

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: Minutes of the Meeting held April 8, 1982

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

At 9:30 a.m. the Commission met with Mr. Keith Stonestreet from N.A.C.O. and Mr. Bill Bright and Mr. Tom Johnson various other members from N.A.C.O. The topic under discussion was a deferred compensation plan for the employees of Wood County. The Commission told the group that they had no objection to their plan, and they suggested that they would need to speak with Mr. H. K. Smith, County Clerk.

Also, at 11:30 a.m. the Commission met with Mr. Fred Fields, from the Soil Conservation Service and also Mr. Joe Carrico, Director of the Community Development and Planning Commission Office. Mr. Fields pointed out to the Commission that they were available to provide technical assistance to the homeowner but, the responsibility belongs to the homebuilder. It was also noted that a supplemental project was being added to the Pond Runs Project to relieve water problems located in the Maplewood School District of Vienna. Mr. Fields further pointed out to the Commission that his purpose for being there was to let the Commission aware that S.C.S. (Soil Conservation Service) was available to technically assist where soil erosion or other such problems were related.

Mr. William R. Pfalzgraf, Attorney, also presented the Commission with an Agreement between the Wood County Commission

and the Wood County Building Commission, for their approval. The Commission upon the motion of Commissioner William C. Parrish, seconded by Commissioner Dexter L. Buckley, Jr., and made unanimous by Commission President, Holmes R. Shaver agreed to accept and approve the Agreement, Whereas, the County Commission is a governmental body created pursuant to the Constitution and laws of West Virginia and is required pursuant to Section 2, Article 3, Chapter 7 of the Code of West Virginia of 1931, as amended, to provide, among other things, a suitable courthouse with offices, courtrooms and related facilities for the judges of the Circuit Court of Wood County and other judicial officers. And Whereas, the current courthouse facilities in Wood County, West Virginia, are burdened beyond capacity, cannot support the increased demands of the judicial system, and have been ruled unsafe for public assembly by the State Fire Marshall, therefore, the County Commission deemes it proper and in the best interest of the citizens of Wood County that a new facility be acquired to house the judicial system of the County. The Building Commission has indicated its willingness to proceed with a plan whereby the Building Commission will construct and equip a judicial annex to the current courthouse facility in Wood County (the "Judicial Annex") upon certain property located in the City of Parkersburg, West Virginia as more fully described in Exhibit A hereto, and by this reference made a part hereof, which property is currently owned by the County Commission, if the County Commission finds it in the best interest of the public to convey such real property to the Building Commission and to enter into a lease of the Judicial Annex as more fully described herein; Whereas, the Building Commission is willing to lease the Judicial Annex to the County Commission for use as an annex to the courthouse and for such other and further lawful purposes as the County Commission shall determine, including the subletting of a portion of the Judicial Annex to other government agencies as determined by the County Commission. A copy of this AGREEMENT is in attachment.

Also, upon the motion of Commissioner Dexter L. Buckley Jr., seconded by Commissioner William C. Parrish and made unanimous by Commission President, Holmes R. Shaver, due to inadequate storage by virtue of the State Code of West Virginia the County Commission of Wood County has engaged the services of Mr. Clair A. Snyder to aide in the safe keeping of records of County Elected Officials during working hours, and located at 407 & 409 Market Street (Storage Building for County Records.)

Said employment shall be for a thirty (30) day period. To become effective April 9, 1982.

