

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, OCTOBER 18, 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 opened sealed bids for janitorial services to be provided at the Wood County Courthouse, the Wood County Judicial Building and the Wood County Magistrate Court Building. The opening of said bids is pursuant to an Order bearing the date of September 23, 1993 at which time the County Commission Ordered that such bid be let, and was set forth by a Class II Legal Advertisement appearing in both local newspapers. Sealed bids were received from the following: 1. Winans Services, P.O. Drawer E, Route 50, Parkersburg, WV - \$3,100.00 per month; 2. Quality Maintenance, P.O. Box 3322, Parkersburg, WV - \$2,835.00 per month; 3. Precision Cleaning Systems, 1016 Williams Street, Parkersburg, WV - \$2,185.00 per month; 4. Turn Key Maintenance, 5010 Emerson Avenue, Parkersburg, WV - \$1,510.00 per month. After reviewing the bids, the County Commission, upon a motion made by Steven A. Grimm, seconded by Jean Grapes and made unanimous by Holmes R. Shaver, awarded the bid to Turn Key Maintenance to provide janitorial services at the Wood County Courthouse, the Wood County Judicial Building and the Wood County Magistrate Court Building beginning November 1, 1993 and continuing through October 31, 1994. An Order was prepared regarding this matter.

At 3:00 P.M., the County Commission met with Attorney Lawrence Ronning who filed an application for The PM Company, Pat Minnite III, Robert J. Bobier and Bobier Electronics, Inc. for the closing of the northerly 20 feet of 37th Street and three alleys located in Parkersburg District. It was Ordered that a hearing shall be held on November 29, 1993 at 10:00 A.M. before the County

Commission. A copy of an Order and application in regard to said closing is attached to these minutes.

On this date, the County Commission, upon a motion duly made, seconded and passed, accepted the Proposals submitted by Scots Landscape Nursery and Southern States, Vienna, WV, for the Fountain area located at the Wood County Courthouse and for the Judicial Building, and further authorized Holmes R. Shaver, as President to sign said Proposals. The Proposal for the fountain area located at the Wood County Courthouse is to install nursery stock, hardwood mulch, treflan and peat moss for the amount of \$539.00. The said Proposal for the Judicial Building is to install nursery stock, commercial edging, hardwood mulch, landscape fabric, peat moss, topsoil and to remove existing plants for the amount of \$3,395.00. Said Proposals and Prints referred to in the Proposals are on file in the County Administrator's Office. An Order was prepared regarding this matter.

On this date, the County Commission met with Sheriff K.D. Merritt to discuss a request for a Civilian Deputy to serve as a Circuit Court Bailiff. This position will be a contractual position and is to be paid \$20,000.00 per year. There will be no fringe benefits such as insurance, etc. A contract will be drawn up with the cooperation of the Wood County Prosecutor. The Chief Judge will be consulted as to moves that are to be made by the Sheriff. Upon a motion made by Jean Grapes, seconded by Steven A. Grimm and made unanimous by Holmes R. Shaver, the County Commission authorized the \$20,000.00 request and further approved the hiring of Clyde Miles to said position.

On this date, the County Commission, upon a motion made by Jean Grapes, seconded by Steven A. Grimm and made unanimous by Holmes R. Shaver, approved the request of Mark Rhodes, Jail Administrator to bill inmates for medical services per WV State code 7-8-2b. Mr. Rhodes discussed this with the County Commission on October 14, 1993.

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 two Client Signature Forms from Ferris, Baker Watts, Inc., Baltimore, MD, in regard to the two Pioneer U.S. Government Trust Funds set up for the County Commission of Wood County. One Government Trust Fund was set up with an initial investment of \$525,000.00 for the purpose of retiring the debt on the Wood County Judicial Building. The second Government Trust Fund was set up with an initial investment of \$225,000.00 for the purpose of perpetual maintenance for County owned buildings and for the purchase of a structure or structures for County use. Said above stated purposes were set forth in the Order appearing in Order Book 55, at Page 432 and bearing the date of October 7, 1993. An Order was prepared regarding this matter.

