

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, DECEMBER 13, 1993

PRESENT: HOLMES R. SHAVER, PRESIDENT
JEAN GRAPES, COMMISSIONER
STEVEN A. GRIMM, 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 held a hearing for Rudolph Keeper, alleged incompetent. Attorney was Rick Hudson. Guardian Ad Litem was William Richardson, Jr. Charles R. Keeper, nephew of Mr. Keeper is the petitioner. An affidavit was received from Dr. Loretto Auvil. Mr. Keeper stated that Rudolph Keeper cannot handle his business affairs or his personal affairs; he needs help with his bills and is unable to prepare his meals and take his medicine. Rudolph Keeper was present. President Shaver informed Mr. Keeper as to what the process was for declaring someone incompetent. Mr. Keeper stated that he understands and agrees with this (petition). Mr. Richardson informed the Commission that he would prefer that Mr. Keeper's wishes be respected because he does have a clear mind, but he does need some assistance. Upon a motion made by Steven A. Grimm, seconded by Jean Grapes and made unanimous by Holmes R. Shaver, the County Commission declared Rudolph C. Keeper Incompetent for the purpose of helping him with his business affairs and personal affairs and he will have a say in managing his affairs. Charles Keeper then stated that Rudolph's wife is deceased; he has no children, but has several nieces and nephews (most of which are present); he has a home in Vienna; he has approximately \$51.00 in the bank; he receives a pension check in the amount of \$121.00 per month and a Social Security check in the amount of \$699.00 per month; he visits or speaks with him every day or every other day; Rudolph lives on Fairfax Avenue with Dorothy Watson (his caretaker) who

is paid by Charles; he wants to get Rudolph back in his own home, which is being occupied by Wesley Hays; he (Charles) has asked Mr. Hays to leave and there is no evidence of him paying any rent. Grace Baker objects to the Petition. Charles then stated the following: Mrs. Baker was a friend of Mrs. and Mr. Keeper; she used to take Rudolph to brunch and dinner; Rudolph paid for the food and the gasoline; Mrs. Baker was made Rudolph's Power of Attorney, at which time her grandson (Mr. Hays) moved in to Mr. Keeper's home. Commissioner Grapes asked if arrangements have been made. Mr. Keeper stated that Rudolph would have his present caretaker live with him. Ernie Douglass, Attorney for Grace Baker informed the Commission that Grace Baker wishes to be appointed Committee and that she and the Keepers have been friends for over fifty years; she has taken them shopping, to doctor appointments and continued this after Mrs. Keeper passed away; Mrs. Baker hired Dorothy Watson to take care of him and that his nieces and nephews never paid much attention to Rudolph in the past. Testimony was taken from Christina Boston and Holly VanCamp, neighbors of Rudolph Keeper and Ross Scyoc, a friend. Joan Knapp, Grace Baker's niece stated that she is no relation to Rudolph, but knows that Mrs. Baker has taken him to breakfast, dinner and to the hospital. Wesley Hays, grandson of Mrs. Baker stated the following: he would leave Rudolph's home if Rudolph asked him to leave; Rudolph told him that he didn't care much for his nieces and nephews; has known Rudolph for over twenty years; his intentions are to stay in Rudolph's home; he has been served an eviction notice, but doesn't consider it valid; he owns Little Kanawha Outfitters; he pays the utilities himself, but they were in Rudolph's name until December, 1993 and the house was furnished when he moved in. Grace Baker stated the following: she is retired; she has known Rudolph for more than fifty years; Dr. Hannaker told him that he needed to go to a Nursing Home; Rudolph was brought to her home when she had problems with her arm; Charles Keeper used

