

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: Minutes of the Meeting held September 29, 1981

PRESENT: President, Holmes R. Shaver
Commissioner, William C. Parrish
Commissioner, Dexter L. Buckley, Jr.

Upon the motion of Commissioner William C. Parrish, seconded by Commissioner Dexter L. Buckley Jr., and made unanimous by Commission President, Holmes R. Shaver, it was therefore by this Commission that Mr. Larry Burnett be appointed as a member of the Commission on Crime Delinquency & Correction.

Also, upon the motion of Commissioner William C. Parrish seconded by Commissioner Dexter L. Buckley Jr., and made unanimous by Commission President, Holmes R. Shaver, it was ORDERED that a plat of a lot being conveyed by Mr. R. H. Frame to Mr. Frank Bucca (R. H. Frame Subdivision, 1 lot, Harris District) be and is hereby approved for recording. The Street, a gravel road, is in place and the lot will have to pass a percolation test for the septic tank before the Health Department will approve the use of the septic tank for sewage disposal. Therefore, no bond will be required.

Upon the motion of Commissioner William C. Parrish, seconded by Commissioner, Dexter L. Buckley Jr., and made unanimous by Commission President, Holmes R. Shaver it was ORDERED by this Commission that the Alberta Baldwin Subdivision, consisting of 53 Lots, Harris District be approved for recording. The Subdivision is the result of a mother giving each of her children a section of Tract J of Tax Map 100 of Harris District. The Subdivision will not require any new streets or other improvements; therefore, no bond was required.

At 11:03 a.m. the Commission met with Mr. Danny Wilfong from Mid Ohio Valley Building Restoration. The purpose of Mr. Wilfong's meeting with the Commission was to discuss his proposal to clean the exterior of the Court House.

The Commission also met with Mr. Robert Goff from the Wage & Hour Division and also Sheriff L. W. Bechtold to discuss and review various complaints as filed by the Wood County Deputy Sheriff's Association. It was agreed by this Commission that they would make every effort to cooperate with the Deputies in regard to a clothing allowance as well as various other complaints as filed by the Deputy Sheriff's Association.

The County Commission approved the Proposed Issuance of Commercial Development Revenue Bonds, WHEREAS, the County Commission of Wood County, has been informed by John A. Janes, that the Company proposed to acquire, construct and equip an office building facility that will consist of certain land, building, equipment and related real and personal property, and that Wood County is under consideration as a site for the Project. The Company has indicated that the Project, if located in Wood County, will increase employment in the County by approximately 80 jobs, and that the availability of revenue bond financing is a factor under consideration by the Company in connection with the feasibility and financing of such Project. It is estimated by the Company that acquisition, construction and installation of the proposed Project will require expenditures currently estimated at \$800,000.00. A copy of both the Inducement Agreement and Resolution is in attachment.

The Commission received various 1981 Personal Property Tax Tickets to be impropered for clerical errors. The Commission received and approved the tickets and forwarded them to the Probate Office to be recorded. Copies are in attachment

The following Purchase Orders were received and approved by this Commission:

Purchase Order #5316, to Mahone Tire, in the amount of \$32.00, for the Correctional Center.

Purchase Order #5328, to W.V. Uniform & Equipment, in the amount of \$592.35, for the Correctional Center.

Purchase Order #5329, to Capitol Restaurant Equipment Co., in the amount of \$28.54, for the Correctional Center.

Purchase Order #5330, to Parkersburg Office Supply, in the amount of \$16.30, for the Probate Office.

Purchase Order #5331, to A. B. Dick, in the amount of \$166.00, for the Correctional Center.

Purchase Order #5332, to George's Tailoring Shop, in the amount of \$10.00, for the Correctional Center.

Purchase Order #5333, to Parkersburg Office Supply, in the amount of \$54.79, for the Sheriff's Department.

Purchase Order #5334, to Parkersburg Office Supply, in the amount of \$35.96, for the Correctional Center.

Purchase Order #5335, to Parkersburg Office Supply, in the amount of \$30.14, for the County Commission.

Purchase Order #5336, to Karl's Camera, in the amount of \$274.00, for the Correctional Center.

Purchase Order #5337, to Easton Printing Co., in the amount of \$55.45, for the Circuit Clerk's Office.

Purchase Order #5338, to Parkersburg Office Supply, in the amount of \$143.90, for the Cooperative Extension Office.

Purchase Order #5339, to Parkersburg Office Supply, in the amount of \$17.22, for the Correctional Center.

Purchase Order #5340, to Parkersburg Office Supply, in the amount of \$4.24, for the County Clerk's Office.