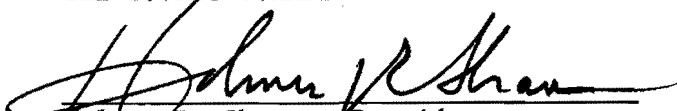
On this date, the County Commission was in receipt of the Statements of Accounts from One Valley Bank, Charleston, WV, for the Redemption Fund, the Excess Earnings No. 2 Fund, the Debt Service Fund, the Excess Investment ER Fund, the Acquisition Fund, the Program Expense Fund, the Revenue Fund, the Prepayment Account Fund, the Escrow Account Fund and the Escrow Expense Fund in regard to the Counties of Berkeley, Brooke, Fayette, Hancock, Harrison, Jackson, Nicholas, Ohio, Raleigh, Randolph, Upshur, Wetzel, and Wood and the City of Wheeling, WV, Single Family Mortgage Revenue Bonds, 1984 Series A. An Order was prepared regarding this matter.

On this date, the County Commission prepared a letter on behalf of the Wood County Parks and Recreation Commission (Mountwood Park) requesting the assistance of the U.S. Army Reserves and their equipment to dredge a portion of the lake at Mountwood Park. Said letter was sent to Congressman Alan Mollohan and Senator Robert Byrd. A copy of said letter is attached to these minutes.

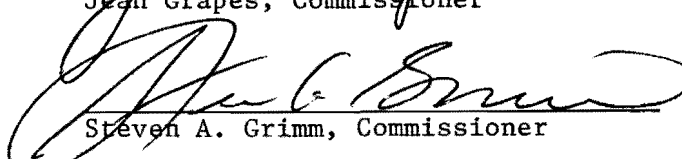
Having no further scheduled appointments or business to attend to, the County Commission adjourned at 4:00 P.M.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY


Holmes R. Shaver, President


Jean Grapes, Commissioner


Steven A. Grimm, Commissioner

PURCHASE ORDERS SIGNED ON OCTOBER 18, 1993

No. 17877	G. Neil Companies	\$ 22.99
17879	Stuart Oil Company	3664.75
17896	KMart	5.82
17907	Sears	190.95
17912	Architectural Interior Products	9.60
17913	Parks Hardware & Supply	30.88
17917	Parkersburg Office Supply	30.19

Wood County



Sheriff's Office

*K.D. Merritt,
Sheriff & Treasurer
328 Second Street
Parkersburg, WV 26101
Phone: 424-1834*

*Corrections
300 Second Street
Parkersburg, WV 26102
Phone: 424-1930*

*Tax Office
P.O. Box 1985
Parkersburg, WV 26102
Phone: 424-1910*

October 14, 1993

TO: Honorable Wood County Commission
Wood County Courthouse
Parkersburg, WV 26101

RE: Civilian Bailiff

Dear Sirs and Madam:

Please consider this a request for a Civilian Deputy to serve as Circuit Court Bailiff. This person is certified as a police officer under the Governor's Commission on Crime and Delinquency, and meets the requirements set forth by the WV Code.

This person will serve under the direction of the Sheriff of Wood County and to Circuit Court Judge that he is assigned to.

This position will be contractual position and is to be paid \$20,000.00 per year. There will be no fringe benefits such as insurance, etc., available with this position.

A contract will be drawn up with the cooperation of the Wood County Prosecutor, person involved and the Sheriff. Also, the Chief Judge will be consulted as to moves that are to be made by the Sheriff.

Respectfully submitted,

K.D. Merritt
K.D. Merritt

KDM/ja

10/18/93

The County Commission of Wood County

PARKERSBURG, WEST VIRGINIA 26101



COUNTY ADMINISTRATOR
MARY R. RADER
424-1976

HOLMES R. SHAVER, PRESIDENT
JEAN GRAPES, COMMISSIONER
STEVEN A. GRIMM, COMMISSIONER

COUNTY CLERK
JAMIE SIX
424-1850

October 18, 1993

The Honorable Alan Mollohan
United States House of Representatives
437 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Mollohan:

