

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
THURSDAY, AUGUST 28, 2003

PRESENT: RICK MODESITT, PRESIDENT  
K.D. MERRITT, COMMISSIONER  
ROBERT K. TEBAY, COMMISSIONER

At 9:30 A.M., the County Commission of Wood County met in regular session. They signed purchase orders, invoices and other correspondence.

The County Commission, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, approved minutes from August 18, 2003 and August 21, 2003.

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for Mary Davis – Union District (2003); D&G Laundry – Parkersburg City District (2003); West Virginia Pulp and Paper – Walker District (2003); Homer G. Hickman – Parkersburg City District (2003); Brasky Casto, Jr. – Slate District (2003).

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to personal property for Family Care – Parkersburg District (2003); John E. Geer – Harris District (2003); Russell H. Miller – Parkersburg City District (2003); Jeffery W. Fox – Lubeck District (2003); Michael Lofty – Parkersburg City District (2003); James M. & Konni D. Hewitt – Williams District (2002); Barbara J. Gainer – Parkersburg City District (2003); Robert L. Bowles – Parkersburg City District (2003); Cecil E. Smith – Steele District (2003); Joe F. Roush, III – Parkersburg District (2003); PPG Industries Inc. – Parkersburg City District (2003); Bonnie M. Smith – Slate District (2003); Kenneth D. Case – Vienna District (2003); James D. Moreland – Parkersburg

City District (2003); Anne E. Hammett – Vienna District (2003) and for Suntrust Leasing Corp. – Parkersburg City District (2003).

At 9:30 A.M., the County Commission met with Charlie Johnson, Chief Deputy, to discuss putting their tower sights that is currently under the Sheriff's Department with the 911 Center's system. The County Commission, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, approved that the radios and towers of the Sheriff's Department be put under the care of the 911 Center's system.

At 10:13 A.M., the County Commission, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and passed (Robert Tebay recused himself), went into Executive Session upon authority granted by West Virginia Code, Chapter 6, Article 9A, Section 4, Number 9 and Number 12. Ginny Conley, Prosecuting Attorney and Mary Rader, County Administrator, were present. Said session adjourned at 12:06 P.M.

The 11:00 A.M. appointment with Jack Davis to discuss interpreting state laws regarding deeds and wills was cancelled by Mr. Davis.

At approximately 12:10 P.M., the County Commission met with Ajay Patel to discuss an incident with the Wood County Sheriff's Department. Mr. Patel explained what happened with an employee and a deputy; he says police officers don't like them and talk rudely to them; he owns the Microtel Hotel; he told them 911 wouldn't help him. Commissioner Modesitt stated that 911 just receives calls and turns it out to someone else; the County Commission does not run the Sheriff's Department; Mr. Patel could talk to the Prosecuting Attorney. Commissioner Merritt stated that since he has an attorney and that the Commission as elected officials shouldn't be discussing this; he should make an appointment with Steve Greiner, then

if he wasn't satisfied, go to Ms. Conley. Commissioner Modesitt agreed with Commissioner Merritt.

At 11:45 A.M., the County Commission met with Ginny Conley, Prosecuting Attorney to discuss the Towne Square contract. The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded Rick Modesitt and passed, did hereby ANNOUNCE to all concerned that the 11:45 o'clock A.M. appointment set forth on the Agenda on this date will hereby be CONTINUED to 1:00 P.M. on this date. In addition, the Smith Building will also be discussed at 1:00 o'clock P.M.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE a RESOLUTION in which it is resolved that the County Commission of Wood County does hereby AGREE to the terms as set forth in the Governor's Local Economic Development Assistance Program Application for the fiscal year 2003. The aforementioned Application is in the amount of five thousand and 00/100ths cents (\$5,000.00) to be utilized to concrete the floors of the picnic shelters to enable ADA Compliance, to renovate the monument and to add additional playground equipment. Documentation in regard to the Governor's Local Economic Development Assistance Program Grant, to be utilized by the Veterans Park, is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

Terry L. Brown, Director of Wood County Emergency Services/E-9-1-1, presented to the County Commission of Wood County, a New Road Name Request Form from Thomas W. Breitmeier and Lisa D. Breitmeier to name the road to their residence. The said Request does not interfere with the scheduled readdressing and mapping for the E-9-1-1 Master Street

Addressing Guide. Thomas W. Breitmeier and Lisa D. Breitmeier, along with resident John Breitmeier requested the road be named BREITMEIER LANE. The road to be known as BREITMEIER LANE provides access to the aforementioned residences as stated in the Breitmeiers' Request Form. The road to be know as BREITMEIER LANE is located on Progress Ridge Road 1.5 miles from U.S. Route 50 in Walker Taxing District, Tax Map 360, Parcel Number 00K30000. The request by Thomas W. Breitmeier and Lisa D. Breitmeier is in accordance with Chapter 7, Article 1, Section 3 of the Code of West Virginia, 1931, as amended, which deals, in part, with the County Commission naming or renaming thereof of roads, ways, streets, avenues, drives and the like to assure uniform, nonduplicative conversion of all rural routes to city-type addressing on a permanent basis. The County Commission does hereby find that the said request, made in writing, by Thomas W. Breitmeier and Lisa D. Breitmeier, and the approval from the Wood County Emergency Services/E-9-1-1, is in proper form and is hereby ORDERED to be filed. NOW, THEREFORE, the County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, does hereby ORDER that the aforementioned road be named BREITMEIER LANE. The County Commission does further ORDER that a copy of the ORDER, along with the New Road Name Request Form, be certified by Clerk of the County Commission for entry in the Office of the Clerk of the County Commission. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of five hundred forty-one dollars and thirty cents (\$541.30) which represents reimbursement to Wood County for expenses incurred during the month of June, 2003, in regard to the STOP Violence Against Women Grant Number 01-VAW-010. Receipt

