

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, MAY 5, 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.

The County Commission, upon a motion made by Robert K. Tebay, seconded by Gary D. Deem, approved minutes from April 11, 2005.

The County Commission of Wood County, upon a motion duly made, seconded and passed, Approved Erroneous Assessment Applications in regard to personal property for Pearl L. Fleak, Jr. – Lubeck District (2004); Jackson E. Seabolt – Parkersburg City District (2003 and 2004) and Brian A. Cox – Parkersburg District (2002).

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for Alvin J. Charlton – Parkersburg City District (2004); Randall C. Bell – Union District (2004); Billy Joe West – Parkersburg City District (2004); Alvin C. Burkhart – Steele District (2000, 2001, 2002, 2003 & 2004); Richard K. Carder – Williams District (2004) and Keith R. Sheppard – Clay District (2004).

The County Commission of Wood County was in receipt of Grant Adjustment Notice Number Four (4) from the Division of Criminal Justice Services, Charleston, West Virginia, in regard to the Victims of Crime Act Assistance Program Grant Number 03-VA-034. Receipt of the aforementioned Grant Adjustment Notice is pursuant to an ORDER appearing in Order Book 67, at Page 20 and bearing the date of April 28, 2005 at which time the request to use the

remaining funds to cover lodging expenses of the Assistant Victims Advocate to attend the Prosecuting Attorney's Institute Conference was EXECUTED by Rick Modesitt, in his official capacity as President and on behalf of the County Commission. 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 of Wood County was in receipt of the GRANT AWARD and the fully executed GRANT CONTRACT AGREEMENT by and between the Division of Criminal Justice Services, Charleston, West Virginia, and the Wood County Commission, Wood County, West Virginia, in regard to the STOP Violence Against Women Grant Number 04-VAW-006. Receipt of the aforementioned fully executed GRANT CONTRACT AGREEMENT is pursuant to an ORDER appearing in Order Book 67, at Page 3 and bearing the date of April 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 aforementioned GRANT CONTRACT AGREEMENT. Documentation pertaining to the STOP Violence Against Women 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 Rick Modesitt, seconded by Gary D. Deem and made unanimous by Robert K. Tebay, did hereby ORDER that the amount of one thousand dollars and 00/100ths cents (\$1,000.00) be utilized for a tourism advertisement to be placed in The Parkersburg News. The aforementioned amount is to be taken from the Special Projects monies. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by Gary D. Deem and made unanimous by Robert K. Tebay, did hereby EXECUTE a

PROCLAMATION that hereby PROCLAIMS Sunday, May 15, 2005, as PEACE OFFICERS' MEMORIAL DAY in Wood County to honor those peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty. 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 the Request for Reimbursement and the Certification of Grant Completion in regard to the LOCAL ECONOMIC DEVELOPMENT ASSISTANCE GRANT PROGRAM funding in the amount of twenty thousand dollars and 00/100ths cents (\$20,000.00) allocated to the Julia-Ann Square Historic District. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of a Letter of Credit Number 738 from Peoples Bank, Marietta, Ohio, on behalf of Po-Hick, LLC, developer of Henderson Woods Subdivision located in Williams Taxing District, Wood County, West Virginia. The aforementioned Letter of Credit is in the amount of one hundred thousand dollars and 00/100ths cents (\$100,000.00) to ensure that improvements are completed in the said Henderson Woods Subdivision in accordance with the Subdivision Regulations for Wood County. The Wood County Planning Commission has given final approval to Phase II of the aforementioned Henderson Woods Subdivision, and did hereby set the amount of the bond. An Order was prepared regarding this matter.

Mary R. Rader, Director of the Wood County Planning Commission, presented to the County Commission of Wood County a revised plat of Worthington Terrace II Subdivision. The said Worthington Terrace II Subdivision is being developed by Headlee Builders, is

located in Parkersburg Taxing District and consists of six (6) lots. Water facilities and sewage facilities are being provided by the City of Parkersburg; and all other utilities are being provided by their respective utility company. A sedimentation and erosion control plan has been approved by the Division of Environmental Protection; a homeowners' association has been prepared for the maintenance and upkeep of the improvements; and a bond has been posted in the amount of forty thousand three hundred dollars and 00/100ths cents (\$40,300.00) to insure that improvements are completed in accordance with the Subdivision Regulations for Wood County. Following review, 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 the aforementioned revised plat for recordation in the Office of the Clerk of the County Commission of Wood County. An Order was prepared regarding this matter.

At 10:00 A.M., the County Commission met with Barbara Arnold with MacCorkle Lavender Casey and Sweeney. Ms. Arnold questioned the March 28, 2005 minutes having a notation that Ms. Conley withdrew her request for funds as per a telephone conversation with Mr. Tebay; she said that this did not occur during the meeting; she wants to know who directed that sentence be put in the minutes. Ms. Rader stated that she probably did after talking with Bob when he said that Ginny left a message on his voice mail. Ms. Arnold stated that it could not legally be a notation in the minutes if it did not occur in the meeting. He stated that he told Mary that Ginny called but he did not direct her to put it in the minutes, he didn't recall when he told Mary that Ginny had called. Discussion took place about said minutes. Ms. Arnold stated that she will make a written FOIA request for the telephone records for the Commission so that they can find out when the call did occur. Ms. Conley stated she contacted Mr. Brewer

at the Ethics Commission about this issue and these types of transactions; Mr. Brewer confirmed that if it is an administrative function and that is the normal course of duties then there is no need to put it on the agenda as a special item; there is no violation of any kind if it is the normal course of business for the County Commission. Commissioner Modesitt stated that grant requests do flow through on a regular basis and they are run through as an administrative function. Ms. Arnold stated that what is in the minutes, legally needs to be what occurred on that day during that meeting. Commissioner Tebay stated he thought it was proper, it was just on the wrong day. Ms. Conley stated that the whole conversation was in open session, on tape, with the press sitting in the room. Ms. Arnold stated that the comment that she withdrew her request was not done in open session.

