

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
THURSDAY, FEBRUARY 9, 2006

PRESENT: GARY D. DEEM, PRESIDENT  
ROBERT K. TEBAY, COMMISSIONER  
RICK MODESITT, 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 and passed, approved minutes from November 10, 2006. The County Commission, upon a motion made by Rick Modesitt, seconded by Robert K. Tebay and made unanimous by Gary D. Deem, approved minutes from November 17, 2005.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and made unanimous by Gary D. Deem, did hereby APPROVE the expenditure of a maximum of one hundred sixty dollars and 00/100ths cents (\$160.00) to the Floyd Browne Group for additional preparation of the Fort Boreman Rails to Trails grant application. Said grant application is for the Fort Boreman Historical Park. An Order was prepared regarding this matter.

The County Commission of Wood County, did hereby release the amount of two hundred five thousand two hundred dollars and 00/100ths cents (\$205,200.00) of the four hundred thirty-two thousand dollars and 00/100ths (\$432,000.00) bond posted by Harbor Lane Development, LLC, West Columbia, WV 25287-9714. The aforementioned bond through an Irrevocable Standby Letter of Credit issued by Ohio Valley Bank, Gallipolis, OH 45631 was posted to insure that improvements in the Westover Estates Subdivision were completed in

accordance with the Subdivision Regulations for Wood County. Approval was given by the Wood County Planning Commission, at their regular scheduled monthly meeting held on Wednesday, February 1, 2006, to release two hundred five thousand two hundred dollars and 00/100ths cents (\$205,200.00) of the aforementioned original bond based on the report given by Edward H. Hupp, Compliance Officer, and William Brown, Engineer, that nineteen hundred feet (1,900') of roadway in the Westover Estates Subdivision has been 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 Rick Modesitt and made unanimous by Gary D. Deem, did hereby RELEASE two hundred five thousand two hundred dollars and 00/100ths cents (\$205,200.00) of the original bond that was in the amount of four hundred thirty-two thousand dollars and 00/100ths cents (\$432,000.00). The remaining amount of two hundred twenty-six thousand eight hundred dollars and 00/100ths cents (\$226,800.00) of the aforementioned Irrevocable Standby Letter of Credit would continue to be in full force and effect. An Order was prepared regarding this matter.

Petitioner Pastor William Denzil Ray, II, representing himself, presented to the County Commission of Wood County, a Petition to close an unimproved and unused thirty (30) foot right-of-way approximately one hundred seventy (170) feet situate in Lubeck Taxing District. The said Thirty (30) foot right-of-way is situated between lot numbers twenty-six (26) and twenty-eight (28) on one side and lot number thirty-five (35) on the other side of the O.L. Bradford Estates located in Lubeck Taxing District and reflected on Lubeck Tax Map Two (2). It appearing proper to the County Commission of Wood County, upon a motion duly made by Rick Modesitt, seconded by Gary D. Deem and made unanimous by Robert K. Tebay, the aforementioned Petition, along with a copy of the tax map reflecting the said unimproved and

unused right-of-way, is hereby ORDERED filed and this matter is hereby set for hearing on the 20<sup>th</sup> day of March, 2006, at 10:30 A.M. in Room 203 of the Wood County Courthouse, Parkersburg, West Virginia. The Petitioner shall cause Notice of said Public Hearing to be published and served as required by law. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of a new Road Name Request Form from Vicki Stoneking to change the name of the current road Quick Street to COUNTRY LANE. The said Request does not interfere with the scheduled readdressing and mapping for the E-9-1-1 Master Street Addressing Guide. Vicki Stoneking, along with residents Matt Stoneking, Tammi A. Beatty and Randall C. Beatty, requested the road be named COUNTRY LANE. The road to be known as COUNTRY LANE is located in Leachtown, in Clay Taxing District, Tax Map 470, Parcel Number F6. The request by Vicki Stoneking is in accordance with Chapter 7, Article 1, Section 3 of the Code of West Virginia, 1931, as amended, which deals, in part, with the County Commission naming or renaming thereof of roads, ways, streets, avenues, drives and the like to assure uniform, non-duplicative conversion of all rural routes to city-type addressing on a permanent basis. The County Commission does hereby find that the said request, made in writing, by Vicki Stoneking, and the approval from the Wood County 9-1-1 Center, is in proper form and is hereby ORDERED to be filed. NOW, THEREFORE, 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, does hereby ORDER that the aforementioned road be named COUNTRY LANE. The County Commission does further ORDER that a copy of this ORDER, along with the New Road Name Request Form, be certified by the Clerk of the County Commission for entry in the Office of the Clerk of the County Commission. 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 made unanimous by Gary D. Deem, did hereby EXECUTE a MAINTENANCE AND INVENTORY of WOOD COUNTY SHERIFF'S DEPARTMENT RADIO EQUIPMENT at TOWER SITES. The aforementioned Maintenance and Inventory have also been EXECUTED by Randy Lowe, Director of the Wood County E911 Center, and K.D. Merritt, Sheriff of Wood County. The aforementioned Maintenance and Inventory sets forth the responsibilities of both the Sheriff's department and the E911 Center. An Order was prepared regarding this matter.

