

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

#1 COURT SQUARE, SUITE 203
PARKERSBURG, WV 26101

IN RE: MINUTES OF MEETING HELD
MONDAY, APRIL 30, 2018

PRESENT: DAVID BLAIR COUCH, PRESIDENT
ROBERT K. TEBAY, COMMISSIONER
JAMES COLOMBO, COMMISSIONER

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

AGENDA AND DISCUSSION ITEMS

At 10:00 A.M., the County Commission, upon a motion duly made, seconded and passed, authorized the establishment of Chichester Lane Road Maintenance Association. (Order prepared by Rob Tebay, Attorney, is attached to these minutes and shall be made a part thereof.)


ORDERS APPROVED AND ATTACHED TO THESE MINUTES

Attorney Order

Having no further scheduled appointments or business to attend to, the County Commission adjourned at 11:17 A.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President

Robert K. Tebay, Commissioner

James Colombo, Commissioner

To listen to this meeting, please refer to DVD labeled April 30, 2018.

Wood County Commission Meeting
Held April 30, 2018

Please Print

1.	Robert Talley	As	Cluckester Lane	M. Assoc.
2.	Harry Hankins	"	"	"
3.	Dwight Offenberg	"	"	"
4.	Stephen P. Cox			
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6.				
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Wood County Commission
Agenda

4/30/2018

1 Court Square, Suite 203
Parkersburg, WV 26101

9:30 A.M.		
10:00 A.M.	Consider petition to establish Maintenance Association for Chichester Lane	Rob Tebay
	Administrator's Report	Marty Seuffer, County Administrator
	County Commission Reports	

Discussion, Review and Approval of expenditures and disbursements identified on Exhibit 1, hereto attached

Correspondence for this meeting will be available for public review during regular office hours in Room 205 of the Wood County Courthouse two (2) days prior to the meeting

Exhibit 1

Discussion, Review and Approval of the following items may be included during this meeting and are available for public inspection in the Office of the County Administrator two days prior to this meeting.

Budget revisions

Purchase orders and requisitions

Revisions, reimbursement requests, resolutions and correspondence for grants

Grant disbursements to other entities

Invoices for expenditures to be paid

Reimbursements for travel expenses

Bid specifications and procedures for bids previously authorized by the Commission

Monthly Hotel Occupancy Tax Collection disbursements

Disbursements for previously approved Innovative Programming Grants

Tax refunds, exonerations, improprieties and consolidations

Probate items, including settlements, petitions and Fiduciary Commissioner reports

General Fund disbursements to entities

Funding requests from local organizations by written form

Payroll modification as submitted by elected officials

WOOD COUNTY COMMISSION OFFICE

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: PETITION FOR THE ESTABLISHMENT OF CHICHESTER LANE MAINTENANCE ASSOCIATION

ORDER ESTABLISHING CHICHESTER LANE ROAD MAINTENANCE ASSOCIATION

This 30th day of April, 2018 came the Petitioners upon a Petition to establish a road maintenance association for Chichester Lane located in Williams District, Wood County, West Virginia and after due notice and hearing as required under the provisions of West Virginia Code 7-12A-1 et. seq., the Commission hereby FINDS:

1. That the Petition was filed in good faith by at least 60% of the abutting landowners of Chichester Lane.
2. That the signatures on the Petition are genuine.
3. That the proposed association document addresses the maintenance association purpose,
to wit:

“The purpose of this association is to protect the health, safety and welfare of persons and the general public located within the designated maintenance association area. The maintenance association shall be created with the objective of establishing and maintaining improvements for the area designated in this petition which primarily pertains to constructing and maintaining shared streets, drainage facilities, and other improvements necessary for the protection of health, safety and welfare of the users thereof and the general public.”

4. That the maintenance association will result in special benefits to all owners of residential property abutting said Chichester Lane by providing needed maintenance and upkeep shared by all abutting owners and users thereof.