Purchase Order #5341, to Charles E. Arnold, in the amount of \$735.80, for the County Clerk's Office.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

Holmes R. Shaver
/s/ President, Holmes R. Shaver

William C. Parrish
/s/ Commissioner, William C. Parrish

Dexter L. Buckley, Jr.
/s/ Commissioner, Dexter L. Buckley, Jr.

PERSONAL PROPERTY

WOOD COUNTY

Beck, James M. Jr.
Beck, Iris
2515 Vaughn Ave
Petersburg

DISTRICT City
TICKET NO. 22388 - 11 (81)
DATE Sept. 29/81

This is to certify that this ticket or portion thereof, as noted, is improper for the following reason:

Imp. Double for (Char. go) + Paid on business,
paid supp for his brother
The erroneousness of this ticket has been checked by: Wilcox

DEPUTY

Approved by EUGENE A. KNOTTS, ASSESSOR, or his authorized deputy,

Commissioner [Signature]
Commissioner [Signature]
R.K. Mason

PERSONAL PROPERTY

WOOD COUNTY

Flowers, Melanie A.
1721 7th St.
Pksgy, WV.

DISTRICT City
TICKET NO. 18976 1981
DATE 9-29-81

This is to certify that this ticket or portion thereof, as noted, is improper for the following reason:

Imp. 1976 Buick in father name & he paid on it.
74 Buick incorrect
The erroneousness of this ticket has been checked by: [Signature]

DEPUTY

Approved by EUGENE A. KNOTTS, ASSESSOR, or his authorized deputy,

Commissioner [Signature]
Commissioner [Signature]
R.K. Mason

PERSONAL PROPERTY

WOOD COUNTY

Red Roof Phylz Co.
Route 254, 2590
Bre Oak Park mi

DISTRICT City

TICKET NO. 2008-1981

DATE Sept 23, 1981

This is to certify that this ticket or portion thereof, as noted, is improper for the following reason:

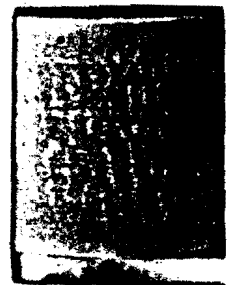
Improper state valuation too high. Reappraised
Per M. Early State Asst. Dept. Back paid on new paper
The erroneousousness of this ticket has been checked by: Brown

DEPUTY

Approved by EUGENE A. KNOTTS, ASSESSOR, or his authorized deputy,

Commissioner [Signature]
Commissioner [Signature]

R. K. Mason



9/29/81
44/181

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

Re: PROPOSED ISSUANCE OF COMMERCIAL
DEVELOPMENT REVENUE BONDS BY THE COUNTY COMMISSION
OF WOOD COUNTY, WEST VIRGINIA,

JOHN A. JANES PROJECT

WHEREAS, the County Commission of Wood County, West Virginia, (the "Commission"), has been informed by JOHN A. JANES, (the "Company"), that the Company proposes to acquire, construct and equip an office building facility that will consist of certain land, building, equipment and related real and personal property, (the "Project"), and that Wood County is under consideration as a site for the Project. The Company has indicated that the Project, if located in Wood County, will increase employment in the County by approximately 80 jobs, and that the availability of revenue bond financing is a factor under consideration by the Company in connection with the feasibility and financing of such Project; and

WHEREAS, it is estimated by the Company that the acquisition, construction and installation of the proposed Project will require expenditures currently estimated at \$800,000.00; and

WHEREAS, the Commission has determined that there exists a continuing need for programs to alleviate and prevent unemployment within Wood County, and after careful study and

investigation of the nature of the proposed Project, the Commission has determined that the proposed Project will serve such purpose and will promote the present and prospective health, happiness, right of gainful employment and general welfare of the citizens of the County, and is, as a matter of public policy, for the public purpose of the County and the State; and

WHEREAS, after studying the Project and the nature of the proposed financing, the Commission has determined that funds are necessary to finance the acquisition, construction and installation of the proposed Project, and that the most feasible method of providing for such financing is for the Commission to issue its revenue bonds for that purpose pursuant to the Industrial Development and Commercial Development Bond Act, Chapter 13, Article 2C of the Code of West Virginia of 1931, as amended (the "Act"), and for it (i) to acquire, construct, and install the proposed Project and lease or sell the proposed Project to the Company for specific rentals or purchase price payments sufficient to pay the principal of, premium (if any) and the interest on said revenue bonds or (ii) to lend the proceeds from the sale of said revenue bonds to the Company to enable it to acquire, construct and install the proposed Project and to repay the loan in installments which will be sufficient and timely to pay the principal of, premium (if any) and the interest on said revenue bonds; and

WHEREAS, the Company has requested the Commission to indicate its willingness to issue revenue bonds to finance the proposed Project so that said acquisition, construction and installation of the proposed Project may move forward:

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Wood County, West Virginia, as follows:

1. In order to indicate the Commission's willingness to issue revenue bonds to finance, in whole or in part, the acquisition, construction and installation of the proposed Project, the execution and delivery to the Company of an inducement agreement is hereby authorized, said inducement agreement to be in substantially the form attached hereto as Exhibit "A", subject to such minor changes, insertions and omissions as may be approved by the President of the County Commission, and the execution of said inducement agreement by the President of this Commission shall be conclusive evidence of such approval.