On this the 8th day of April, 1982, came George E. Lantz, Attorney at Law, and having theretofore presented numerous written Petitions requesting that this Commission call and hold a local option election on the question of whether the Sunday Closing Law shall continue in effect in Wood County, West Virginia and having filed with the Commission two (2) Affidavits stating his understanding, upon information and belief, tha the Petitions have been signed by more than ten per cent (10%) of the total number of persons qualified to vote in Wood County, West Virginia during the last general election; and that based on the Affidavits and testimony of George E. Lantz as counsel for one of the Petitioners and the advice of Harry Deitzler, Prosecuting Attorney and counsel for this Commission, this Commission does hereby FIND that the Petitions in proper form and containing signatures of more than ten per cent (10%) of the total number of persons qualified to vote in this County at the last general election have been duly presented and filed, and, accordingly, it was ORDERED, pursuant to Chapter 61, Article 10, Section 28 of the West Virginia Code, as amended, that a local option election is called to determine the will of the voters on the question of whether the Sunday Closing Law shall continue in effect in Wood County, West Virginia, and the same shall be hald at the same time, and as part of, the next primary election in Wood County, West Virginia, on June 1, 1982. The motion to accept and approve the ORDER as entered was made by Commissioner William C. Parrish, seconed by Dexter L. Buckley, Jr., and made unanimous by Commission President, Holmes R. Shaver. A copy of this ORDER is in attachment.

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

Purchase Order #5933, to Parkersburg Office Supply, in the amount of \$12.68, for the County Clerk's Office.

Purchase Order #5934, to West Virginia University, in the amount of \$69.00, for the Planning Commission.

Purchase Order #5935, to Park's Hardware, in the amount of \$2.49, for the Correctional Center.

Purchase Order #5936, to Clarke Paper Co., in the amount of \$30.70, for the Correctional Center.

Purchase Order #5937, to W. H. Smith Hardware, in the amount of \$7.60, for the Maintenance Department.

Purchase Order #5938, to Warner Pontiac, in the amount of \$108.00, for the Correctional Center.

Purchase Order #5939, to Warner Pontiac, in the amount of \$43.58, for the Correctional Center.

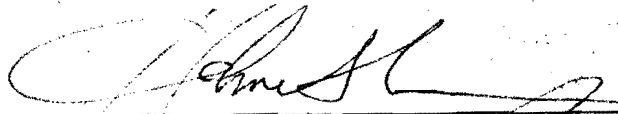
Purchase Order #5942, to Casto & Harris, in the amount of \$404.80, for the County Clerk's Office.

Purchase Order #5943, to Karl's Camera Store, in the amount of \$107.20, for the Correctional Center.

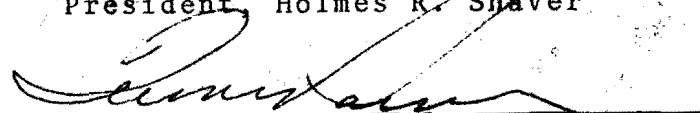
Purchase Order #5945, to Nashua Corp., C.W.S., in the amount of \$81.30, for the County Clerk's Office.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY



President, Holmes R. Shaver



Commissioner, William C. Parrish



Commissioner, Dexter L. Buckley, Jr.

4/8/82

44/262

April 8, 1982

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: EMPLOYMENT OF MR. CLAIR A. SNYDER AS A
CUSTODIAL AT 407 & 409 MARKET STREET
(STORAGE BUILDING FOR COUNTY RECORDS)

O R D E R

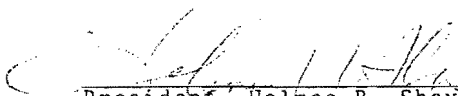
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Said employment shall be for a thirty (30) day period. To become effective April 9, 1982.

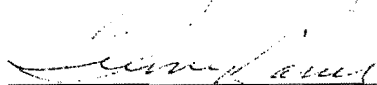
Dated this the 8th day of April, 1982.

Approved:

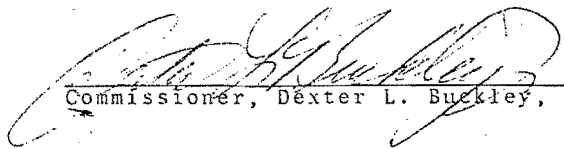
THE COUNTY COMMISSION OF WOOD COUNTY



President, Holmes R. Shaver



Commissioner, William C. Parrish



Commissioner, Dexter L. Buckley, Jr.

