at Page 528 and bearing the date of February 10, 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 months of November and December, 2004; and further pursuant to an ORDER appearing in

Order Book 66, at Page 529 and bearing the date of February 10, 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 month of December, 2004. Documentation pertaining to the STOP Violence Against Women Grant Number 03-VAW-008 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 Robert K. Tebay 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 Justice and Delinquency Prevention Grant Number 04-JJV-002. Expenditures in the amount of five thousand four hundred ninety dollars and 00/100ths cents (\$5,490.00) were incurred by Wood County during the month of February, 2005, which represents payment for contractual services provided by the Counseling and Wellness Center, Parkersburg, West Virginia, regarding the P.E.A.C.E. (Program with Emphasis on Anger Control) Program; and Fred Jay Krieg, Ph.D. and Associates, PLLC, Vienna, West Virginia, regarding the Q.U.I.T. (Quality Intervention and Treatment) Program, and the Y.I.E.L.D. (Youth In Effective Legal Diversion) Program. In addition to the Request for Reimbursement; the Monthly Reports; the Financial Recap; the Daily Time Records of the Counseling and Wellness Center; the Daily Time Records of Fred Jay Krieg, Ph.D. and Associates, PLLC; the Monthly Attendance Reports for the Q.U.I.T. (Quality Intervention and Treatment) Program, for the Y.I.E.L.D. (Youth In Effective Legal Diversion) Program and the P.E.A.C.E. (Program with Emphasis on Anger Control) Program; the Daily Time Records of the Wood County Juvenile Probation Office; the Monthly Project Director's Reports prepared

by the Office of the Wood County Juvenile Probation; the Monthly Project Director's Report prepared by Fred Jay Krieg, Ph.D. and Associates, PLLC in regard to the Q.U.I.T. (Quality Intervention and Treatment) Program and Y.I.E.L.D. (Youth In Effective Legal Diversion) Program; the Monthly Project Director's Report prepared by the Counseling and Wellness Center in regard to the P.E.A.C.E. (Program with Emphasis on Anger Control) Program; the Demographic Reports for the Q.U.I.T. (Quality Intervention and Treatment) Program, the Y.I.E.L.D. (Youth In Effective Legal Diversion) Program and the P.E.A.C.E. (Program with Emphasis on Anger Control) Program; and the Project Financial Report are being submitted to the Criminal Justice Services, 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 Gary D. Deem, 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 a RESOLUTION to apply for a grant with the West Virginia Department of Military Affairs and Public Safety, Division of Criminal Justice Services, Charleston, West Virginia. The Application requests funding in the amount of thirty-nine thousand six hundred fifty dollars and 00/100ths cents (\$39,650.00) from the Juvenile Justice and Delinquency Prevention Program Grant to enable the continuation of the current three (3) diversion programs within the Fourth Circuit Juvenile Probation Office. The three (3) diversion programs being the P.E.A.C.E. (Program with Emphasis an Anger Control) Program that will work with youth and their parents over anger management issues; the Q.U.I.T. (Quality Intervention and Treatment) Program that will focus on youth and their parents with substance abuse issues; and the

Y.I.E.L.D. (Youth In Effective Legal Diversion) Program that will address youth and their parents in regard to issues of incorrigibility and minor misdemeanor offenses. If funded, the grant period would commence on July 1, 2005 and continue through June 30, 2006. Matching funds in the amount of six thousand dollars and 00/100ths cents (\$6,000.00) will be provided by the Fourth Circuit Juvenile Probation Office through the partial salary of staff employees. The Grant Application and all pertinent documentation in regard to the Juvenile Justice and Delinquency Prevention Program Grant 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 duly made, seconded and passed, did hereby AUTHORIZE the hiring of Attorney C. Blaine Myers as legal counsel for both the County Commission of Wood County and the Wood County Planning Commission. 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 Emergency Services Board. Said vacancy is due to the death of Howard Joachim and 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. Mr. Joachim's term would have expired February 1, 2006. An Order was prepared regarding this matter.