The County Commission of Wood County did hereby RECEIVE an ACKNOWLEDGEMENT letter from the Division of Criminal Justice Services, Charleston, West Virginia, ADVISING the said County Commission of Wood County of the receipt of the County's Application for STOP Violence Against Women Program Grant funds. Receipt of the aforementioned ACKNOWLEDGEMENT letter is pursuant to an ORDER appearing in Order Book 67, at Page 302 and bearing the date of January 30, 2006, at which time the aforementioned Grant Application was EXECUTED by Gary D. Deem, in his official capacity as President and on behalf of the County Commission. Documentation pertaining to the STOP Violence Against Women 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, upon a motion made by Rick Modesitt, seconded by Gary D. Deem and made unanimous by Rick Modesitt, did hereby EXECUTE a RESOLUTION that hereby AUTHORIZES Gary D. Deem, in his official capacity as President and on behalf of the County Commission, to EXECUTE all necessary documents in regard to the Local Economic Development Assistance Program application for Mountwood Park in the

amount of twenty-five thousand dollars and 00/100ths cents (\$25,000.00). Pertinent documentation pertaining to the aforementioned 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, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and made unanimous by Gary D. Deem, did hereby ORDER that amendments be made to the Abandoned and Dilapidated Building Ordinance in regard to the appointment of a County Litter Control Officer. The aforementioned amendments had been approved by C. Blaine Myers, Legal Counsel for the County Commission of Wood County. 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 AUTHORIZE the County Administrator to send a letter of request to local banks requesting quotes on the placement of an ATM machine in the Judge Donald F. Black Courthouse Annex. 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 made unanimous by Gary D. Deem did hereby CLARIFY that the longevity plan approved for the Central Communications Center of Wood County applies only to employees who are dispatchers for the Center. 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 plat of River's Edge Subdivision, Phase IV. The said Phase IV of River's Edge Subdivision is located in Clay Taxing District, consists of eleven (11)

lots and is being developed by WGLLC (William A. Gandee). Water and sewer facilities for Phase IV of the River's Edge Subdivision will be provided by the Claywood Park Public Service District; all other facilities will be provided by the respective utility companies; a topographic map has been prepared; a street plan and profiles have been prepared; a street sewer plan and profiles have been prepared; an NPDES Permit Application has been completed; and a homeowners' association with restrictive covenants have been prepared. The Planning Commission of Wood County set a bond in the amount of sixty-seven thousand five hundred dollars and 00/100ths cents (\$67,500.00) for Phase I of the River's Edge Subdivision to insure that the road providing access in the said Subdivision is constructed in accordance with the Subdivision Regulations for Wood County. The Planning Commission will allow such bond to roll over to Phase IV as soon as Phase III of the said River's Edge Subdivision is completed. The Wood County Planning Commission has given approval to the said River's Edge Subdivision at their regular monthly meeting held on December 7, 2005. The County Commission of Wood County, after consideration and review, did hereby give APPROVAL, for recordation, of the plat of River's Edge Subdivision upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and made unanimous by Gary D. Deem. 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 made unanimous by Gary D. Deem, did hereby AGREE to continue their support of the Air Expo 2006 with a ten thousand dollar and 00/100ths cents (\$10,000.00) donation from the video lottery proceeds. The annual air show was unanimously approved for 2006 by the Mid-Ohio Valley Regional Airport Authority and will be held on September 17, 2006. An Order was prepared regarding this matter.