ENTERED: APRIL 8th, 1982

PERSONAL PROPERTY

No. _____

WOOD COUNTY

*Brown, Michael H.
33 Edgewood Pl. Dr.
Lackensburg, Mo*

DISTRICT City
TICKET No. 17924 - '81'
DATE 4-7-82

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

Assessed on wrong vehicle. Still pay supp. on correct vehicle

The erroneousness of this ticket has been checked by: _____ *R.K.*

DEPUTY

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

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

PERSONAL PROPERTY

No. _____

WOOD COUNTY

*Allen, Howard
2504 New York Ave
Pksby.*

DISTRICT City
TICKET No. 16484 - 1981
DATE April 7, 1982

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

Improper double paid supplemental 3/3/82 for 1981.

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

No. _____

WOOD COUNTY

*Schrader Carl
1212 George St.
City*

DISTRICT City
TICKET No. 23125 - '79'
DATE 4-6-82

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

Imp. Paid '79' Supp. Oct. 17, 1980

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

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN THE MATTER OF
PETITIONS FOR A LOCAL OPTION ELECTION
RE THE SUNDAY CLOSING LAW

ORDER

On this 8th day of April, 1982, came George E. Lantz, Attorney at Law, and having heretofore presented numerous written Petitions requesting that this Commission call and hold a local option election on the question of whether the Sunday Closing Law shall continue in effect in Wood County, West Virginia; and having filed with the Commission two Affidavits stating his understanding, upon information and belief, that the Petitions have been signed by more than ten per cent (10%) of the total number of persons qualified to vote in Wood County, West Virginia, during the last general election; and that based on the Affidavits and testimony of George E. Lantz as counsel for one of the Petitioners and the advice of Harry Deitzler, Prosecuting Attorney and counsel for this Commission, this Commission does hereby FIND that Petitions in proper form and containing signatures of more than ten per cent (10%) of the total number of persons qualified to vote in this County at the last general election have been duly presented and filed, and, accordingly, it is hereby ORDERED, pursuant to Chapter 61, Article 10, Section 28 of the West Virginia Code, as amended, that a local option election is called to determine the will of the voters on the question of whether the Sunday Closing Law shall continue in effect in Wood County, West Virginia, and the same shall be held at the same time, and as part of, the next primary election in Wood County, West Virginia, on June 1, 1982.

Entered this 8th day of April, 1982.

WOOD COUNTY COMMISSION

BY: Holmes R. Shaver
Holmes R. Shaver, President

William Parrish
William Parrish, Member

Dexter Buckley
Dexter Buckley, Member

Motion: Wm. Parrish
and - Dexter J. Buckley M.
unanim. Holmes R. Shaver

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

Re: AGREEMENT BETWEEN THE WOOD COUNTY COMMISSION
AND THE WOOD COUNTY BUILDING COMMISSION

WHEREAS, the County Commission is a governmental body created pursuant to the Constitution and laws of West Virginia and is required pursuant to Section 2, Article 3, Chapter 7 of the Code of West Virginia of 1931, as amended, to provide, among other things, a suitable courthouse with offices, courtrooms and related facilities for the judges of the Circuit Court of Wood County and other judicial officers; and

WHEREAS, the County Commission is authorized to acquire land and buildings, by purchase or otherwise, which it deems necessary or desirable to provide for a courthouse; and

WHEREAS, pursuant to the authority contained in Article 33 of Chapter 8 of the Code of West Virginia of 1931, as amended, the County Commission created the Wood County Building Commission (the "Building Commission") by order entered as of the 21st day of December, 1972, with the authority, powers, duties and responsibilities set forth in the aforementioned statute, which include, among others, the power to acquire, purchase, own and hold any real or personal property and to acquire, construct, equip, maintain and operate public buildings, structures, projects and appurtenant facilities of any type for which the County Commission is permitted by law to expend public funds; and to lease such property or any part thereof for public purposes to such persons and upon such terms as the Building Commission deems proper; and to raise funds to be used for the acquisition, construction and equipping of such facilities through the issuance and sale of its revenue bonds; and