Therefore feeling it proper so to do, it is hereby **ORDERED**:

1. That the Chichester Lane Maintenance Association be hereby established under the provisions of West Virginia Code 7-12A-1 et. seq., and
2. That said Association shall be governed by the following provisions, as set forth in their Petition, to wit:

a. Membership: All property owners abutting Chichester Lane for access to their respective property to West Virginia Route 68 (Emerson Avenue) are required to be members under the statute. Provided however that all property owners otherwise using Chichester Lane, for access are eligible to become members. Upon becoming members, the rights and duties of membership shall run with the land.

b. Conduct of business: Upon approval of this Petition the members of the association shall by the majority vote of those members present at the organizational meeting of the association duly elect a President, Vice-President and Secretary who shall be charged with the day to day management of the Association. These officers shall serve until replaced at an election to be held at each annual meeting. Provided however, that no action for the assessment of fees or expenditure of over \$ 2,500 - shall be permitted without the majority vote of the members present at a meeting called for that purpose. All special meetings shall be scheduled at a designated place and time set by the President. All annual meetings shall be held in the month of March, at a place and time set by the President.

c. Voting Rights: All votes shall be recorded by the Secretary as one vote per property having a dwelling or other structure.

d. Fee structure: All fees shall be assessed on members having a **dwelling or other structure** located on their respective property having access via Chichester Lane, to be initially set at \$480.00 per year per property containing a dwelling or other structure. Provided however, any new fee or fee increase assessed under this section shall not be collectable unless notice of the proposed fee or increase is sent by certified mail to each person owning property listed in the maintenance association document. If thirty percent of the members, by signed petition, protest the assessment to the association within fifteen days of the mailing, the fee shall not become effective until it is ratified by sixty percent of the members.

e. Substantial Maintenance Expenditures: All expenditures over \$ 2500 - for road maintenance shall be predicated upon the acquisition of two bona fide estimates from qualified contractors by the officers, which estimates shall be provided to each member at least 10 days prior to any meeting considering the approval of such expenditure. Approved substantial Maintenance Expenditures may also require a fee adjustment to reasonably cover the expenditure with notice as set forth in section d, above.

f. Collection: The association shall have the authority to bill members for fees and assessments duly passed by the association. Upon non-payment of such fee or assessment for greater than 60 days the officers of the association may institute suits for the collection of such fees, attorney's fees and court costs.

g. Effect of assessments and Lien: All fees assessed under this section are declared to be debts owing to the maintenance association for which the debtor shall be personally liable. The maintenance association, or an individual designated to act for it, may enforce

this liability by appropriate civil action in a court of competent jurisdiction. After being reduced to judgment and filed with the clerk of the county commission, such liability shall be a lien on property owned by the maintenance association member and designated in the maintenance association document.

3. That any new fee, beyond that established herein, to become collectible, must comply with the provisions of West Virginia Code 7-12A-6.

4. The County Clerk is hereby **ORDERED** that this Order to be recorded in the Deed Books of Wood County, indexed in the names of all abutting landowners of Chichester Lane as shown on the tax maps of Williams District, Wood County, West Virginia.


ENTERED this 30th day of April, 2018.


Commissioner


Commissioner



Commissioner

Prepared by:


Robert K. Tebay, III, LC
State Bar No. 3717
Counsel for Petitioners

Mark Rhodes
WOOD County 09:46:37 AM
Instrument No 8784580
Date Recorded 05/10/2018
Document Type ORDER/D
Pages Recorded 3
Book-Page 1277-397

Mark Rhodes
WOOD County 09:34:49 AM
Instrument No 8784579
Date Recorded 04/30/2018
Document Type CCO
Pages Recorded 3
Book-Page 75-23

I, MARK RHODES, do hereby CERTIFY that
the Document with this stamp affixed is a
true copy of Order
recorded in this office in Order
Book 25 Page 23
Date 3/2/18

Deputy Clerk
MARK RHODES, WOOD COUNTY CLERK

Check Register Report for Wood County Commission

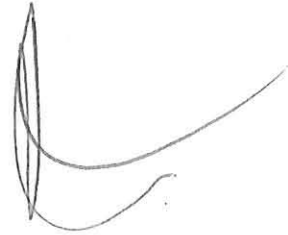
Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
3419	MOVDRC	MID-OHIO VALLEY DAY REPORT CENTER	REGULAR	04/24/2018	634.00	