The County Commission of Wood County, in regular session, announced to all concerned, upon a motion made by Robert K. Tebay, seconded by Gary D. Deem and made unanimous by Rick Modesitt, that they, as a Commission, are calling for a SPECIAL SESSION to be held on Tuesday, March 22, 2005 from 10:00 A.M. to 12:00 Noon. Said Special Session is being held for the preparation of the budget for the fiscal year 2005/2006 as required by

Chapter 11, Article 8, Section 10 of the West Virginia Code of 1931, as amended. This meeting will be held in the Office of the County Administrator, Room 205, Wood County Courthouse. 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 passed, adopted a Resolution in reference to Budget Revision No. 9 in the General County Fund Budget for the fiscal year 2004/2005. The Request for Revision to the Approved Budget, being submitted to the West Virginia State Auditor - Chief Inspector Division, Charleston, West Virginia, was signed by Rick Modesitt, President of the Wood County Commission. An Order was prepared regarding this matter.

At 10:00 A.M., the County Commission held a hearing in regard to the estate of Orville R. McCune estate. Carole McCune was present but was represented by Connie R. Smith. Michael Smith, Lorenza McCune, Gary McCune and Heather Knight were sworn in along with Carole McCune and Connie Smith. Ms. Smith stated they had written a letter to the Commission; letters were sent to Donna and Lisa; she had papers prepared beforehand to be used in a court of law because there is a complaint and it covers Dexter Dunbar, David Dunbar and Lisa Dunbar because of the way they listed an account; she has papers from Bank One. Mrs. McCune stated that everything with her husband's name was supposed to be put in her name; they wouldn't do it and that is when she said that Dad made a will back in December while she was in the hospital. Mrs. Smith stated that in the letter she sent to the Commission she asked to make an amendment in the appraisement of the estate; there is a space there that is left blank; she has records of money Mr. McCune loaned them and he kept a record of their payments and they haven't paid for a year; that money is rightly hers. Mrs. Smith stated that he was putting money in a safety deposit box; after July they had changed it and put Dexter as sole

owner. Commissioner Tebay stated that he feels this is a legal matter. Mrs. Smith stated they want her (Lisa) to bring the will in. Mrs. McCune stated that her husband had told her he put enough money in the safety deposit box to take care of her if something happened to him; but her daughter took the money out of the safety deposit box and there are a bunch of hospital bills; she won't let her have any money and won't pay any of his bills. Mrs. McCune stated she is the Executor of the estate. Commissioner Tebay stated he feels it is proper to write the daughter a letter and have her bring in the will. Mrs. McCune stated that she called her up and said Orville told her before he died that he wanted the home place to go to Gary; those girls never came once to take care of her; she has been doing all her work herself except what her son helps her with; she had Bill Richardson prepare a deed; Lisa called her and said that she was going to take that too. Mrs. Smith stated she called Carolyn and told her how ill and depressed he (Mr. McCune) was and she should visit him; the next call to Carolyn was to tell her that her Dad had shot himself; she called Lisa also. Mrs. McCune stated that he wanted Gary to have the home place; he told her that Lisa has the money and she is to pay the bills until you (Mrs. McCune) die; he apologized for giving her (Lisa) that, but she wouldn't give it back. Mrs. McCune talked further and then stated that Lisa had taken all but \$600.00 out of the safety deposit box; she called Lisa and asked her why she did it and Lisa told her it was none of her business. The County Commission, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and made unanimous by Gary D. Deem, Ordered they write the daughter Lisa Dunbar a certified letter demanding her to bring in a will if there is such a will and further moved that this estate be referred to a fiduciary commissioner. The Commission stated they need to talk to an attorney.

At approximately 11:00 A.M., the County Commission held a hearing in regard to the estate of Max Burnside. Attorney George Chandler, requested that this estate be referred to a fiduciary commissioner. Mr. Chandler stated that at the time of his death he was involved in a lawsuit. Mr. Chandler is representing Michael S. Busch, who is suing him for interest in some stock; Mrs. Burnside filed a final settlement and it was closed; they (Chandler) did not file a proof of claim until the lawsuit was finished which was after Mr. Burnside had died; she was fully aware of the lawsuit, she was involved with it; she disclosed some assets of \$100,000.00, then after the lawsuit, she filed a new appraisal stating there were no assets, there is a sales contract where she was selling property for one million dollars; they have filed a proof of claim and Mrs. Burnside has objected. Andrew Woofter, Attorney for Mrs. Burnside, stated that they don't have a problem with a fiduciary commission being appointed. The County Commission, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and made unanimous by Gary D. Deem, Ordered that this estate be referred to a fiduciary commissioner.