WHEREAS, pursuant to Article VIII of the West Virginia Constitution, the number of Judges of the Circuit Court of Wood County was increased to three and other judicial offices were created; and

WHEREAS, the current courthouse facilities in Wood County, West Virginia, are burdened beyond capacity, cannot support the increased demands of the judicial system, and have been ruled unsafe for public assembly by the State Fire Marshall, therefore, the County Commission deems it proper and in the best interest of the citizens of Wood County that a new facility be acquired to house the judicial system of the County; and

WHEREAS, the Building Commission has indicated its willingness to proceed with a plan whereby the Building Commission will construct and equip a judicial annex to the current courthouse facility in Wood County (the "Judicial Annex") upon certain property located in the City of Parkersburg, West Virginia as more fully described in Exhibit A hereto, and by this reference made a part hereof, which property is currently owned by the County Commission, if the County Commission finds it in the best interest of the public to convey such real property to the Building Commission and to enter into a lease of the Judicial Annex as more fully described herein; and

WHEREAS, the Building Commission is willing to lease the Judicial Annex to the County Commission for use as an annex to the courthouse and for such other and further lawful purposes as the County Commission shall determine, including the subletting of a portion of the Judicial Annex to other governmental agencies as determined by the County Commission.

ACCORDINGLY, IT IS ORDERED:

1. That the County Commission of Wood County, West Virginia, a statutory corporation, hereby finds and determines as follows:

(a) That the County Commission is required to provide, among other things, a suitable courthouse, with offices, courtrooms and related facilities for the judges of the Circuit Court of Wood County and other judicial officers.

(b) That the County Commission is authorized to acquire land and buildings, by purchase or otherwise, which it deems necessary or desirable to provide for a courthouse.

(c) That the current courthouse facilities in Wood County, West Virginia, are burdened beyond capacity, cannot support the increased demands of the judicial system, and have been ruled unsafe for public assembly by the State Fire Marshall, and therefore, the County Commission deems it proper and in the best interest of the citizens of Wood County that a new facility be acquired to house the judicial system of the County.

(d) That the acquisition of such a new facility can best be accomplished pursuant to a plan whereby the real property described in Exhibit A will be transferred from the County Commission to the Building Commission, whereupon the Building

Commission will construct such a facility on said real property and thereafter lease such facility to the County Commission as more fully described herein, which plan is determined to be in the best interest of the citizens of Wood County.

(e) That the conveyance of the real property described in Exhibit A to the Building Commission is in the best interest of the citizens of Wood County.

2. That the County Commission enter into an agreement by and between it and the Building Commission, in the form of the agreement attached hereto as Exhibit B, and by this reference made a part hereof, by which the Building Commission will be obligated to construct the Judicial Annex and thereafter lease the Judicial Annex to the County Commission.

3. That the County Commission deliver its fully executed deed and convey good title to the real property described in Exhibit A to the Building Commission upon execution of the agreement described in the preceding paragraph.

4. That the President of the County Commission is hereby authorized and directed to execute, on behalf of Wood County, West Virginia, the agreement described in paragraph 2 and is authorized to make such changes as are necessary or appropriate to conform the aforesaid agreement to the understanding of the County Commission with regard to the contemplated transaction and that the President's execution of such agreement will be conclusive evidence of his approval of such changes.

5. This Resolution shall take effect upon its passage this 8th day of April, 1982.

COUNTY COMMISSION OF WOOD COUNTY,
WEST VIRGINIA

By _____
Its President

[SEAL]

Attest:

Clerk

DISPOSITION PARCEL NO. 4

All that certain lot, tract or parcel of land situate in the City of Parkersburg, Wood County, West Virginia, and more particularly bounded and described as follows:

BEGINNING at a point in the northerly line of 2nd Street, which said point is located N. 38° 06' 38" W. 140.8 feet, more or less, from the intersection of the westerly line of Avery Street and the northerly line of 2nd Street, and also in the westerly line of the tract to be conveyed by the City of Parkersburg acting in its legal capacity as the Urban Renewal Authority of the City of Parkersburg, to the City of Parkersburg for the intended use as a new City Building; thence N. 38° 06' 38" W. continuing with the northerly line of 2nd Street 220.0 feet, more or less, to a point in the easterly line of Market Street; thence with the easterly line of Market Street N. 51° 52' 00" E. 208.0 feet, more or less, to a point; thence S. 38° 06' 38" E. 170.6 feet, more or less, to a point, which said point is in the westerly line of Phillips Court Alley; thence S. 51° 54' 38" W. and with the westerly line of Phillips Court Alley, 38.0 feet, more or less, to a point; thence S. 38° 06' 38" E. and crossing Phillips Court Alley, 49.6 feet, more or less, to a point, which point is in the westerly line of the New City Building tract hereinbefore referred to; thence S. 51° 54' 35" W. and running with said westerly line of said New City Building tract, 170.0 feet to the point of beginning, consisting of 43,875.20 square feet, more or less, the sale price of \$131,753.98 having been computed upon a \$3.00 per square foot cost, rounded to the nearest whole cent, reference here being made and had to the Central City Urban Renewal Area Property Map recorded in the Office of the Clerk of the County Commission of Wood County, West Virginia, in Plat Book No. 15, at page 16, and to the map prepared by Robert C. Vernon, Inc., Registered Professional Engineer, dated February 19, 1975, designated Sheet 3 of 14, and kept in the office of the City Engineer of the City of Parkersburg.

STATE OF WEST VIRGINIA, COUNTY OF WOOD, TO-WIT:
OFFICE OF THE CLERK OF THE COUNTY COMMISSION OF WOOD COUNTY.

The foregoing paper writing was this day, AUGUST 9, 19 77, at 11:35 AM presented for record in my office, and thereupon, together with the certificate thereto attached is admitted to record.

Teste: J. K. Smith Clerk.
County Commission of Wood County.

EXHIBIT B

AGREEMENT

THIS AGREEMENT entered into as of the 8th day of April, 1982, by and between THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA, a public corporation, for and on behalf of Wood County, West Virginia, party of the first part (the "County") and THE WOOD COUNTY BUILDING COMMISSION, a public corporation, party of the second part (the "Building Commission").

WHEREAS, the County is a governmental body created under the laws and Constitution of West Virginia, which is required pursuant to Section 2, Article 3, Chapter 7 of the Code of West Virginia of 1931, as amended, to provide, among other things, a suitable courthouse, with suitable offices for the judges of the Circuit Court of Wood County and other judicial officers; and

WHEREAS, the County is authorized to acquire new courthouses, by purchase or otherwise, which it deems necessary; and

WHEREAS, pursuant to the authority contained in Article 33 of Chapter 8 of the Code of West Virginia of 1931, as amended, the County did create the Building Commission by order entered as of the 21st day of December, 1972, for the purposes, among others, of acquiring, purchasing, owning and holding any real or personal property and of acquiring, constructing, equipping, maintaining and operating public buildings, structures, projects and appurtenant facilities of any type for which the County was permitted by law to expend public funds; and of leasing such property or any part thereof for public purposes to such persons and upon such terms as the Commission deemed proper; and of raising funds to be used for such purposes by the issuance and sale of its revenue bonds; and

WHEREAS, pursuant to Article VIII of the West Virginia Constitution, as ratified by the voters of the State of West Virginia on November 5, 1974, the number of Judges of the Circuit Court of Wood County was increased to three and other judicial offices were created; and

WHEREAS, the current judicial facilities in Wood County, West Virginia, are burdened beyond capacity, cannot support the increased demands of the judicial system, and have been ruled unsafe for public assembly by the State Fire Marshall, so that the County deems it proper and in the best

interest of the citizens of Wood County that a new facility be acquired by the County to house the judicial system of the County.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. The County Commission will convey certain real property located in the City of Parkersburg, Wood County, West Virginia, described in Exhibit A attached hereto, and by this reference made a part of this agreement, to the Building Commission, on which shall be constructed the Project hereinafter described.