of the aforementioned check is pursuant to an Order appearing in Order Book 65, at Page 555 and bearing the date of July 17, 2003, at which time the Request for Reimbursement was EXECUTED by Rick Modesitt, in his official capacity as President and on behalf of the County Commission. Documentation pertaining to the STOP Violence Against Women Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE a RESOLUTION in which it is resolved that the County Commission of Wood County does hereby AGREE to the terms as set forth in the Governor's Community Partnership Program Application for the fiscal year 2004. The aforementioned Application is in the amount of twenty-five thousand and 00/100ths cents (\$25,000.00) for the construction of an athletic complex including tennis courts, softball fields, grandstands, etc. at the Erickson All Sports Facility. Documentation in regard to the Governor's Community Partnership Program, to be utilized by the Erickson All Sports Facility, is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, did hereby EXECUTE a RESOLUTION in which it is resolved that the County Commission of Wood County does hereby AGREE to the terms as set forth in the Local Economic Development Assistance Program Application for the fiscal year 2004. The aforementioned Application is in the amount of eight thousand six hundred dollars (\$8,600.00) for the purchase of new tables and chairs for the dining room of the Wood County 4-H Campgrounds. Documentation in regard to

the Governor's Local Economic Development Assistance Program, to be utilized by the Wood County 4-H Camp Trustees, is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

At 1:50 P.M., the County Commission, upon a motion made by K.D. Merritt, seconded by Rick Modesitt (Robert K. Tebay recused himself), went into Executive Session upon authority granted by West Virginia Code, Chapter 6, Article 9A, Section 4, Numbers 9 and 12. Ginny Conley, Prosecuting Attorney and Mary Rader, County Administrator, were present. Said Executive Session adjourned at 1:40 P.M.

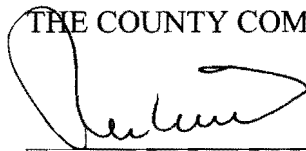
The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and passed, did hereby EXECUTE the Real Estate Sale and Purchase Agreement by and between WesBanco Bank, Inc., a state banking corporation, successor, by merger and name change, to Commercial Banking and Trust Company and WesBanco Bank of Parkersburg, Inc., in its own right and as Escrow Agent under the terms of that certain Co-Ownership Agreement dated September 28, 1990, MARTHA YEAGER, widow, MELLON BANK N.A., a national banking association, and FRANCIS C. MCCUSKER and ROBERT EVANS, Co-Trustees Under Deed of Trust of Mary M. Riccobene Grantor Retained Annuity Trust, and F.L. MOREHEAD and CAMILLA B. MOREHEAD, his wife, hereinafter jointly referred to as "Sellers", and THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA, a public corporation hereinafter referred to as "Purchaser". The aforementioned Real Estate Sale and Purchase Agreement was EXECUTED by Rick Modesitt and K.D. Merritt. Commissioner Robert K. Tebay voted "no" on the motion to EXECUTE such Agreement. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, did hereby ORDER that an AUCTION be held in regard to the Smith Building only, not the current County parking lot. The said Smith Building is located adjacent to the Blennerhassett Hotel in the 300 block of Market Street, Parkersburg, West Virginia. The minimum bid to be in the amount of three hundred eight thousand dollars and 00/100ths cents (\$308,000.00) with an option to purchase back twenty-one percent (21%) of the Southern portion of the tract to enable the County Commission to have an extra row of parking. A Legal Notice will appear in both local newspapers, The Parkersburg News and The Parkersburg Sentinel, on September 5, 2003 and on September 12, 2003, with the Auction being held at 11:00 o'clock A.M. on Monday, September 22, 2003, at the front of the Wood County Courthouse. An Order was prepared regarding this matter.

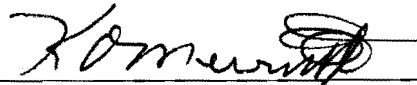
Having no further scheduled appointments or business to attend to, the County Commission adjourned at approximately 2:00 P.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



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Rick Modesitt, President



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K.D. Merritt, Commissioner



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Robert K. Tebay, Commissioner

PURCHASE ORDERS APPROVED ON AUGUST 28, 2003

28867	The Gun Shop	1317.90
29017	PAMS	30.38
30792	Parkersburg Office Supply	112.36
30794	Franklin Fire Equipment	35.00
30808	S/W Graphics	11.00

To listen to this meeting, please refer to Tape #252 and Tape #253.  
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August 28, 2003

G. J. Johnson  
Genny Conley  
dpy Patel

WCSD  
Pros.  
owner