At 11:30 A.M., the County Commission met with Toni Tiano, Grant Consultant; Ginny Conley, Prosecuting Attorney; Larry Johnson, Rozann Wilcox and Kelly Shook. They first discussed a Juvenile Justice Grant. Ms. Tiano stated Rozann Wilcox is the liaison on this grant; they are requesting \$29,016.00 for her position. Ms. Conley stated that this is a very important position and she couldn't do without Rozann. The County Commission of Wood County, upon a motion made by Gary D. Deem, 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 a RESOLUTION that AUTHORIZES the filing of an Application for a grant with the West Virginia Department of Military Affairs and Public Safety, Division of Criminal Justice Services, Charleston, West Virginia. The aforementioned Application

requests funding in the amount of twenty-nine thousand sixteen dollars and 00/100ths cents (\$29,016.00) from the Juvenile Accountability Block Grant Program. The aforementioned Grant Application would continue the hiring of the Juvenile Justice Liaison with the Office of the Wood County Prosecuting Attorney. The aforementioned Juvenile Justice Liaison will work with approximately three hundred fifty (350) youths and their parents during the course of the year and provide them with information and/or services regarding the juvenile diversion programs. If funded, the Grant period would commence on June 1, 2005 and continue through May 31, 2006. The required matching funds in the amount of nineteen thousand three hundred thirty-six dollars and 00/100ths cents (\$19, 336.00) would be through the additional salary and benefits provided through funds allocated to the Office of the Prosecuting Attorney from General County funds. The Grant Application and other pertinent documentation pertaining to the Juvenile Accountability Block Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The next grant is for a court security grant. Ms. Tiano explained this grant is for cameras and a monitoring system. After discussion, County Commission of Wood County, upon a motion made by Gary D. Deem, seconded by Robert K. Tebay, 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 for Court Security funds from the Division of Criminal Justice Services, Department of Military Affairs and Public Safety, Charleston, West Virginia. The aforementioned Grant Application requests funds in the amount of eight thousand three hundred forty dollars and 00/100ths cents (\$8,340.00) to purchase nine (9) camera monitoring systems, monitoring screen, and security and safety alarm monitoring system for the Holmes R.

Shaver Judicial Building. If funded, the aforementioned Court Security Program Grant would commence on July 1, 2005 and continue through June 30, 2006. The aforementioned Grant Application and all pertinent documentation pertaining to the Court Security Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The next grant is in regard to underage drinking. Ms. Tiano stated that this grant is through the Juvenile Probation Office; this program has been in place for six years. Kelly Shook has worked with this program for five years. 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 EXECUTE a Grant Application with the West Virginia Department of Military Affairs and Public Safety, Division of Criminal Justice Services, Charleston, West Virginia. The aforementioned Application requests funds in the amount of forty-nine thousand five hundred ninety-eight dollars and 00/100ths cents (\$49,598.00) from the Enforcing the Underage Drinking Laws Grant Program to enable the continuation of the S.O.B.E.R. (Services, Observation, Behavior Modification, Education, and Rehabilitation) Program. The aforementioned Program includes various components, checks and an intervention and diversion program utilizing "An Alcohol Diversion Program" by Hazeldon. The aforementioned Program is directed by a Coordinator and includes the County's four (4) law enforcement agencies, the Wood County School System, and numerous social services and non-profit organizations. Matching funds in the amount of six thousand dollars and 00/100ths cents (\$6,000.00) will be provided through in-kind services and represents the partial salary of staff employees of the Fourth Circuit Juvenile Probation Office. If funded, the project period commences on June 1, 2005 and continues through May 31, 2006. The Grant Application and

all pertinent documentation pertaining to the Enforcing the Underage Drinking Laws Grant Program is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The last grant discussed is also to do with the Juvenile Probation Office. After discussion, the County Commission of Wood County, upon a motion made by Gary D. Deem, 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 a RESOLUTION to apply for a grant with the West Virginia Department of Military Affairs and Public Safety, Division of Criminal Justice Services, Charleston, West Virginia. The Application requests funding in the amount of thirty-nine thousand six hundred fifty dollars and 00/100ths cents (\$39,650.00) from the Juvenile Justice and Delinquency Prevention Program Grant to enable the continuation of the current three (3) diversion programs within the Fourth Circuit Juvenile Probation Office. The three (3) diversion programs being the P.E.A.C.E. (Program with Emphasis an Anger Control) Program that will work with youth and their parents over anger management issues; the Q.U.I.T. (Quality Intervention and Treatment) Program that will focus on youth and their parents with substance abuse issues; and the Y.I.E.L.D. (Youth In Effective Legal Diversion) Program that will address youth and their parents in regard to issues of incorrigibility and minor misdemeanor offenses. If funded, the grant period would commence on July 1, 2005 and continue through June 30, 2006. Matching funds in the amount of six thousand dollars and 00/100ths cents (\$6,000.00) will be provided by the Fourth Circuit Juvenile Probation Office through the partial salary of staff employees. The Grant Application and all pertinent documentation in regard to the Juvenile Justice and Delinquency Prevention Program Grant are on file in the Office of the County Administrator.