to take him places once in a while; in 1988 Rudolph made a will and it was in her favor; he put all of the money in his and her names; he was going to leave her the house; he never paid her but stated that when he died she'd be well taken care of; in the will it stated that she (Baker) was the sole beneficiary and she was to serve as Executrix without bond; her grandson is staying in the house because he has no place to stay and when asked if she knew why Rudolph had a change of heart in regard to his nieces and nephews, she stated she did not know. It was stated that she fell at Rudolph's home and filed a lawsuit against his insurance. Mr. Hudson asked Mrs. Baker why she wrote a check for \$12,770.00. Mrs. Baker said it was to help her son buy a truck. Mr. Hudson asked her if she wrote a check for \$8,000.00. Mrs. Baker stated that it was for her daughter to buy a car. Mr. Hudson asked Mrs. Baker if she has every bought herself anything with the money. She said no. Mr. Hudson wanted to know where the remaining \$14,000.00 that should have been in his account went. Mrs. Baker stated that Rudolph thought nothing of spending money and spending it when they would go eat and he would tip the waitresses behind her back. Mr. Hudson asked why Mrs. Baker wasn't charging her grandson rent for his staying in Rudolph's house. Mrs. Baker said it was because he is her grandson and Rudolph told her it was not necessary. Mr. Hudson asked if she believed the house was hers. She said no. Mrs. Baker then said that she wants to be paid for when she cared for him. Jean Grapes then spoke with Rudolph Keeper. Upon a motion made by Jean Grapes, seconded by Steven A. Grimm and made unanimous by Holmes R. Shaver, the County Commission appointed Charles R. Keeper as Committee for Rudolph C. Keeper with a justification of surety bond in the amount of \$5,000.00.

On this date, the County Commission, upon a motion made by Holmes R. Shaver, seconded by Steven A. Grimm and passed, appointed Dee Scritchfield to fill a vacancy on the Wood County Commission on Crime, Delinquency and

Correction. Ms. Scritchfield, the new Director of Substance Abuse at Western District Guidance Center was placed in nomination by an Order bearing the date of November 29, 1993. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and passed, reappointed Art Oliver, Jr. to fill a vacancy on the Wood County Building Commission. Mr. Oliver's term will expire on December 20, 1998. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Steven A. Grimm, seconded by Jean Grapes and passed, reappointed Jeffrey P. DeVol, William Dudak and James Q. Arthur to fill vacancies on the Wood County Parks and Recreation Commission (Mountwood Park). Their terms will expire on December 16, 1996. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Steven A. Grimm, seconded by Jean Grapes and passed, reappointed Lee Johnson to fill a vacancy on the Lubeck Public Service District. Mr. Johnson's term will expire on December 31, 1999. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and passed, the County Commission reappointed William Edmonds to the Wood County Planning Commission. Mr. Edmonds' term will expire on December 31, 1996. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Jean Grapes, seconded by Steven A. Grimm and passed, authorized Holmes R. Shaver, as President, to sign the Request for Reimbursement in regard to the Drug Control and System Improvement Grant No. 93-DC-037, D.A.R.E. Project. Expenditures in the amount of \$661.38 were made in the month of November, 1993 which represents thirty-three hours of overtime compensation for Cpl. Donald G. Balog of the Wood County Sheriff's Department who has been assigned as the

officer to D.A.R.E. Project for Wood County. However, the Request for Reimbursement is in the amount of \$494.24 since there is a ten percent stipulation in the said Grant that required the said percentage from the County as matching funds. In addition to the Request for Reimbursement, the Monthly Progress Report and the Project Financial Report are being submitted to the Criminal Justice and Highway Safety Office, Charleston, WV. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Steven A. Grimm, seconded by Jean Grapes and passed, authorized Holmes R. Shaver, as President, to sign the Request for Reimbursement in regard to the Comprehensive Community Highway Safety Grant No. 92-HS-14. The Request for Reimbursement is in the amount of \$927.47 which represents expenditures made by the County during the month of November, 1993. In addition to the Request for Reimbursement, the Project Financial Report is being mailed to the Criminal Justice and Highway Safety Office, Charleston, WV. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Jean Grapes, seconded by Steven A. Grimm and passed, ORDERED that Stephanie A. Waldron be compensated in the amount of \$45.00 for one goat that sustained injury due to being attacked by an unknown dog or dogs. Said compensation is in accordance with Chapter 19, Article 20, Section 10 of the Code of West Virginia. An Order was prepared regarding this matter.

On this date, the County Commission, upon a motion made by Steven A. Grimm, seconded by Jean Grapes and passed, authorized Holmes R. Shaver, as President, to sign a Quit-Claim Deed, prepared by Attorney William Crichton, by and between the County Commission and William Thomas Nestor and Kimberlee J. Nestor. Said Quit-Claim Deed is pursuant to a Final Order bearing the date of December 6, 1993. An Order, which describes the property, is attached to

these minutes.

