

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
MONDAY, JANUARY 8, 2009

PRESENT: RICK MODESITT, PRESIDENT  
DAVID BLAIR COUCH, COMMISSIONER  
WAYNE DUNN, COMMISSIONER

On this date, the County Commission of Wood County met in regular session. They signed purchase orders, invoices and other correspondence.

At 9:56 o'clock A.M., in Room 203, of the Wood County Courthouse, Parkersburg, West Virginia, upon motion of David Blair Couch seconded by Wayne Dunn and made unanimous by Rick Modesitt, County Commissioners, upon prior adjournment of the regular session convened in EXECUTIVE SESSION upon authority granted by the West Virginia Code, Chapter 6, Article 9A, Sections 4, as amended: WHEREUPON, the said David Blair Couch, one of the Commissioners, Rick Modesitt, President of said Commission, and Wayne Dunn, Commissioner met with Marty Seufer, County Administrator, Wood County Sheriff Jeff Sandy, Captain Tom R. Smith, Wood County Deputy Sheriff and Teresa Wade, Secretary, Wood County Sheriff's Office. All those present proceeded to discuss the matter for which the said EXECUTIVE SESSION was had, being covered by the West Virginia Code Chapter 6, Article 9A-4, Section 2, of 1931, as amended. Said session also contained items of discussion that are considered attorney/client privileged. The Commission having concluded said discussion, the said EXECUTIVE SESSION adjourned at 10:17 o'clock A.M. An order was prepared regarding this matter.

At 10:30 A.M., John Reed, addressed the Wood County Commission regarding the Allen and Armeda Estep Property. Bill Brown stated they have been working with the Mineral Wells PSD and they have found they are not hooked up to the sewer system. By law they are required

to connect to their lines. The water source presently in use is also unidentifiable. Tim Miller from the Mid Ohio Valley Health Department stated they have jurisdiction over the property because it is considered a trailer park due to the number of mobile homes located on the property. Bill Brown provided the Esteps with a list of work that needed to be done, and Mr. Estep provided receipts to Mr. Brown for work completed since Mr. Brown last visited the property. The County Commission of Wood county, upon a motion made David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt, did hereby TABLE the hearing scheduled this day at 10:30 A.M. Said hearing was for the Allen and Armeda Estep properties located at Map 170, Parcels 10, 11 and 11A in Slate District. Said properties were found to be out of compliance with The Abandoned and Dilapidated Building Ordinance. An order was prepared regarding this matter.

At 11:00 A.M. Jason Wharton, Wood County Prosecuting Attorney, requested the commission waive the insurance waiting period for his two new recent hires for Assistant Prosecuting Attorneys. Wayne Dunn said he was against waiving the waiving period, but can see the extenuating circumstances in this instance. The County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Wayne Dunn, and made unanimous by Rick Modesitt, did hereby WAIVE the new employee sixty (60) day probationary period for benefits for Megan E. Underwood and Ashlee N. Mullenix, assistant Prosecuting Attorneys. An order was prepared regarding this matter.

At 11:30 A.M. John Reed addressed the Wood County Commission regarding the Haynes property. The Compliance Office has been working with Mr. Haynes to arrive at a final disposition on the property. Mr. Haynes explained the history of the structure to the commission. He stated it was not cost effective to return the house to a dwelling, but can be used as a storage facility. The commission went for a site visit to the property.

At 11:43 A.M. Mick Staton from Capitol Link advised the Wood County Commission he has received the disposition of the Homeland Security money for the emergency command vehicle. He stated in about two weeks the commission should be receiving the grant notification for the vehicle. He stated the new homeland security grants are due in by February 1<sup>st</sup>.

The County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of twenty-two thousand seven hundred dollars and seventy-eight cents (\$22,778.94) which represents reimbursement to Wood County for expenses incurred during the month of September, 2008, in regard to the Community Corrections Program Grant Number 09-CCF-270. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 68, at Page 363 and bearing the date of November 20, 2008 at which time Robert K. Tebay, 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 Community Corrections 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 David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt, 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 the amount of one thousand five hundred ninety-one dollars and ninety-four cents (\$1,591.94) was requested for the month of November, 2008 for the Stop Violence Against Women Grant Number 07-VAW-015. In addition to the Request for Reimbursement, the Monthly Reports for the Wood County S.A.F.E. Team, the Time Sheets for the Wood County Sheriff's Department and the Project Financial Reports are being submitted to the Criminal Justice Services, Charleston, West Virginia. 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 David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt, 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 07-ABG-412. The Request for Reimbursement is in the amount of one thousand two hundred eight dollars and thirty-three cents (\$1,208.33) for the month of November, 2008. In addition to the Request for Reimbursement; the Monthly Project Director's Report, the Financial Recap, the Project Financial Report, the Demographic Report and the Time sheets for the Liaison are being submitted to the Criminal Justice Services, Charleston, West Virginia. 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 County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt, 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 Homeland Security Grant Number 06-SHS-29. The Request for Reimbursement is in the amount of six thousand three hundred forty-four dollars and zero cents (\$6,344.00) for the month of December, 2008. Along with the Request for Reimbursement Form, the Sub-Grantee Progress Report and a Project Financial Report have been submitted. Documentation pertaining to the Homeland Security Grant is on file in the Office of the County Commission. An order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt, 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 Justice Assistance Grant Number 07-JAG-23. Reimbursement is in the amount of two thousand two hundred fifty dollars and seventy-five cents (\$2,250.75) for the month of December, 2008. In addition to the Request for Reimbursement, the Financial Recap Page, the Project Financial Report and supporting documentation for reimbursement for the Prevention Resource Officer are being submitted to the Criminal Justice Services, Charleston, West Virginia. Documentation pertaining to the Justice 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 David Blair Couch seconded by Wayne Dunn, and made unanimous by Rick Modesitt, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE Cooperative Agreements for the West Virginia Commission for National & Community Service Citizens Corps Grant Program. The aforementioned Grant Agreements and pertinent documentation pertaining to the aforementioned Grant Agreement 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 David Blair Couch and made unanimous by Wayne Dunn, did hereby ORDER that all Wood County Employees issued county vehicles are exempt from being issued Internal Revenue Service Form 1099's. An order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Wayne Dunn, seconded by David Blair Couch and passed made unanimous by Rick Modesitt, did hereby AUTHORIZE the Employee Wellness Committee to sponsor a "Biggest Loser Contest" through The Mid-Ohio Valley Health Department. Said contest begins on January 12, 2009 and is a