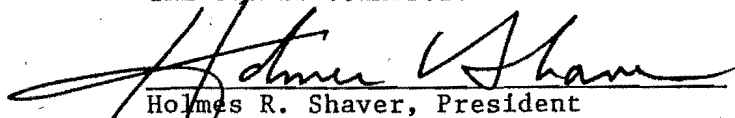
The County Commission of Wood County, on behalf of the Wood County Parks and Recreation Commission (Mountwood Park), would like to request the assistance of the U.S. Army Reserves and their equipment to dredge a portion of the lake at Mountwood Park. Due to the sediment build up of the lake, the water table has been lowered showing the dire need for the dredging. Mountwood Park does not have the necessary equipment or financial needs to complete the project in the proper manner.

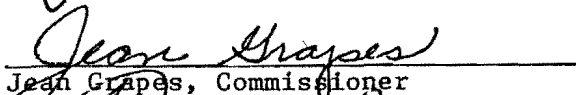
Charles Cline, Mountwood Park Board Member, has been in contact with the Army Reserves Company 463, Engineer Battalion under the direction of Donald Brown. Said Battalion has the needed equipment.

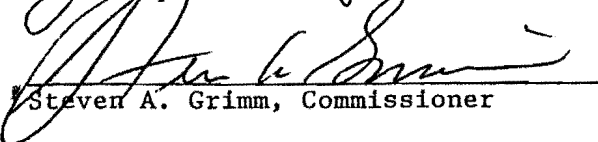
Time is of the essence. Any assistance or cooperation would be greatly appreciated.

Sincerely,

THE COUNTY COMMISSION OF WOOD COUNTY


Holmes R. Shaver, President


Jean Grapes, Commissioner


Steven A. Grimm, Commissioner

WCC:ah

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

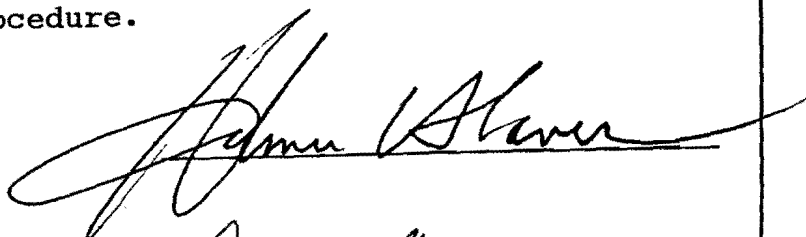
IN RE: CLOSING AND VACATING THE NORTHERLY TWENTY (20') FEET OF THIRTY-SEVENTH STREET (FORMERLY JACKSON AVENUE) FROM OLIVE STREET (FORMERLY POPLAR STREET) TO MURDOCH AVENUE, AND THREE ALLEYS LYING BETWEEN THIRTY-SEVENTH STREET ON THE SOUTH, THIRTY-NINTH STREET (FORMERLY KENDALL AVENUE) ON THE NORTH, OLIVE STREET (FORMERLY POPLAR STREET) ON THE WEST, AND MURDOCH AVENUE ON THE EAST, (EXCEPTING THE ALLEY EXTENDING FROM 39TH STREET SOUTHERLY ALONG THE EASTERLY LINE OF LOT NO. 11 OF WENTZ & GANGWER'S CRYSTAL SPRINGS ADDITION, PLAT BOOK 1, PAGE 34, AND EXCEPTING THAT PORTION OF THE ALLEY EXTENDING FROM THE WESTERLY LINE OF LOT NO. 15 OF SAID ADDITION IN A WESTERLY DIRECTION TO THE WESTERLY LINE OF LOT NO. 7 OF SAID ADDITION) ALL IN PARKERSBURG DISTRICT, WOOD COUNTY, WEST VIRGINIA.

