

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, JUNE 7, 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 9:00 A.M., the County Commission met with Attorney Dan Marshall to discuss the Master Equipment Lease/Purchase Agreement in regard to the acquisition of motor vehicles for the Wood County Sheriff's Department. Upon a motion duly made, seconded and passed, the County Commission authorized Holmes R. Shaver, as President, to enter into a Master Equipment Lease/Purchase Agreement between Commerce Bank, Parkersburg, Inc. and the Wood County Commission for the acquisition of motor vehicles for the Wood County Sheriff's Department. This Agreement shall be effective as of the commencement date of execution hereof and shall remain in effect until Lessee has paid all Rental Payments and other amounts due, subject to Section 3.02 of the Agreement. Schedule I of Leased/Purchase Equipment is attached to and made a part of the Master Equipment Lease/Purchase Agreement. Unless earlier terminated in accordance with the terms of the Agreement, the term of this Agreement respecting each item of Equipment listed on the schedule expires three years following the commencement date. The Wood County Commission shall pay an initial monthly payment of \$9,448.31 and thirty-five equal monthly payments, in arrears, of \$9,001.47 each equal to a factor of .02923 of the purchase price of the Equipment. The County Commission is granted a non-assignable option to purchase, on an as is and where is basis, all (but not less than all) of the Equipment for a purchase price equal to one hundred percent of the principal balance due and owing on the date Lessee exercises its option as shown on the Debt Service Schedule attached to the Agreement. President Shaver

also signed the Certificate of Arbitrage, the Evidence of Insurance and a letter addressed to Commerce Bank in regard to said Agreement. Said Agreement is pursuant to an Order dated June 3, 1993 at which time the County Commission adopted a Resolution authorizing the Acquisition of said motor vehicles. All information is on file in the County Administrator's Office. An Order was prepared regarding this matter.

At 9:30 A.M., the County Commission met with Sheriff K.D. Merritt and Bob Tranquill, Chief Tax Deputy to discuss the need for repairs on their printers. Mr. Tranquill stated that they currently have two printers down that they use for receipts. Mr. Tranquill's computer does not work. President Shaver stated that he would talk with Doug Herrington to see about getting these things fixed. Sheriff Merritt also discussed setting up a line item for two bailiffs. Sheriff Merritt stated that he has discussed getting civilians to be bailiffs with Judge Reed. Sheriff Merritt then discussed the salary of Rick Woodyard, a deputy at the Sheriff's Department. At the time the budget was being prepared, the Sheriff did not figure in a salary for Woodyard since he was suspended at the time. Now that Rick Woodyard is working again, they need to put the funds in their budget. These matters will be discussed by the County Commission.

At 10:00 A.M., the County Commission opened sealed bids for a seven passenger van to be used by the Wood County Sheriff's Department. Bids were received from the following: Dils Ford - 1993 Aerostar Mini Passenger Van - \$18,673.60 and Matheny Motor Truck Company - 1993 Safari Passenger Van - \$19,599.00. Upon a motion made by Jean Grapes, seconded by Steven A. Grimm and made unanimous by Holmes R. Shaver, the County Commission took said bids under advisement. An Order was prepared regarding this matter.

At 10:30 A.M., the County Commission held a hearing in regard to the closing of McKinney Street. Attorney Joseph Albright stated that the property

is tied up in the Ingram estate, but no public funds have been expended and the street is inaccessible and unusable; the owners on either side of the street wish it to be closed; and the Public Service District has constructed part of its works on this street. Fred Clark, attorney for Ms. Conoway stated that they already held a hearing in regard to this matter on November 23, 1993 and the Wood County Commission was going to get an opinion from the Prosecuting Attorney. Mr. Clark objected to the taking of testimony. Mr. Albright stated that this hearing is proper and was not necessary to publish. The County Commission recessed with Jodi Boylen, Assistant Prosecuting Attorney at 11:00 and met again at 11:12. A tape concerning the hearing held on November 23, 1993 was played concerning the taking of further testimony. The County Commission again recessed from 11:17 A.M. to 11:26 A.M. President Shaver then stated that he would like to get an opinion from the Prosecuting Attorney's Office as to whether they can continue this matter as it pertains to the State Supreme Court ruling that was brought to the attention of the County Commission by Mr. Albright, which was a case similar to this one. Mr. Albright stated that he would like to present evidence to supplement previous evidence and show that there is evidence that there is no record of public use and little ability to make public use. Commissioner Grapes stated that the County Commission has viewed the street and saw that it was not used. Mr. Albright stated that during the recesses there were statements made that intrusion would be made on the land between the intervals (of the hearings) and that this had better not happen. Ms. Boylen suggested a two week deadline for an opinion from the Prosecuting Attorney's Office. Upon a motion made by Jean Grapes, seconded by Steven A. Grimm and made unanimous by Holmes R. Shaver, the County Commission agreed to continue this matter until an opinion is received.

At 1:30 P.M., Phyllis McGaha was sworn in to the Vienna Public Library Board.

On this date, the County Commission announced that a vacancy exists on

the Wood County Parks and Recreation Commission (Mountwood Park). Said vacancy is a result of a letter of resignation, received on this date, from Al Smith. Mr. Smith's term would have expired on December 16, 1993. An Order was prepared regarding this matter.

On this date, the County Commission was in receipt of a letter from the Governor of West Virginia, Gaston Caperton, approving the County's application as a Subgrantee in the Governor's 1993 Summer Youth Program. Said letter gives authorization for fourteen enrollees and two supervisors. An Order was prepared regarding this matter.

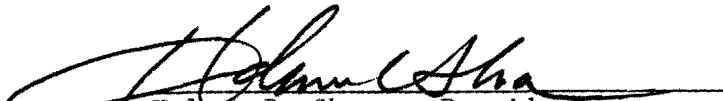
On this date, the County Commission approved Personal Property Improvers for Jack L. Casto and Werner C. Knight & John R. Knight.

On this date, the County Commission approved Exonerations for E.F. Reagle Jr., Bernard E. & Helen L. Paxton, George Chaney, Jr., Vannie R. Sellers, Charlene J. & Fredrick W. Beatty, Jr. and Dave C. & Regina M. Ferrell.


Having no scheduled appointments or further 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 JUNE 7, 1993

No. 17281	Easton Printing	\$ 87.70
17465	Wal-Mart Store	67.68
17469	Parkersburg Office Supply	7.68
17486	McClinton Chevrolet	68.18
17488	Career Track Publications	931.50
17497	BSSI	66.50
17516	Parkersburg Office Supply	125.25