weight-loss program designed to address reduction in the overall Body Mass Index. Said contest is run at a cost of twenty-five dollars and zero cents (\$25.00) per employee. The County Commission has agreed to fund twenty dollars and zero cents (\$20.00) per employee with the remaining five dollars and zero cents (\$5.00) to be paid by the participating employee. Any employee signing up for the contest but failing to complete the program, will be required to reimburse the County's share of the fee. Spouses will be permitted to participate at their own expense. An order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Wayne Dunn, seconded by David Blair Couch and made unanimous by Rick Modesitt, did hereby ORDER that the mileage rate for travel using a personal vehicle be .55 cents per mile per The Internal Revenue Service – United States Department of the Treasury. Said change will be effective as of this date. An order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Wayne Dunn and mad unanimous by Rick Modesitt, announced that vacancies exist on the Veterans Park Advisory Committee due to the terms of Marty Gilchrist, Ernie Hathaway and Harlan Dean Brookover expired on December 31, 2008. Said vacancies 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. The terms will expire December 31, 2012. An order was prepared regarding this matter.

On this date, came Jason Wharton, Prosecuting Attorney for Wood County and presented unto the County Commission of Wood County, an Application in which it is requested that the Honorable Joe Manchin, Governor of the State of West Virginia, issue a requisition on the Governor of the State of Ohio for the extradition of Kenneth Allen Bay. Kenneth Bay stands charged with Grand Larceny committed in the County of Wood, in the State of West Virginia, in

October of 2006 and who is now a fugitive from justice of this State, and is now within the jurisdiction of the State of Ohio, in Washington County. The said Application was signed by Rick Modesitt, President of the Wood County Commission, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt. A copy of the said Application is on file in the Office of the County Administrator. An order was prepared regarding this matter.

On this date, came Jason Wharton, Prosecuting Attorney for Wood County and presented unto the County Commission of Wood County, an Application in which it is requested that the Honorable Joe Manchin, Governor of the State of West Virginia, issue a requisition on the Governor of the State of Ohio for the extradition of Tyler Nathaniel Bailey. Tyler Bailey stands charged with 3 Counts of Burglary, 1 Count of Conspiracy to Commit Burglary, 1 County Petit Larceny and 2 Counts Possession of a Controlled Substance committed in the County of Wood, in the State of West Virginia, in November of 2007 and who is now a fugitive from justice of this State, and is now within the jurisdiction of the State of Ohio, in Washington County. The said Application was signed by Rick Modesitt, President of the Wood County Commission, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt. A copy of the said Application 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 David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt, announced that a vacancy exists on the Wood County Parks and Recreation Commission Waste Water Facility Board. Said vacancy is due to the fact that James Reed resigned. Said vacancy is 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 term will expire May 1,

2010. The County Commission, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt, placed Dale Tawney in nomination. An order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt, appointed Robert K. Tebay to the Fort Boreman Historical Park Commission. Said nomination is 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. Tebay's term will expire December 31, 2011 (this is to fill the term of Steve Nicely). An order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Wayne Dunn, seconded by David Blair Couch and made unanimous by Rick Modesitt, reappointed Ralph Blair, Richard "Dick" Shaffer and appointed Bob Goff to the Wood County Planning 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. Goff's term will expire December 31, 2009 and Mr. Shaffer and Mr. Blair's terms will expire December 31, 2011. An order was prepared regarding this matter.


The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by David Blair Couch and made unanimous by Wayne Dunn, Amended the January 5, 2009 Order in regard to appointments for 2009. Wood County Recreation Commission representative will be Wayne Dunn instead of David Blair Couch. Mid-Ohio Valley Board of Health representative will be David Blair Couch instead of Wayne Dunn. An order was prepared regarding this matter.



Having no further scheduled appointments or business to attend to, the County Commission adjourned.

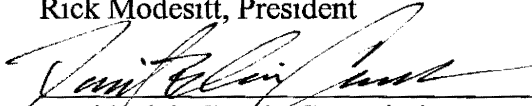
APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY




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Rick Modesitt, President



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David Blair Couch, Commissioner



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Wayne Dunn, Commissioner

To listen to this meeting, please refer to DVD labeled January 8, 2009.

Wood County Commission Meeting  
Held January 8, 2009

Please Print

1.	Bill Brown	
2.	Tim Miller	
3.	John Reed	
4.	Stacy Estep	} refused to sign
5.	Sean Estep	
6.	Allen Estep	
7.	Armeda Estep	
8.	Jason Wharton	
9.	JAMES M HAYNES	
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