HOME CONFINEMENT Bank Id 108 Totals

634.00

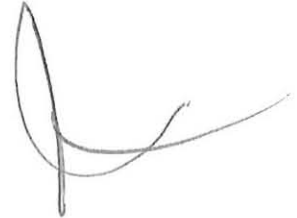
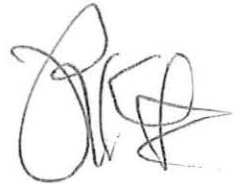
Report Totals

634.00



Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
655	WCI	WCI, INC.	REGULAR	04/24/2018	9,447.00	
656	ZUERCHER	ZUERCHER TECHNOLOGIES, LLC	REGULAR	04/24/2018	52,549.20	
CAPITAL RESERVE Bank Id 247 Totals					61,996.20	
Report Totals					61,996.20	



Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
6890	ALCOHOLMONIT	ALCOHOL MONITORING SYSTEMS	REGULAR	04/24/2018	42.50	
6891	MABC	MID-ATLANTIC BUSINESS COMMUNICATIONS	REGULAR	04/24/2018	315.00	
COMM.CRIMINAL JUSTICE FUND Bank Id 172 Totals					357.50	
Report Totals					357.50	



Check Register Report for Wood County Commission

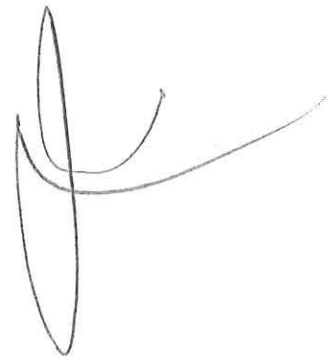
Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
7116	ADVANCEAL	ADVANCED ALARM TECHNOLOGIES INC	REGULAR	04/24/2018	90.00	
7117	APCO	APCO INTERNATIONAL	REGULAR	04/24/2018	220.00	
7118	BARKCHEL	BARKER CHELSEA N.	REGULAR	04/24/2018	90.42	
7119	MEDEXPRESS	MEDEXPRESS URGENT CARE INC WV	REGULAR	04/24/2018	80.00	
7120	SMITPATR	SMITH PATRICK K.	REGULAR	04/24/2018	93.81	
7121	SUDDENLINK	SUDDENLINK	REGULAR	04/24/2018	252.20	

E-911 FUND Bank Id 107 Totals

826.43

Report Totals

826.43

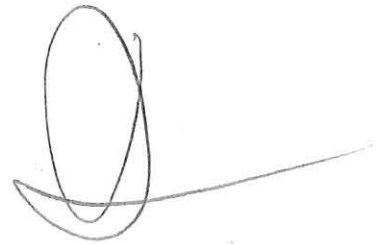
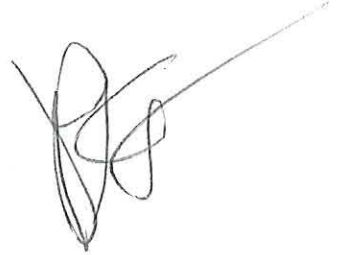


Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
165339	WINANS	WINANS SERVICES	REGULAR	04/24/2018	371.50	
165340	WVAE4-HA	WVAE4-HA	REGULAR	04/24/2018	30.00	
165341	WVU EXT	WEST VIRGINIA UNIVERSITY	REGULAR	04/24/2018	245.00	