2. In order to facilitate the commencement of the planning, design, construction, acquisition and carrying out of the proposed Project, the President and Clerk of this Commission are hereby authorized to take such action on behalf of the Commission as may be requested by the Company in connection with financing the Project, including executing, or accepting on behalf of the Commission the assignment of, contracts for the said acquisition, construction and

installation of the proposed Project subject to the receipt of appropriate guarantees of payment by the Company. The Company's acceptance of the terms and conditions of the inducement agreement authorized hereunder shall be deemed to constitute a sufficient guarantee of payment for the purposes of this paragraph.

3. The Company may, from time to time as it may deem necessary prior to the issuance of the proposed revenue bonds, advance to the Commission funds necessary to enable it to begin the planning, design, construction, acquisition and carrying out of the proposed Project; any such funds so advanced will be kept by the Commission in a separate bank account or accounts to be opened by it, and the same shall be repaid to the Company from the proceeds of said proposed revenue bonds when the same are issued and delivered.

4. This Resolution is an affirmative official action of this Commission under the Act and in accordance with United States Treasury Regulations issued pursuant to 26 U.S.C. §103(b) taken toward the issuance of the Bonds.

5. Nothing herein contained, however, shall authorize any contribution out of the general funds of the Commission for any costs or expenses of the Company pursuant to this inducement resolution, or otherwise in connection with the Project.

6. This Resolution shall take effect immediately upon its passage this 29th day of September, 1981.

COUNTY COMMISSION OF WOOD COUNTY,
WEST VIRGINIA,

By *Robert N. Shaw*
Its President

(SEAL)
Attest: *[Signature]*
Clerk

INDUCEMENT AGREEMENT

THIS AGREEMENT ("the Agreement"), made and entered into as of the 29th day of Sept., 1981, by and between the COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA, a public corporation under the laws of the State of West Virginia ("the County Commission"), party of the first part, and JOHN A. JANES ("the Company"), party of the second part;

WHEREAS, Wood County is a political subdivision of the State of West Virginia which, acting by and through the County Commission, is authorized and empowered by law, including particularly the provisions of the Industrial Development and Commercial Development Bond Act (Chapter 13, Article 2C, of the Code of West Virginia of 1931, as amended) ("the Act"), for the public purposes set forth in the Act, to issue its revenue bonds to provide funds for the costs of acquiring, constructing, and improving real and personal property for commercial projects as defined in the Act; and

WHEREAS, the Company has advised the County Commission that it has under consideration the acquisition, construction and operation of an office building facility in Wood County, West Virginia ("the Project") and has advised that this Agreement by the County Commission to issue its commercial development revenue bonds under the Act ("the Bonds") in such amount as may be necessary to finance the cost of the Project, presently estimated to be \$800,000.00, and the sale or lease of

the Project to the Company, or the loan of the bond proceeds to the Company, pursuant to the Act, subject to and upon the conditions hereinafter set forth, will constitute a substantial inducement to the Company to commence the construction and operation of the Project in Wood County; and

WHEREAS, the County Commission prior to its execution hereof has adopted a resolution finding and determining that the Project is necessary to promote the health, happiness, right of gainful employment and general welfare of the citizens of Wood County, and the State of West Virginia and that the acquisition and construction of the Project will promote the economic development of Wood County and the State of West Virginia, and authorizing and directing its President and Clerk to execute this Agreement on its behalf;

NOW, THEREFORE, in consideration of the premises and of the covenants and undertakings herein expressed;

W I T N E S S E T H:

1. Undertakings on the Part of the County Commission.

Subject to the conditions set forth below, the County Commission agrees as follows:

1.1 The County Commission, acting for and on behalf of Wood County, will, from time to time, issue and sell the Bonds pursuant to the terms of the Act, as from time to time amended, in an aggregate principal amount equal at the time of such sale to the then estimated costs in respect of the

acquisition and construction of the Project in whole or in part, presently estimated to be \$800,000.00. The Bonds shall be issued in one or more series, shall be signed by the President and attested by the Clerk of the County Commission, shall bear such title or designation, shall bear interest at such rate or rates, shall be in such denomination or denominations, shall be subject to such terms of redemption, shall be in such form, either coupon or registered, shall be payable as to principal, redemption price and interest at such place or places, and contain such other terms and conditions, as may be fixed by resolution of the County Commission prior to the sale and delivery thereof.