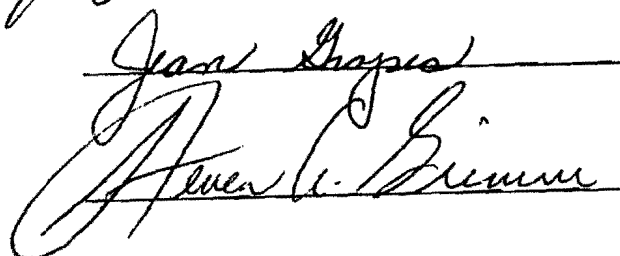
O R D E R

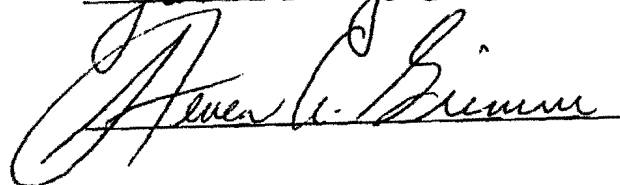
On this 18th day of October, 1993, came The PM Company, Pat Minnite III, Robert J. Bobier, and Bobier Electronics, Inc. by their counsel, Lawrence M. Ronning, and tendered to the Commission and asked leave to file their Application for the closing of the northerly 20 feet of 37th Street and three alleys, located in Parkersburg District, Wood County, West Virginia, which said Application is hereby ORDERED filed.

It is further ORDERED that a hearing shall be had upon such application on the 29th day of November, 1993, at 10:00 o'clock A.M., before this Commission and that proper notices be prepared and issued by the Applicants' attorney as provided by law. And it further appearing from an Affidavit filed by the Applicants that said Applicants have used due diligence to ascertain the residences or whereabouts of certain owners and

lienholders of property abutting upon said street and alleys, without effect, and that there are or may be persons interested in the subject matter of the action, whose names are unknown to the Applicants and are referred to by the general description of unknown parties, it is ORDERED that notice of the hearing of said Application be published in accordance with Rule 4(e) of the West Virginia Rules of Civil Procedure.







IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: CLOSING AND VACATING THE NORTHERLY TWENTY (20') FEET OF THIRTY-SEVENTH STREET (FORMERLY JACKSON AVENUE) FROM OLIVE STREET (FORMERLY POPLAR STREET) TO MURDOCH AVENUE, AND THREE ALLEYS LYING BETWEEN THIRTY-SEVENTH STREET ON THE SOUTH, THIRTY-NINTH STREET (FORMERLY KENDALL AVENUE) ON THE NORTH, OLIVE STREET (FORMERLY POPLAR STREET) ON THE WEST, AND MURDOCH AVENUE ON THE EAST, (EXCEPTING THE ALLEY EXTENDING FROM 39TH STREET SOUTHERLY ALONG THE EASTERLY LINE OF LOT NO. 11 OF WENTZ & GANGWER'S CRYSTAL SPRINGS ADDITION, PLAT BOOK 1, PAGE 34, AND EXCEPTING THAT PORTION OF THE ALLEY EXTENDING FROM THE WESTERLY LINE OF LOT NO. 15 OF SAID ADDITION IN A WESTERLY DIRECTION TO THE WESTERLY LINE OF LOT NO. 7 OF SAID ADDITION) ALL IN PARKERSBURG DISTRICT, WOOD COUNTY, WEST VIRGINIA.

A F F I D A V I T

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

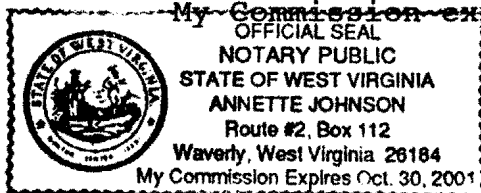
LAWRENCE M. RONNING, having been duly sworn according to law, states that the Applicants' have used due diligence to ascertain the residences or whereabouts of certain owners and lienholders of property abutting upon said street and alleys, without effect, and that there are or may be persons interested in the subject matter of the action, whose names are unknown to the Applicants and are referred to by the general description of unknown parties.

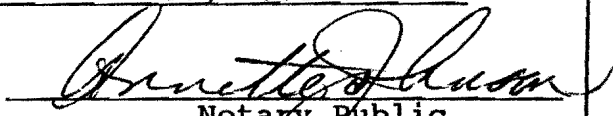
Dated this 18th day of October, 1993.