The County Commission, upon a motion duly made, seconded and passed, approved the second correction to the March 28, 2005 minutes.

Russell Mercer was sworn in as a Reserve Deputy.

At approximately 10:30 A.M., the County Commission met with Jamie Six, County Clerk and Melody Woollard, Deputy Clerk to discuss appointing poll workers and set emergency absentee ballot commissioners. They have a couple of concerns on the lists of poll workers that the Commissioners need to approve. Mr. Six stated he would like to put an ad in the paper for poll workers. Mr. Six stated he has spoken to a high school.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by Robert K. Tebay and made unanimous by Gary D. Deem, did hereby give APPROVAL to draft a letter to the Secretary of State requesting that Wood County be reimbursed at the increased rate for poll workers in regard to the Statewide Special Election to be held on Saturday, June 25, 2005. The County Commission of Wood County, upon an

ORDER dated March 21, 2005, and appearing in Order Book 66, at Page 586, did hereby ORDER an increase in the rate of pay for poll workers. The aforementioned motion did hereby further request that the Clerk of the County Commission, Jamie Six, prepare such letter for the signatures of the County Commission and the County Clerk. 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 REQUEST that the Clerk of the County Commission, Jamie Six, check with the local high schools, the two colleges in the area, and as a last resort, take out an advertisement in the local newspapers recruiting workers for voting precincts in Wood County. An Order was prepared regarding this matter.

Mr. Six and Ms. Woollard presented to the County Commission a list of the poll worker nominees submitted by the Wood County Republican Executive Committee and a list of poll worker nominees submitted by the Wood County Democratic Executive Committee, who will work the Statewide Special Election to be held June 25, 2005. The County Commission, upon a motion made by Robert K. Tebay, seconded by Gary D. Deem and made unanimous by Rick Modesitt, did hereby APPROVE the aforementioned lists of poll workers, with the exception of the REMOVAL of one name from each of the aforementioned lists, upon the recommendation of the Clerk of the County Commission, Jamie Six, due to problems that have arisen in the past. One of the poll workers failed to appear and the other poll worker was harassing voters. In accordance with Chapter 3, Section 1, Article 28, the aforementioned problems are listed as reasons to suspend the eligibility to serve as an election official. An Order was prepared regarding this matter.

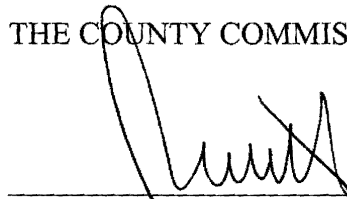
Mark Kury was sworn in as a member of the Wood County Development Authority.

Larry Stephens was sworn in as a member of the Wood County Local Emergency Planning Commission.

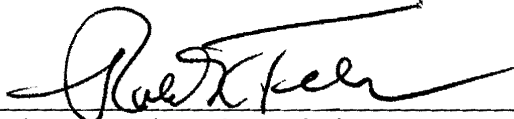
Having no further scheduled appointments or business to attend to, the County Commission left at approximately 11:00 A.M. to tour the Senior Citizens Center.

APPROVED:

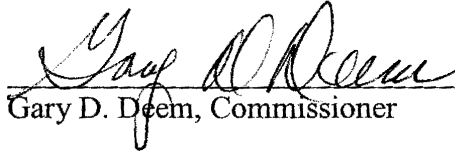
THE COUNTY COMMISSION OF WOOD COUNTY



Rick Modesitt, President



Robert K. Tebay, Commissioner



Gary D. Deem, Commissioner

PURCHASE ORDERS APPROVED ON MAY 5, 2005

30431	Honor and Harrison	1167.80
30537	Wal-Mart	41.85
30539	Wal-Mart	49.09
30555	Ecolab	118.63
30577	Winans Services	40.00
30597	Wal-Mart	21.64

30603	Broadwaters Motorcar	3398.25
30609	Hajoca Corporation	703.13
30617	Valley Supply	.60
30619	State Electric Supply	71.08
30621	Broadwaters Motorcar	99.29
30635	Parks Hardware	4.19
30637	Radio Shack	25.15
30641	Parkersburg Office Supply	127.29
30643	Lowe's	39.97
33088	Wal-Mart	52.19
33090	Sam's Club	105.22
33118	Sam's Club	36.51
33122	Office Depot	70.80
33142	Tri-State Roofing	1395.00
33152	Radio Shack	67.92
33154	Mahone Tire	743.28
33156	Mahone Tire	49.00
33158	Northwestern Landfill	107.00
33160	Sam's Club	36.51
33162	Broadwaters Motorcar	56.70
33174	Parkersburg Office Supply	23.92
33178	Hobart Sales	69.70
33198	Northwestern Landfill	25.88

To listen to this meeting, please refer to Tape #488.

ah

Wood County Commission Meeting
Held May 5, 2005

Please Print

1.	Barbara G. Arnold
2.	Henry Conley
3.	Melody Whitfield
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	