1.2 The County Commission will cooperate with bond counsel to supervise the proceedings and approve the issuance of the Bonds, and with any banks, underwriters, or agents recommended by the Company and approved by the County Commission, all for the purposes of issuing and selling the Bonds on the best terms reasonably obtainable, and if arrangements therefor satisfactory to the Company can be made, the County Commission will adopt such orders, resolutions and proceedings and authorize the execution and delivery of such instruments and the taking of such further actions as may be necessary or advisable for the authorization, issuance and sale of the Bonds and the sale or lease of the Project or the loan of proceeds from such sale of Bonds to the Company.

1.3 Such proceedings, instruments and actions shall also permit the issuance from time to time in the future of additional Bonds on terms which shall be set forth therein, whether pari passu with other series of the Bonds or otherwise, for the purpose of defraying the cost of completion, enlargements, improvements, additions and expansions of the Project or any segment thereof.

1.4 The aggregate payments under the lease, agreement of sale or loan agreement pursuant to which the Project is sold or leased to the Company or pursuant to which the Bond proceeds are loaned by the County Commission to the Company shall include (a) a basic payment in such sums as shall be sufficient to pay the principal of and interest and redemption premium, if any, on the Bonds, as and when the same shall become due and payable, and (b) additional payments in such sums as shall be sufficient to pay all related costs and expenses.

1.5 The County Commission will take or cause to be taken such other acts and adopt or cause to be adopted such further proceedings as may be required to implement the aforesaid undertakings or as it may deem appropriate in pursuance thereof.

2. Undertakings on the Part of the Company.

Subject to the conditions set forth below, the Company agrees as follows:

2.1 The Company will use reasonable efforts, through banks, underwriters, or agents approved by the County Commission or otherwise, to find one or more purchasers for the Bonds; provided, however, that the terms of such Bonds and of the sale and delivery thereof shall be mutually satisfactory to the County Commission and the Company.

2.2 Contemporaneously with the sale of the Bonds in one or more series or issues from time to time as the County Commission and the Company shall determine, the Company will:

- (a) enter into a loan agreement with the County Commission or
- (b) agree to lease the Project from the County Commission, which lease shall grant to the Company an option to purchase the Project upon payment of the Bonds in full, or (c) enter into an installment purchase agreement with the County Commission to purchase the Project from the County Commission.

In any event, the loan agreement, lease, or installment sales agreement shall obligate the Company to pay to the County Commission the amounts described in Section 1.4 as and when the same become due and payable.

3. General Provisions.

3.1 All commitments of Wood County, acting by and through the County Commission, under Section 1 hereof and of the Company under Section 2 hereof are subject to the condition that the following events shall have occurred:

(a) The County Commission and the Company shall have agreed on mutually acceptable terms for the Bonds and the sale and delivery thereof and mutually acceptable terms and conditions of the loan agreement, or sale or lease agreement referred to in Sections 1 and 2 hereof.

(b) Such rulings, approvals, consents, certificates of compliance and other instruments satisfactory to the Company as to such matters with respect to the Bonds and the Project, the loan, sale or lease agreement and trust instruments, as shall be specified by the Company, shall be obtained from the Internal Revenue Service, United States Treasury Department, and such other governmental, as well as non-governmental agencies and entities, as may have or assert authority over or interest in matters pertinent thereto and to the Project and shall be in full force and effect at the time of issuance of the Bonds.

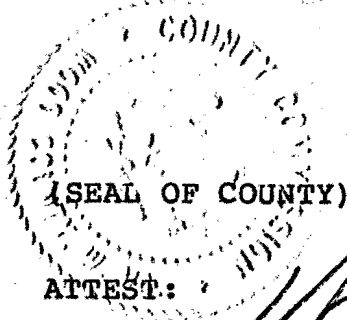
3.2 If the events set forth in Section 3.1 hereof do not take place, the Company agrees that it will reimburse the County Commission for, or pay all expenses, if any, which the County Commission may incur at the Company's request arising from the execution of this Agreement and the performance by the County Commission of its obligations hereunder.