At 10:18 A.M., the County Commission met with Clint Pifer from the Floyd Browne Group. After discussion, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Rick Modesitt and made unanimous by Gary D. Deem, did hereby approve a change order request of an additional seventy-six (76) days for Bosley Construction on the Fort Boreman Historical Park project. Said number of days was approved upon the recommendation of Clint Pifer representing the Floyd Browne Group. An Order was prepared regarding this matter.

At 10:30 A.M., the County Commission met with Candice Null, Day Report Center Director; Ginny Conley, Prosecuting Attorney; K.D. Merritt, Sheriff; Brian Rader and David Joy, Home Confinement Officers and Toni Tiano, Tiano-Knopp Associates. Ms. Conley wanted to discuss the additional monies for the County in regard to the Day Report Center grant. Ms. Conley submitted an outline of items that need to be addressed. Ms. Null discussed the grant review that was held yesterday; Ms. Frazier from the Division of Criminal Justice Services was impressed with their program; the numbers need to match up with the facility and staff is the only thing that she made suggestions on; she was impressed with the paper work; they received no bad marks on this visit. More discussion took place.

Ms. Conley then asked the Commission about bringing other counties in on this program. Ms. Null went over figures of what the Day Report Center takes in.

Mr. Rader discussed how they work with the Day Report Center and Magistrate Court.

Ms. Conley asked if the Commission would consider renting space if it didn't cost the County any money. They have checked with the Volunteer Action Center about space. This could be paid out of the Day Report Center checking account.

Commissioner Deem stated he needed figures. Ms. Conley asked if the Commission was interested in getting the other counties involved. Commissioner Modesitt stated he doesn't want Wood County footing the bill for other counties. Commissioner Tebay is concerned about the type of offenders being taken somewhere else, he feels they should be close to where officers are located. Ms. Conley stated she wasn't concerned about that.

Commissioner Modesitt stated if the County can afford it, he thinks the Day Report Program should be at the Holding Center.

At 11:35 A.M., the County Commission met with Chief Deputy Tom Smith, Lt. Rick Woodyard and Sheriff K.D. Merritt to discuss vehicles. Chief Smith first discussed things that need sold that they obtained from drug raids. After discussion, the County Commission of Wood County, upon a motion by Robert K. Tebay, seconded by Rick Modesitt, and made unanimous by Gary D. Deem, did hereby AUTHORIZE a Public Auction to be held on March 30, 2006 at 11:00 A.M. at the rear of 328 Second Street, (Sheriff's Office), Parkersburg, West Virginia, 26101. Items to be auctioned include a 1999 Mercedes Benz SLK with 54,000 miles; a 2000 Ford Explorer, Eddie Bauer Package, with 106,000 miles; an approximate ten (10) acre tract of land located in the Walker Taxing District, Book 992, Page 415 and miscellaneous items including furniture. Minimum bids will be established on the two vehicles listed and also on the Real Estate. Payment for said vehicles and Real Estate is to be by a Letter of Credit from a bank or a bank check within 48 hours of the sale. All proceeds from the sale of the vehicles and Real Estate are to be reimbursed to the County General Budget Fund to offset the transfer of \$35,000.00 from the Contingency Fund as referenced in an Order dated February 9, 2006, Order Book 67, at Page 312. A legal notice will be placed in The Parkersburg News



and The Parkersburg Sentinel on March 3 and 10, 2006. 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 made unanimous by Gary D. Deem, did hereby AUTHORIZE the transfer of thirty-five thousand dollars and 00/100ths cents (\$35,000.00) from the Contingency Fund to the Wood County Sheriff's Department for the purchase of two (2) vehicles off the State Contract. Said transfer of funds is contingent on the proceeds of an auction of seized property (3 vehicles and 1 tract of land) by the Sheriff's Department to be used as reimbursement against said transfer of funds. An Order was prepared regarding this matter.