On this date, the County Commission, upon a motion made by Jean Grapes, seconded by Steven A. Grimm and passed, gave approval to the request of homeowners on Homewood Road to assist in the installation of a water line. Said approval would allow compensation in an amount not to exceed \$5,000.00 from the County Commission as a self-help project for homeowners on Homewood Road. The purchase of materials and the installation of said water line extension would be done through the Lubeck Public Service District on behalf of the homeowners. An Order was prepared regarding this matter.


On this date, the County Commission, upon a motion made by Jean Grapes, seconded by Steven A. Grimm and passed, gave approval to the request of homeowners on Sun Valley Road to assist in the installation of a water line. Said approval would allow compensation in an amount not to exceed \$5,000.00 from the County Commission as a self-help project for homeowners on Sun Valley Road. The purchase of materials and the installation of said water line extension would be done through the Lubeck Public Service District. An Order was prepared regarding this matter.

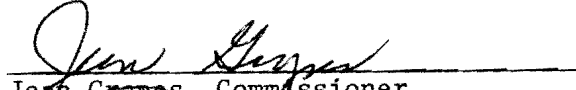
On this date, the County Commission, upon a motion made by Jean Grapes, seconded by Holmes R. Shaver and passed, approved minutes from Thursday, November 18, 1993. Upon a motion made by Jean Grapes, seconded by Steven A. Grimm and passed, the County Commission approved minutes from Monday, November 22, 1993 and Monday, November 29, 1993. November 25, 1993 was a holiday.

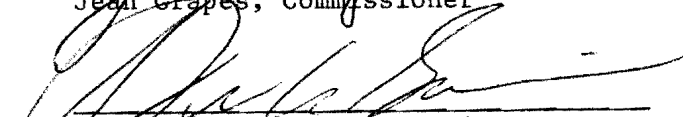
Having no further scheduled appointments or business to attend to, the County Commission adjourned at 4:00 P.M.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY


Holmes R. Shaver, President


Jean Grapes, Commissioner


Steven A. Grimm, Commissioner

PURCHASE ORDERS SIGNED ON DECEMBER 13, 1994

No. 18015	Shelness Productions	\$ 206.50
18094	General Glass Company	91.51
18099	NOE Office Equipment	49.50
18109	Parkersburg Office Supply	1.98
18110	Miller Communications	58.00
18111	Wal Mart Stores	89.76
18126	Breeds Auto Electric Service	28.95
18127	Broadwaters Motorcar	16.14
18134	Parkersburg Office Supply	22.50
18146	Matheny Motor Company	29.72
18152	Hot Line Construction Equipment	89.95
18154	Lowe's Home Centers	4.92
18157	Winans	97.34
18158	Mr. Vacuum Cleaner	825.00
18160	Parks Hardware & Supply	1.89
18166	Scots Landscape Nursery	159.00
18167	Scots Landscape Nursery	339.00
18168	Scots Landscape Nursery	539.00
18169	Scots Landscape Nursery	1129.00
18170	Parkersburg Office Supply	54.06
18171	Parkersburg Office Supply	955.50
18172	Easton Printing	135.00

THOSE ATTENDING
KEEPER INCOMP.
HEARING

12-13-93

GREGORY S. COOPER

Charles D. Poole
John W. Carr
Christina E. Boston
John W. Drapp
Francis G. James
Rudolph E. Trickett
Dorothy Watson
James T. Grow
Betty L. Grow
Jessie J. Shaver
William F. Williams
Carl Randall Lott
Rhylis M. Lott
Ross Leyer
Charles R. Keeper

DECEMBER 13, 1993

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION AUTHORIZED HOLMES R. SHAVER TO SIGN THE QUIT-CLAIM DEED PREPARED BY ATTORNEY WILLIAM CRICHTON. THE QUIT-CLAIM DEED IS PURSUANT TO THE FINAL ORDER APPEARING IN ORDER BOOK 55, AT PAGE 469.