Affiant

Taken, subscribed and sworn to before the undersigned authority this 18th day of October, 1993.

My Commission expires: October 30, 2001




Notary Public

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: CLOSING AND VACATING THE NORTHERLY TWENTY (20') FEET OF THIRTY-SEVENTH STREET (FORMERLY JACKSON AVENUE) FROM OLIVE STREET (FORMERLY POPLAR STREET) TO MURDOCH AVENUE, AND THREE ALLEYS LYING BETWEEN THIRTY-SEVENTH STREET ON THE SOUTH, THIRTY-NINTH STREET (FORMERLY KENDALL AVENUE) ON THE NORTH, OLIVE STREET (FORMERLY POPLAR STREET) ON THE WEST, AND MURDOCH AVENUE ON THE EAST, (EXCEPTING THE ALLEY EXTENDING FROM 39TH STREET SOUTHERLY ALONG THE EASTERLY LINE OF LOT NO. 11 OF WENTZ & GANGWER'S CRYSTAL SPRINGS ADDITION, PLAT BOOK 1, PAGE 34, AND EXCEPTING THAT PORTION OF THE ALLEY EXTENDING FROM THE WESTERLY LINE OF LOT NO. 15 OF SAID ADDITION IN A WESTERLY DIRECTION TO THE WESTERLY LINE OF LOT NO. 7 OF SAID ADDITION) ALL IN PARKERSBURG DISTRICT, WOOD COUNTY, WEST VIRGINIA.

A P P L I C A T I O N

This Application is made by The PM Company, a West Virginia corporation, Pat Minnite III, Robert J. Bobier, and Bobier Electronics, Inc., a West Virginia corporation, hereinafter sometimes referred to as "Applicants", under authority of West Virginia Code Chapter 7, Article 1, Section 3(h), as amended.

1. (a) The PM Company is a West Virginia corporation with its chief works located in Vienna, Wood County, West Virginia, and owns land located in Parkersburg District, Wood County, West Virginia, described as follows:

BEING all of Lots Nos. 10, 11, 14, 15, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, part of 32 and 33, 34 and 35 of Wentz and Gangwer's Crystal Springs Addition, as shown on a plat of said Addition recorded in the

Office of the Clerk of the County Commission of Wood County, West Virginia, in Plat Book 1, at page 34.

Title Reference: Deeds in 909, page 169; 909, page 171; 915, page 448; 915, page 601; 915, page 603; 915, page 673, and 923, page 877.

(b) The property described above in Paragraph 1, owned by The PM Company, is subject to three deeds of trust from The PM Company to secure United National Bank, and to taxes:

(1) Deed of Trust dated September 14, 1993, securing payment of \$200,000, recorded in General Lien Book 586, page 977.

(2) Deed of Trust dated January 21, 1993, securing payment of \$300,000, recorded in General Lien Book 562, page 122.

(3) Deed of Trust dated July 10, 1992, securing payment of \$1,465,000.00, recorded in General Lien Book 543, page 459.

(4) The real property taxes for the years 1994 and 1993.

2. (a) Pat Minnite III is a resident of Wood County, West Virginia, and owns land located in Parkersburg District, Wood County, West Virginia, described as follows:

BEING all of Lots Nos. 1, 2, 3, 4, 5, 6, 18 and 19 of Wentz and Gangwer's Crystal Springs Addition, as shown on a plat of said Addition recorded in the Office of the Clerk of the County Commission of Wood County, West Virginia, in Plat Book 1, at page 34, and a 0.56 acre parcel on Olive Street (formerly Poplar Street).

Title Reference: Deed Book 919, page 112.

(b) The property owned by Pat Minnite III is subject to the following:

(1) A deed of trust dated May 11, 1993, from Pat Minnite III to secure One Valley Bank in the payment of \$320,000.00, record in General Lien Book 53, page 192.

(2) The real property taxes for the years 1994 and 1993.