GENERAL FUND Bank Id 101 Totals 13,983.74

Report Totals 13,983.74



Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
165314	AAP	ADVANCE AUTO PARTS	REGULAR	04/24/2018	32.82	
165315	AMERICANF	AMERICAN FLAGS & POLES	REGULAR	04/24/2018	179.00	
165316	BATTERIES	BATTERIES DIRECT	REGULAR	04/24/2018	79.90	
165317	BREWER	BREWER & CO. OF WV, INC.	REGULAR	04/24/2018	1,200.00	
165318	BSSI	BUSINESS SYSTEMS & SERVICE INC	REGULAR	04/24/2018	75.00	
165319	CRUM G	GWEN CRUM	REGULAR	04/24/2018	349.26	
165320	CWS	CWS	REGULAR	04/24/2018	1,079.28	
165321	DOMINIONH	DOMINION HOPE	REGULAR	04/24/2018	27.48	
165322	FEDERAL	FEDERAL EXPRESS CORP	REGULAR	04/24/2018	96.81	
165323	FLEEGLEK	KRISTA FLEEGLE	REGULAR	04/24/2018	38.31	
165324	GLACIER	GLACIER MOUNTAIN BOTTLED WATER	REGULAR	04/24/2018	32.50	
165325	HRA	WESBANCO INSURANCE SERVICES	REGULAR	04/24/2018	997.50	
165326	JONECARO	JONES CAROLE S.	REGULAR	04/24/2018	166.52	
165327	MEDEXPRESS	MEDEXPRESS URGENT CARE INC WV	REGULAR	04/24/2018	335.00	
165328	MOVCMCF	MID-OHIO VALLEY MULTI- CULTURAL FESTIVAL	REGULAR	04/24/2018	2,500.00	
165329	ODEPOT	OFFICE DEPOT	REGULAR	04/24/2018	142.40	
165330	PARKPOLICE	PARKERSBURG POLICE DEPARTMENT	REGULAR	04/24/2018	1,233.81	
165331	PCM-G	PCMG	REGULAR	04/24/2018	50.76	
165332	RAVENSWOO	RAVENSWOOD POLICE DEPARTMENT	REGULAR	04/24/2018	95.40	
165333	RICOH	RICOH USA INC	REGULAR	04/24/2018	465.83	
165334	S W RESOU	S W RESOURCES	REGULAR	04/24/2018	3,224.50	
165335	USBANKEQUIP	US BANK EQUIPMENT FINANCE	REGULAR	04/24/2018	327.00	
165336	VERIZONW	VERIZON WIRELESS	REGULAR	04/24/2018	60.37	
165337	WALMART	WALMART	REGULAR	04/24/2018	527.79	
165338	WATERBOY	WATERBOY LLC	REGULAR	04/24/2018	22.00	

Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
626	DOMINIONH	DOMINION HOPE	REGULAR	04/26/2018	147.00	
627	EMPINC	EMERGENCY MEDICAL PRODUCTS, INC.	REGULAR	04/26/2018	571.96	
628	FINLEY FI	FINLEY FIRE EQUIPMENT	REGULAR	04/26/2018	5,415.06	
629	FIRESAFETY	FIRE SAFETY EDUCATION	REGULAR	04/26/2018	770.00	
630	FLEET	VOYAGER FLEET SYSTEMS INC	REGULAR	04/26/2018	399.90	
631	LUBECKVFD	LUBECK VFD	REGULAR	04/26/2018	247.31	
632	MONPOWER	MON POWER	REGULAR	04/26/2018	12.26	
633	POSTMASTE	U.S. POSTMASTER	REGULAR	04/26/2018	87.10	
634	SIGNALITY	SIGNALITY	REGULAR	04/26/2018	745.00	
635	SUDDENLINK	SUDDENLINK	REGULAR	04/26/2018	171.63	
636	VALLEY	VALLEY MUFFLER & BRAKE SERVICE	REGULAR	04/26/2018	88.66	
637	VISA	VISA CREDIT	REGULAR	04/26/2018	577.39	

FIRE SERVICE FEE Bank Id 120 Totals

9,233.27

Report Totals

9,233.27

REC

[Signature]

Check Register Report for Wood County Commission

Check No	Vendor Id	Vendor Name	Type	Check Date	Check Amount	Rec
7122	CAPITAL	CAPITAL RESERVE FUND	REGULAR	04/25/2018	45,000.00	

E-911 FUND Bank Id 107 Totals 45,000.00

Report Totals 45,000.00

