

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
MONDAY, MAY 4, 2009

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

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

At 10:00 A.M., the County Commission met with Dave Ashley from the Mid-Ohio Valley Regional Council who presented an Innovative Programming Grant Fund application for the Parkersburg South Mid-Ohio Valley Invitational Basketball Tournament sponsored by Parkersburg High School and Parkersburg South High School. Bill Camp, Don Kesterson, Clyde Brewer and Don Warner were all in attendance to support the project.

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 the donation of one thousand two hundred dollars and zero cents (\$1,200.00) to Parkersburg South Boys Basketball to be used towards expenses incurred during the MOV Invitational to be held May 15, 2009 through May 17, 2009. Said donation will be paid out of the Innovative Programming Grant Fund of the County. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by Wayne Dunn and made unanimous by David Blair Couch, did hereby REJECT an Innovative Programming Grant Application submitted by The Wood County Parks and Recreation Commission for "The Moon Over Mountwood Fishing and Outdoor Festival" to be held July 10, 2009 and July 11, 2009. Said application was for five thousand dollars and zero cents (\$5,000.00). An Order was prepared regarding this matter.

At 10:15 A.M., Dick Wittberg from the Mid-Ohio Valley Health Department addressed the Commission regarding the H1N1 (Swine Flu) virus. Mr. Wittberg stated the numbers in the United States of persons having the disease has increased in the past week, with no cases reported in West Virginia. He stated he has met with Bill Niday, Superintendent of the Wood County School system, to address the possibility of schools needing to be closed if the virus hits in this area. After discussion, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Rick Modesitt and made unanimous by Wayne Dunne, did hereby AUTHORIZE the expenditure of up to three thousand dollars and zero cents (\$3,000.00) to work with the Mid-Ohio Valley Board of Health to promote public awareness of the H1N1 virus and steps that can be taken to reduce the spread of the disease. An Order was prepared regarding this matter.

At 10:37 A.M. Rich Shaffer, Wood County Assessor, stated he has received a memo from Jason Wharton, Wood County Prosecuting Attorney, regarding the proposal to accept credit cards as a method of payment. (Said memo is attached to these minutes and shall be made a part thereof.)

At 11:07 A.M., the County Commission met with Doug Hess who was representing the Local Emergency Planning Committee Citizen Council Corps and discussed a grant application. After discussion, the County Commission of Wood County upon a motion made by Wayne Dunn, seconded by Rick Modesitt and made unanimous by David Blair Couch, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE, the Grant Application for West Virginia Citizen Corps Community Preparedness Priority Grant Program. Said Grant Application is in the amount of

twenty-four thousand nine hundred seventy-five dollars and zero cents (\$24,975.00). The aforementioned Grant Application and pertinent documentation pertaining to the aforementioned Grant Application is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

At 11:15 A.M., the County Commission met with Adam Krason from ZMM, Inc., who addressed the Commission regarding the status of the proposed Wood County Justice Center. He stated the revised budget for the center is now approximately \$7.5 million dollars.

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 the Request for Reimbursement for the West Virginia Juvenile Justice and Delinquency Grant Number 08-JJP-236. Said Request for Reimbursement is in the amount of three thousand nine hundred dollars and zero cents (\$3,900.00) for the month of March, 2009. Along with the Request for Reimbursement, the Financial Recap Report, the Project Financial Report, the Project Director's Monthly Report, the Demographic Form and applicable time sheets have been submitted to the West Virginia Division of Criminal Justice Services. The aforementioned 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 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 MARCH, 2009. 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 the Request for Reimbursement for the West Virginia Juvenile Justice and Delinquency Grant Number 08-JJP-236. Said Request for Reimbursement is in the amount of four thousand eight hundred dollars and zero cents (\$4,800.00) for the month of February, 2009. Along with the Request for Reimbursement, the Financial Recap Report, the Project Financial Report, the Project Director's Monthly Report, the Demographic Form and applicable time sheets have been submitted to the West Virginia Division of Criminal Justice Services. The aforementioned 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 Wayne Dunn, seconded by David Blair Couch and made unanimous by Rick Modesitt, did hereby ORDER the EXECUTION of a PROCLAMATION proclaiming the month of May, 2009 as "ALS/LOU Gehrig's Disease Awareness Month". A copy of said the Proclamation is attached to the Order that 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 eight thousand eight hundred fifty-eight dollars and eighty-one cents (\$8,858.81) which represents reimbursement to Wood County for expenses incurred during the month of January, 2009, in regard to the Governor's Highway Safety Program Grant Number F09-HS-03-154. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 510, at Page 445 and bearing the date of March 19, 2009 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. Documentation pertaining to the Governor's Highway Safety 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 a check from the State of West Virginia in the amount of seven hundred seventy-five dollars and forty cents (\$775.40) which represents reimbursement to Wood County for expenses incurred during the month of February, 2009, in regard to the Community Corrections Program Grant Number 09-CC-T59. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 68, at Page 512 and bearing the date of March 23, 2009 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. 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.