3. (a) Robert J. Bobier is a resident of Wood County, West Virginia, and owns land in Parkersburg District, Wood County, West Virginia, described as follows:

BEING a part of Lots Nos. 32 and 33 (measuring 91.78 x 102.35 x 75 x 155.77) of Wentz & Gangwer's Crystal Springs Addition, a plat of which Addition is of record in the Office of the Clerk of the County Commission of Wood County, West Virginia, in Plat Book 1, at page 34.

Title Reference: Deed Book 621, page 374, and Deed Book 771, page 638.

(b) The property owned by Robert J. Bobier is subject to the following:

(1) Deed of Trust dated August 13, 1984, recorded in General Lien Book 325, page 41, executed by Bobier TV Rentals, Inc. and Robert J. Bobier to secure Ohio Valley National Bank of Vienna, now United National Bank, in the payment of \$300,000.00.

(2) The real property taxes for the years 1994 and 1993.

4. (a) Bobier Electronics, Inc. is a West Virginia corporation with its chief works located in Parkersburg District, Wood County, West Virginia, and owns land located in Parkersburg District, Wood County, West Virginia, described as follows:

BEING all of Lots Nos. 50 and 51 of Wentz & Gangwer's Crystal Springs Addition, as shown on a plat of said Addition recorded in the Office of the Clerk of the County Commission of Wood County, West Virginia, in Plat Book 1, at page 34.

Title Reference: Deed Book No. 593, page 431

(b) The property owned by Bobier Electronics, Inc. is subject to the following:

(1) Deed of Trust dated August __, 1984, recorded in General Lien Book 325, page 438, executed by Bobier Electronics, Inc. to secure Phyllis R. Bobier in the payment of \$50,000.00.

(2) The real property taxes for the years 1994 and 1993.

5. (a) The northerly 20 feet of 37th Street (formerly Jackson Avenue) from Olive Street (formerly Poplar Street) to Murdoch Avenue, and three alleys lying between 37th Street (Jackson Avenue) on the south, 39th Street (Kendall Avenue) on the north, Olive Street (Poplar Street) on the west and Murdoch Avenue on the east (excepting the alley extending from 39th Street southerly along the easterly line of Lot No. 11 of Wentz & Gangwer's Crystal Springs Addition, Plat Book 1, page 34, and excepting that portion of the alley extending from the westerly line of Lot No. 15 of said Addition in a westerly direction to the westerly line of Lot No. 7 of said Addition) are shown upon a plat of Wentz & Gangwer's Crystal Springs Addition, a plat of which is of record in the Office of the Clerk of the County Commission of Wood County, West Virginia, in Plat Book 1, at page 34.

(b) No widths are shown for any streets or alleys on said plat (some numbers being placed thereon after recordation) but 37th Street is calculated to be 80 feet wide and the alleys to be about 15 feet wide. A plat of a part of Wentz & Gangwer's Crystal Springs Addition, which shows the portion of 37th Street and said alleys, is filed herewith as Exhibit A.

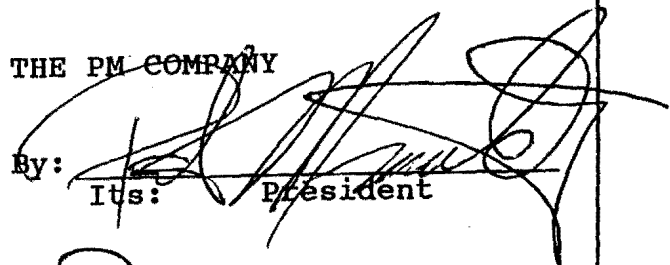
6. The aforesaid portion of 37th Street and all of said alleys are unused and are what is commonly referred to as "paper streets and alleys". Said portion of 37th Street and said alleys have not been improved in any way and have never been open to travel by the general public; and they lie outside of any municipality and are not included in the Highway System of the West Virginia Department of Transportation, Division of Highways.

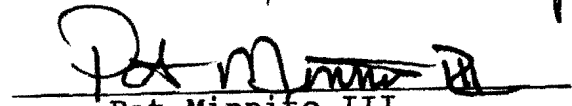
7. The abandonment of this the requested portion of the said 37th Street and said alleys will work no detriment upon abutting property owners nor any adjacent land owners, and the rights of no person or persons will be impaired or lost by the closing and vacating of the said requested portion of the 80 foot street and said alleys.