3.3 It is understood and agreed by and between the County Commission and the Company that the provisions hereof are not intended to, and shall not be construed or interpreted to, either (a) obligate, or authorize the expenditure of, any

funds or moneys of Wood County derived from any source whatsoever other than the proceeds from the issuance and sale of the Bonds as provided for in this Agreement, or (b) create any personal liability of the members from time to time of the County Commission.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement by their officers thereunto duly authorized as of the 29th day of September, 1981.

THE COUNTY COMMISSION OF WOOD
COUNTY, WEST VIRGINIA



By [Signature]
President

[Signature]
Clerk

JOHN A. JANES,
By [Signature]
Its _____

September 29, 1981

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: APPOINTMENT OF MR. LARRY BURNETT AS A
A MEMBER OF THE WOOD COUNTY COMMISSION
ON CRIME DELINQUENCY AND CORRECTION

O R D E R

Upon the motion of Commissioner William C. Parrish, seconded by Commissioner Dexter L. Buckley Jr., and made unanimous by Commission President, Holmes R. Shaver, it is hereby ORDERED by this Commission that Mr. Larry Burnett be and is hereby appointed as a member of the Wood County Commission on Crime Delinquency and Correction.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

/s/ Holmes R. Shaver

President, Holmes R. Shaver

/s/ William C. Parrish

Commissioner, William C. Parrish

/s/ Dexter L. Buckley Jr.

Commissioner, Dexter L. Buckley Jr.

ENTERED: SEPTEMBER 29, 1981

9/24/81
44/180

September 24, 1981

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: R. H. FRAME SUBDIVISION, 1 LOT, HARRIS DISTRICT

James R. Shaver, President O R D E R
and County Commission
and County Engineer

Whereupon Upon the motion of Commissioner William C. Parrish, seconded by Commissioner Dexter L. Buckley Jr., and made unanimous by Commission President, Holmes R. Shaver, it is hereby ORDERED by this Commission that a plat of a lot being conveyed by Mr. R. H. Frame to Mr. Frank Bucca (R. H. Frame Subdivision, 1 lot, Harris District) be and is hereby approved. The Street, a gravel road, is in place and the lot will have to pass a percolation test for the septic tank before the Health Department will approve the use of the septic tank for sewage disposal. Therefore, no bond will be required.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

Holmes R. Shaver

President, Holmes R. Shaver

William C. Parrish

Commissioner, William C. Parrish

Dexter L. Buckley, Jr.

Commissioner, Dexter L. Buckley, Jr.

ENTERED: SEPTEMBER 24, 1981

9/24/81
44/180

U

Wood County
Commission
Clerk's Office
Martinsburg, West Virginia

September 24, 1981

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA
IN RE: ALBERTA BALDWIN SUBDIVISION, 53 LOTS,
HARRIS DISTRICT

Commissioner,
Commission
Clerk's Office
Martinsburg, WV 26101

O R D E R

Upon the motion of Commissioner William C. Parrish,
seconded by Commissioner, Dexter L. Buckley Jr., and made unanimous
by Commission President, Holmes R. Shaver it is hereby ORDERED that
the Alberta Baldwin Subdivision, consisting of 53 Lots, Harris
District be approved. ^{for recording.} The Subdivision is the result of a mother
giving each of her children a section of Tract J of Tax Map 100 of
Harris District.

The Subdivision will not require any new streets or other
improvements; therefore, no bond will have to be posted.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

(s) Holmes R. Shaver
President, Holmes R. Shaver

(s) William C. Parrish
Commissioner, William C. Parrish

(s) Dexter L. Buckley, Jr.
Commissioner, Dexter L. Buckley, Jr.

ENTERED: SEPTEMBER 24, 1981

9/24/81
44/180

September 24, 1981

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA
IN RE: R. H. FRAME SUBDIVISION, 1 LOT, HARRIS
DISTRICT

O R D E R

James H. Shaver, President
Wood County Commission
Wood County Courthouse
Martinsburg, West Virginia

Upon the motion of Commissioner William C. Parrish,
seconded by Commissioner Dexter L. Buckley Jr., and made unanimous
by Commission President, Holmes R. Shaver, it is hereby ORDERED by
this Commission that a plat of a lot being conveyed by Mr. R. H.
Frame to Mr. Frank Bucca (R. H. Frame Subdivision, 1 lot, Harris
District) be and is hereby approved. / The Street, a gravel road,
is in place and the lot will have to pass a percolation test for
the septic tank before the Health Department will approve the use
of the septic tank for sewage disposal. Therefore, no bond will
be required.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

Holmes R. Shaver
President, Holmes R. Shaver

William C. Parrish
Commissioner, William C. Parrish

Dexter L. Buckley, Jr.
Commissioner, Dexter L. Buckley, Jr.

ENTERED: SEPTEMBER 24, 1981