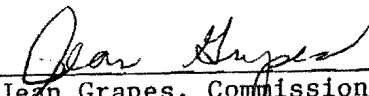
ORDER

On this date, the County Commission of Wood County, upon a motion made by Steven A. Grimm, seconded by Jean Grapes and passed, authorized Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to sign a Quit-Claim Deed, prepared by Attorney William Crichton, by and between the County Commission of Wood County and William Thomas Nestor and Kimberlee J. Nestor. Said Quit-Claim Deed is pursuant to the Final Order appearing in Order Book 55, at Page 469 and bearing the date of December 6, 1993 at which time the County Commission Ordered that the southerly twenty (20') feet of Thirty-Seventh Street (formerly Jackson Avenue) from Olive Street (formerly Poplar Street) to Murdoch Avenue, situate in the District of Parkersburg, Wood County, West Virginia, be, and the same is hereby closed and vacated as a street and public way, subject, however, to the restriction that no permanent buildings shall be constructed on any portion of the said street hereby closed, and further subject to such rights of way or easements, if any, to public utilities heretofore created by grant or reservation, over, across or under said unused street.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

Holmes R. Shaver, President



Jean Grapes, Commissioner

Steven A. Grimm, Commissioner

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED: Made this 13th day of December, 1993,
by and between

THE COUNTY COMMISSION OF WOOD COUNTY, a statutory
corporation, as party of the first part,

and

WILLIAM THOMAS NESTOR and KIMBERLEE J. NESTOR, husband and
wife, as parties of the second part.

WHEREAS, the party of the first part entered an Order on or
about December 6, 1993, closing and vacating portions of a street
in Parkersburg District, Wood County, West Virginia, and
directing that deeds may be made and delivered to the owners of
property abutting thereon, and,

WHEREAS, pursuant to said Order, this Deed is made to convey
such interest, if any, as may be vested in the party of the first
part;

NOW, THEREFORE, WITNESSETH: That for and in consideration
of the premises and other valuable considerations, the receipt of
all of which is hereby acknowledged, the party of the first part
grants and conveys unto the party of the second part, as joint
tenants with right of survivorship, all of its right, title and
interest in and to that certain tract of land lying and being in
Parkersburg District, Wood County, State of West Virginia, more
particularly described as follows:

BEGINNING at the Northeast corner of Lot No. 52 of
Wentz and Gangwer's Crystal Springs Addition, Plat Book
1, Page 34; thence in a northerly direction extending
the easterly line of Lot No. 52 a distance of 28.36
feet, more or less, to a point; thence in a westerly
direction parallel to and 20 feet north of the
southerly line of 37th Street, a distance of 100.78
feet, more or less, to a point, corner to an alley,
thence in a southerly direction and with the westerly
line of the aforesaid Lot No. 52, 20 feet to the
southerly line of 37th Street; thence in an easterly
direction and with the southerly line of 37th Street, a
distance of 117 feet, more or less, to the place of
beginning, containing 2,179 square feet, more or less.

SALES LISTING FORM

W Va Code 11-22-6-1964

County Wood District Parkersburg

Tax Map No.(s): _____ Parcel(s) _____

Grantor's Name The County Commission of Wood County

Grantee's Name William Thomas Nestor and Kimberlee J. Nestor

Most Recent Previous Deed Book No. _____ Page No. _____

Grantor's Source of Title: _____
(If not by "Previous Deed" referenced above)

Mailing Address of the new owner: _____

Consideration/Value (a) Real Estate \$ NONE (b) Other Valuable Goods/Services: \$ _____
QUIT-CLAIM DEED (If applicable)

Estate(s) Transferred: fee
(Examples: Fee, Surface, Mineral, Coal, etc.)

Financing Arrangements Materially Affecting Consideration: Yes _____ No _____

If "Yes," use Appropriate Word or Phrase to Describe: _____

To be completed by Clerk: _____
Stamp Fee Paid \$ _____ Date Recorded ____/____/____ William Crichton
Name of Person Who Prepared this Document

New Deed Book No.: _____ Page No.: _____
Pink Copy - Tax Commissioner's Copy
White Copy - Assessor's Copy Canary Copy - Sheriff's Copy