WHEREFORE, the Applicants pray that this Application be filed; that a hearing time be fixed by order of this Commission and that proper notice issue of the time and place of hearing of the said Application; that the requested portion of the said 80 foot street known as 37th Street and said alleys be abandoned,

closed and vacated; that the public interest in said portion of said street and alleys be quitclaimed to the abutting property owners; and such other relief as justice may require.

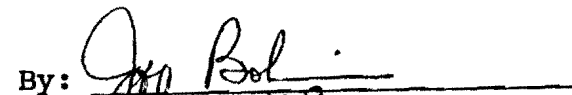
THE PM COMPANY

By: 
Its: President


Pat Minnite III


Robert J. Bobier

BOBIER ELECTRONICS, INC.

By: 
Its: VP

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

PATSY MINNITE, JR., President of The PM Company, on behalf of said corporation, Applicant herein, after having been first duly sworn according to law, deposes and says that the facts and allegations contained herein are true, except insofar as they are therein stated to be upon information and belief, and that insofar as they are therein stated to be upon information and belief he believes them to be true.

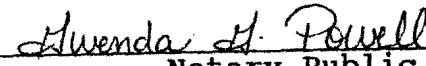
THE PM COMPANY

By: 
Its: President

Taken, subscribed and sworn to before the undersigned authority this 16th day of October, 1993.

My Commission expires: January 25, 1999

Official Seal
Notary Public, State of West Virginia
Gwenda G. Powell
1100 - 9th St.
Vienna, WV 26105
My commission expires Jan. 25, 1999


Notary Public

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

PAT MINNITE III, Applicant herein, after having been first duly sworn according to law, deposes and says that the facts and allegations contained herein are true, except insofar as they are therein stated to be upon information and belief, and that insofar as they are therein stated to be upon information and belief he believes them to be true.


Pat Minnite III

Taken, subscribed and sworn to before the undersigned authority this 18th day of October, 1993.

My Commission expires: January 25, 1999

Official Seal
Notary Public, State of West Virginia
Gwenda G. Powell
1100 - 9th St.
Vienna, WV 26105
My commission expires Jan. 25, 1999


Notary Public

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

ROBERT J. BOBIER, Applicant herein, after having been first duly sworn according to law, deposes and says that the facts and allegations contained herein are true, except insofar as they are therein stated to be upon information and belief, and that insofar as they are therein stated to be upon information and belief he believes them to be true.

Robert J. Bobier
Robert J. Bobier

Taken, subscribed and sworn to before the undersigned authority this 15th day of October, 1993.

My Commission expires: January 25, 1999

Official Seal
Notary Public, State of West Virginia
Gwenda G. Powell
1100 - 9th St.
Vienna, WV 26105
My commission expires Jan. 25, 1999

Gwenda G. Powell
Notary Public

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

Jeff Bobier, the Vice-President of BOBIER ELECTRONICS, INC., on behalf of said corporation, Applicant herein, after having been first duly sworn according to law, deposes and says that the facts and allegations contained herein are true, except insofar as they are therein stated to be upon information and belief, and that insofar as they are therein stated to be upon information and belief he believes them to be true.

BOBIER ELECTRONICS, INC.

By: Jeff Bobier
Its: VP.

Taken, subscribed and sworn to before the undersigned authority this 15th day of October, 1993.