Mr. Johnson stated that he wanted to thank Kelly for her hard work on this program. An Order was prepared regarding this matter.

At this time, Steve Stephens was sworn in to the Wood County Local Emergency Planning Commission

At 1:00 P.M., the County Commission met with Jamie Six, County Clerk and Melody Woollard, County Clerk Deputy, to discuss precinct changes for the upcoming special election to be held on June 25, 2005. Two will have to be moved, Precinct 38 will not be at Somerville Rentals and Precinct 57 will be moved back to the community building across the street. Everyone affected by these changes will be notified by mail. Mr. Six presented a letter that requests that Precinct Number 38, currently located at Calvary Memorial Church, Wayside Farm Road, Parkersburg, West Virginia, be moved to Somerville Rental and Sales, 3602 Seventh Street, Parkersburg, WV; and that Precinct Number 57, currently located at Cedar Grove United Methodist Church, Route 47 E., Parkersburg, West Virginia, be moved to the Cedar Grove Community Building, Route 47, Parkersburg, West Virginia. The aforementioned changes are for the aforementioned Statewide Special Election ONLY. As required by Chapter 59 of the Code of West Virginia, 1931, as amended, a Legal Notice will appear in both local newspapers, The Parkersburg News and The Parkersburg Sentinel. The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Gary D. Deem and passed, did hereby ORDER that the aforementioned precinct changes be made in accordance with Chapter 3, Article 1, Section 7 of the Code of West Virginia, 1931, as amended. 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 ORDER the following changes to be made in regard to Election Workers.

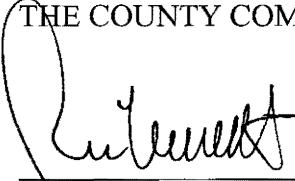
Poll Workers	-	Increased from \$100.00 to \$140.00
Election School	-	Increased from \$20.00 to \$25.00
Supply Commissioner	-	Increased from \$20.00 to \$25.00
Escort	-	Increased from \$5.00 to \$10.00

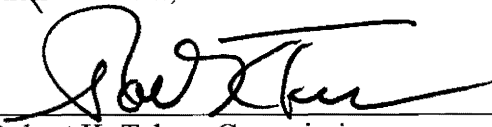
Wood County has eighty-five (85) voting precincts and each precinct has five (5) workers on any given Election Day. The County Commission of Wood County did hereby ALLOW fifteen (15) extra poll workers to be hired to replace poll workers who, at the last minute, are unable to work on any given Election Day. An Order was prepared regarding this matter.

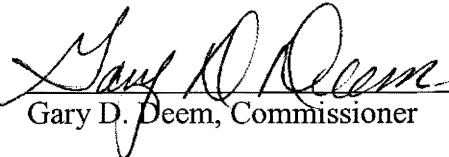
Having no further scheduled appointments or business to attend to, the County Commission adjourned at approximately 1:00 P.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


Rick Modesitt, President


Robert K. Tebay, Commissioner


Gary D. Deem, Commissioner

To listen to this meeting, please refer to Tape #471.

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Wood County Commission Meeting
Held March 21, 2005

Please Print

1.	Heather Knight
2.	Connie R. Smith
3.	Carol J. McCune
4.	MICHAEL D SMITH
5.	Ray McCune
6.	Donna McCune
7.	Darnell McCune
8.	LORENZA McCune
9.	George J. Chandler
10.	Michael S. B... B...
11.	Andrew C.
12.	Toni Triano
13.	Sam
14.	Genny Cony
15.	Rozanne W.
16.	Kelly
17.	Steve Stephens
18.	
19.	
20.	