2. The Building Commission will construct on the real property described in Exhibit A, attached hereto, a judicial annex to the current courthouse facility in Wood County (the "Project"), which Project shall consist of a building adequate to house the judicial facilities of the County. The cost of the Project, exclusive of the cost of the land, is presently estimated at approximately \$2,000,000.

3. The County Commission will contribute the sum of \$1,000,000 to the Building Commission for the express purpose of utilizing such funds, along with the funds described in paragraph 4, and any other funds available for such purpose in the acquisition and construction of the Project.

4. The Building Commission hereby agrees to issue its negotiable revenue bonds payable from the revenues described in paragraph 5 hereof in the principal amount of not in excess of One Million Dollars (\$1,000,000), the proceeds of which shall be used in addition to funds contributed by the County pursuant to paragraph 2 hereof, and such additional funds as may be contributed from time to time by the County or available from any other sources which may be properly utilized for such purposes to acquire and construct the Project.

5. The Building Commission hereby agrees to lease to, and the County hereby agrees to lease from the Building Commission, the Project for a period not in excess of 20 years from the date of completion thereof. Under the terms of the lease, the Building Commission will convey title to the Project to the County upon the expiration thereof; the County will be responsible for maintaining and insuring the Project; the County may sublet any part of the Project to agencies, commissions or other instrumentalities of the County, or of any other governmental body, federal, state, or local; the County shall have the right, at its option, to terminate the lease during any fiscal year of the County covered thereby; the lease shall terminate prior to the expiration of the initial term

thereof upon the complete payment or redemption of any revenue bonds issued by the Building Commission, the proceeds of which were used to acquire and construct the Project; the County shall pay as rent an amount sufficient to amortize the principle and interest upon the revenue bonds to be issued by the Building Commission pursuant to paragraph 4 hereof; and the parties will be required to do such acts and make such covenants not inconsistent with the foregoing as seem appropriate under the circumstances. The County hereby dedicates to the payment of the rent on such lease the funds derived from rentals or other payments received from other governmental bodies, federal, state or local and the agencies thereof, by virtue of any subleasing of the Project or to the extent not otherwise required for other current operating expenses or capital expenditures of the County profits, fees or charges derived by the County or derived from taxes levied or imposed by other governmental bodies, federal, state or local, and paid over pursuant to law to the County, all of which shall be deemed revenues from which the rentals to be paid to the Building Commission pursuant to the lease shall be dedicated and to the extent authorized by law, and/or to the extent not otherwise required as aforesaid, the County hereby dedicates such receipts to the Building Commission for purposes of paying the aforesaid rent. The Building Commission agrees that the County shall not be obligated to make any rental payments to the Building Commission from sources other than those described in the preceding sentence.

6. The Building Commission shall forthwith begin the necessary planning for the construction of the Project at the earliest practical date and shall select such builders, developers, managers, or other assistants as it shall deem proper.

7. The Building Commission shall authorize the issuance of its revenue bonds in the aggregate amount of up to \$1,000,000. The bonds shall be issued either as a single issue or from time to time as several issues as the Building Commission shall determine, but prior to the issuance of any of the Bonds aforesaid, the County and the Building Commission will enter into a lease agreement with respect to the facility and shall also enter into such other and further agreements as are deemed necessary or proper to facilitate the acquisition and construction of the Project by the Building Commission.

IN WITNESS WHEREOF, the County Commission of Wood County, West Virginia, has caused this agreement to be executed on its behalf by its president, and the Wood County Building Commission has caused this Agreement to be executed on its behalf by its president, all as of the date and year first above written.

(SEAL)

THE COUNTY COMMISSION OF WOOD
COUNTY

ATTEST:

By _____
Its President

Clerk of the County Commission

(SEAL)

THE WOOD COUNTY BUILDING
COMMISSION

ATTEST:

By _____
Its President