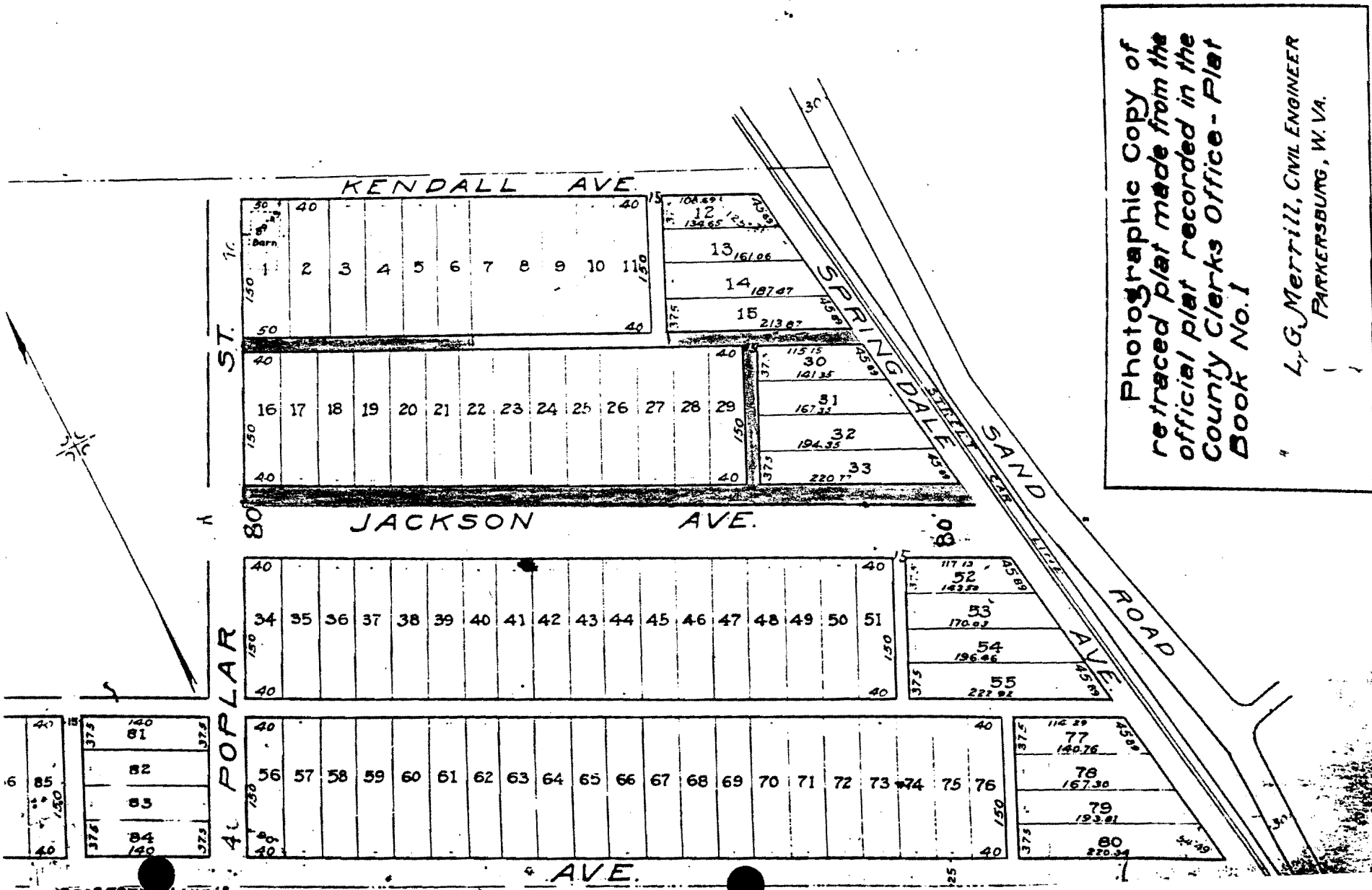
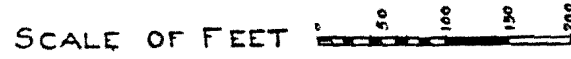
My Commission expires: January 25, 1999

Official Seal
Notary Public, State of West Virginia
Gwenda G. Powell
1100 - 9th St.
Vienna, WV 26105
My commission expires Jan. 25, 1999

Gwenda G. Powell
Notary Public

WENTZ & GANGWEK'S CRYSTAL SPRING ADDITION TO PARKERSBURG, W. VA.

EXHIBIT A



Photographic Copy of
retraced plat made from the
official plat recorded in the
County Clerks Office - Plat
Book No. 1

L. G. Merrill, CIVIL ENGINEER
PARKERSBURG, W. VA.