Marty Seufer discussed the auction that was held at 10:00 A.M., on May 2, 2009, for the purpose of selling used vehicles and miscellaneous items. This auction was held pursuant to a legal Notice being published in both The Parkersburg News and The Parkersburg Sentinel

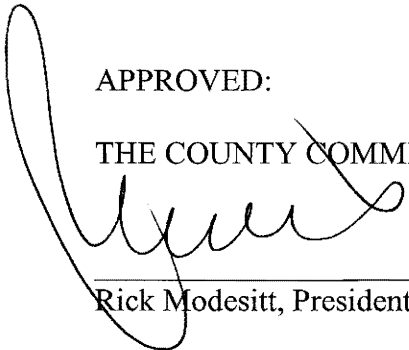
on April 24, 2009 and May 1, 2009 and The Bulletin Board newspaper. The auction was held at the Wood County Sheriff's Department/Maintenance Department with the auctioneer being Rocky Peck. The amount of twenty thousand seven hundred sixty-five dollars and fifty cents (\$20,765.50) was taken in for the vehicles and miscellaneous items and will be placed in the General County Fund budget. Four thousand six hundred fifty dollars (\$4,650.00) of the \$20,765.50 will go to the Wood County Airport authority for the sale of a 1951 Jeep and a small trailer. Forty-two dollars and fifty cents (\$42.50) of the \$20,765.50 will go to the Wood County Solid Waste Authority for the sale of miscellaneous office equipment. One thousand four hundred fifty dollars and zero cents (\$1,450.00) will go to the Wood County Appraisal Office for the sale of a 1996 Jeep. Documentation pertaining to said auction is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission of Wood County, was made aware of changes to the membership on the Wood County Commission on Crime, Delinquency and Correction. Jane Burdette, by fax, informed the Commission that Shannon Morgan has been approved as a member of said Commission. A copy of the fax is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

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

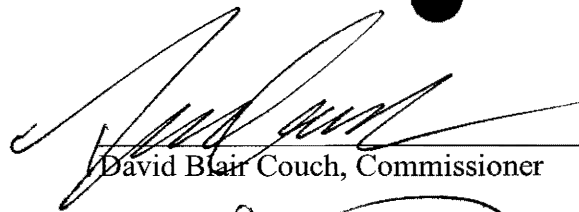
APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



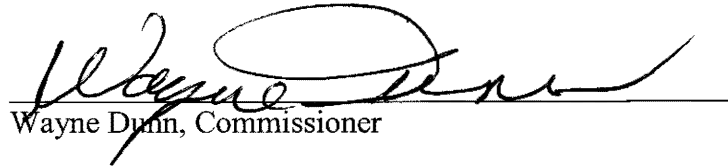
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Rick Modesitt, President



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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 May 4, 2009.

Marty

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**From:** Jason Wharton [jwharton@woodcountywv.com]  
**Sent:** Friday, May 01, 2009 4:27 PM  
**To:** 'Rich Shaffer'; Marty Seufer  
**Subject:** Credit Cards

I have reviewed the contract from "OPC", the existing credit card processing contract, as well as the documentation provided by Rich for Elavon.

The Commission, may in its discretion terminate the contract with OPC for convenience pursuant to section 6.2.3. Such a termination requires 60 days written notice.

After reviewing the documentation from Elavon, which includes the application for service I want to point out a couple of provisions which are of concern. The first is a liquidated damages provision if the merchant (county) terminates the agreement prior to the first year expiring of \$295.00. During the second or third year it drops to \$195.00.

Additionally, there is a personal guaranty section that allows Elavon to proceed against the guarantor prior to exhausting their remedies against the Merchant. This provision should be of concern to whoever signs the same. I would recommend asking Elavon to waive the requirement that the County sign this section or allow it to be signed on behalf of the County Commission but certainly not in anyone's individual capacity. The contract with OPC had no such requirement and was signed by the President of the County Commission on behalf of the County Commission.

Jason



Wood County Commission Meeting  
Held May 4, 2009

Please Print

1.	Jason Wharton
2.	Joe Troisi
3.	DAVE Ashby
4.	WILLIAM CAMP
5.	Clyde Brewer
6.	DON KESTERSON
7.	Don H. Warner
8.	Rich Winkler
9.	Rich Shaffer
10.	ADAM R. KRASON
11.	JR SMITH
12.	DENNIE HUGGINS
13.	Car Doug Hess - wood CO. LEPC
14.	Lo Lo Cottal S.O.
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