At 11:45 A.M., the County Commission met with Kurt Simon from the Little Kanawha RC&D. Mr. Simon discussed that they received funding from the USDA Rural Development to start a revolving fund account; they are accepting applications for mini grants to be used for Wood County; an exchange program and a lawn and garden expo for the spring. Mr. Simon then asked for the Commission to appoint someone to the board to represent the Commission for a three-year term.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by Gary D. Deem and made unanimous by Robert K. Tebay appointed Gary Traugh and reappointed Logan Hovis to the Fort Boreman Historical Park Commission. Said appointments are 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. Hovis's term will expire on December 31, 2008 and Mr. Traugh's term will expire December 31, 2009. An Order was prepared regarding this matter.

The County Commission, upon a motion made Robert K. Tebay seconded by Rick Modesitt and passed, appointed Pete Butcher, Joe Campbell, Jim Hayhurst, Brad Kara and Bill Hopkins to the Wood County Development Authority.

The County Commission, upon a motion made by Rick Modesitt, seconded by Robert K. Tebay and made unanimous by Gary D. Deem, appointed Steven Stephens to the Wood County Emergency Services.

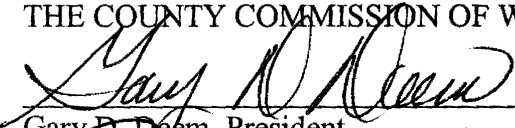
The County Commission, upon a motion duly made, seconded and passed, announced that a vacancy exists on the Region V EMS Advisory Commission due to the death of Lee "Ox" Johnson. An Order was prepared regarding this matter.

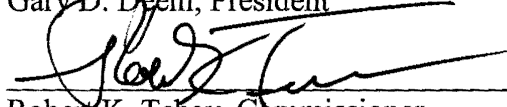
The County Commission, upon a motion made by Rick Modesitt, seconded by Robert K. Tebay, and made unanimous by Gary D. Deem, appointed Larry Edwards to the Region V EMS Advisory Commission.

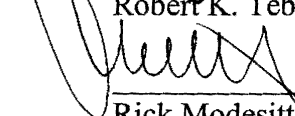
The County Commission had a conference call with Randy Lowe, Director of the E-911 Center and discussed the fees for MSAG for the addressing of the County. Steve Grimm, Assessor was present and suggested they ask Doug Herrington to see if he can do any programs that MSAG is doing.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
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Gary D. Deem, President

  
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Robert K. Tebay, Commissioner

  
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Rick Modesitt, Commissioner

PURCHASE ORDERS APPROVED ON FEBRUARY 9, 2006

31381	Parkersburg Office Supply	56.36
31385	Gall's Inc.	102.60
31391	Sam's Club	88.16
31397	Parkersburg Office Supply	250.82
31399	Gall's	139.96
31403	Neopost	154.95
31411	Sam's Club	65.56
31425	Parkersburg Office Supply	12.87
31427	Parkersburg Office Supply	282.42
31429	NOE Office Equipment	36.58
31433	Parkersburg Office Supply	114.82
31435	Parkersburg Office Supply	29.16
34172	Easton Printing	84.95
34196	Winans Services	45.24
34222	Miller Communications	247.40
34242	Broadwaters Motorcar	36.29
34244	Broadwaters Motorcar	355.18
34266	Parkersburg Office Supply	889.07
34270	Assurance Business Forms	599.50
34302	Parkersburg Office Supply	101.32

To listen to this meeting, please refer to Tape #543 and Tape #544.

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Wood County Commission Meeting  
Held February 8, 2006

Please Print

1.	<del>Genny Con</del>	<del>Pros Attny</del>
2.	Courtney Ahlborn	for Judge Waters
3.	<del>Sen Radt</del>	
4.	<del>Mr. Jay</del>	
5.	<del>K. D. Merritt</del>	
6.	Toni Jiano	
7.	Kelli Hazer	DCJ5
8.	<del>Candice Hill</del>	<del>DRE</del>
9.	<del>Tom Smith</del>	
10.	Rick Woodland	
11.	Kurt Simon	Little Kanawha RCTD
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Wood County Commission Meeting  
Held February 9, 2006

Please Print

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| 1.  | GINT PIFER, FLOP BROWNE GRAP     |
| 2.  | Gunny Conley - Prosecuting Attny |
| 3.  | Candice Nall - DRC Director      |
| 4.  | Sheriff - Ken Merritt            |
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