

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

#1 COURT SQUARE, SUITE 203
PARKERSBURG, WV 26101

IN RE: MINUTES OF MEETING HELD
THURSDAY, SEPTEMBER 27, 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.

The County Commission, upon a motion duly made, seconded and passed, approved minutes of September 13, 2018 and September 17, 2018.

AGENDA AND DISCUSSION ITEMS

At 9:30 A.M., the County Commission opened bids for tree removal at Veterans Park. No action was taken and it will be placed on the next agenda to consider awarding the bid.

At 9:32 A.M., Mike Zoller from the West Virginia Interstate Fair met with the commission to discuss concerns that were presented to the commission at their last meeting.

At 10:27 A.M., the commission approved the hiring of Denise Schuck into the Sheriff's Tax Office.

At 10:28 A.M., the commission appointed Jill Parsons to the Mid-Ohio Valley Regional Airport Authority. (Order A/2041)

At 10:29 A.M., the commission set the date for a public hearing for the establishment of a road maintenance association for Woodcliff acres. The date was set for Monday, October 29, 2018 at 10:00 A.M. (Order)

At 10:55 A.M., Wood County Clerk, Mark Rhodes, met with the commission to request a decision regarding the grant for election equipment. The matter was placed on the next agenda.


Having no further scheduled appointments or business to attend to, the County Commission adjourned at 11:06 A.M.

ORDERS APPROVED AND ATTACHED TO THESE MINUTES

A/2040, M/3976, M/3977, M/3978, M/3979, M/3980, M/3981, M/3982, M/3983

APPROVED:


THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Robert K. Tobay, Commissioner

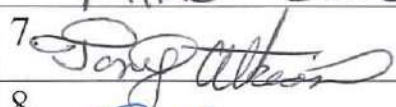

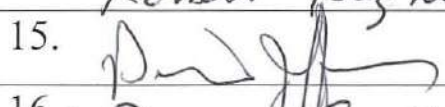


James Colombo, Commissioner

To listen to this meeting, please refer to DVD labeled September 27, 2018.

Wood County Commission Meeting
Held September 27, 2018

Please Print

1.	Angie Zoller
2.	Crystal Richards
3.	Kyle Pierce
4.	HAROLD TAYLOR
5.	Mary Eakins
6.	MIKE ZACHER
7.	
8.	
9.	Bob BAGLEY JR
10.	Glenn S. Bagley
11.	Christy Piggott
12.	Ponnie Sampson
13.	Tim Ashley
14.	Robert Bagley Jr.
15.	
16.	Russ Collins
17.	Ponnie Sampson
18.	Crystal Sponaugle
19.	
20.	



Wood County Commission
Agenda

9/27/2018

1 Court Square, Suite 203
Parkersburg, WV 26101

9:30 A.M.	Discuss WV Interstate Fair	Mike Zoller, President
	Request to Hire – Denise Schuck as Chief Tax Deputy - \$60,000.00/yr	
	Consider appointment of Jill Parsons to the Mid-Ohio Valley Regional Airport Authority	
	Consider setting a hearing in regard to the Petition for Road Maintenance Association for Woodcliff Acres	
	Administrator's Report	Marty Seufer, 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

SEPTEMBER 27, 2018

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION REAPPOINTED JILL PARSONS
TO THE MID-OHIO VALLEY REGIONAL AIRPORT
AUTHORITY.

ORDER

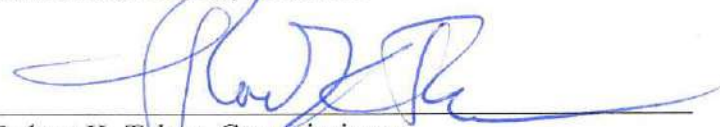
On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by David Blair Couch and made unanimous by James E. Colombo, reappointed Jill Parsons to the Mid-Ohio Valley Regional Airport Authority. Ms. Parsons' new term will expire September 24, 2021.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Robert K. Tebay, Commissioner



James E. Colombo, Commissioner

A/2041

Mark Rhodes
WOOD County 05:26:23 PM
Instrument No 8801853
Date Recorded 09/27/2018
Document Type C20
Pages Recorded 1
Book-Page 75-17

SEPTEMBER 27, 2018

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION ORDERED THAT THE NEW
ROAD NAME REQUEST FORM FROM BILL ATKINSON BE
APPROVED. THE NEW ROAD NAME WILL BE BILLS WAY.

ORDER

The County Commission of Wood County was in receipt of a New Road Name Request Form from Bill Atkinson, to name the road to his residence BILLS WAY. The said Request does not interfere with the scheduled readdressing and mapping for the E-9-1-1 Master Street Addressing Guide. The road to be known as BILLS WAY is located beside Hailey Heights on Emerson Avenue and 12500 Emerson Avenue in Williams District, Tax Map 370 , Parcel R5. The request by Bill Atkinson 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 Bill Atkinson, and the approval from the Wood County 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 David Blair Couch, seconded by James E. Colombo and made unanimous by Robert K. Tebay, does hereby ORDER that the aforementioned road be named BILLS WAY. The County Commission does further ORDER that a copy of this ORDER, along with the New Road Name Request Form, be certified by the Clerk of the County Commission for entry in the Office of the Clerk of the County Commission.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



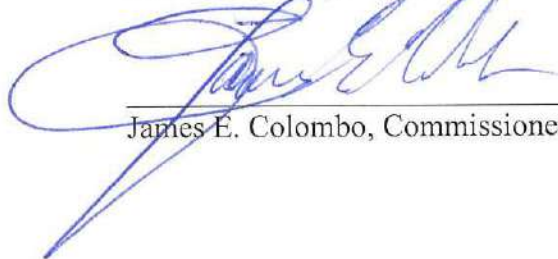
A handwritten signature in blue ink, appearing to read 'David Blair Couch', written over a horizontal line.

David Blair Couch, President



A handwritten signature in blue ink, appearing to read 'Robert K. Tebay', written over a horizontal line.

Robert K. Tebay, Commissioner



A handwritten signature in blue ink, appearing to read 'James E. Colombo', written over a horizontal line.

James E. Colombo, Commissioner

A/2042

Please complete the upper portion of this request form. Return it to: Central Telecommunications Center, 911 Core Road, Parkersburg, WV 26104.

WOOD COUNTY 9-1-1

NEW ROAD NAME REQUEST FORM

Applicant Name: BILL ATKINSON

Applicant Phone #: 304-966-6234

Property Owner Name: KENNETH KAISERMAN / BUYER BILL ATKINSON 4-1-2017/BOOK 1263 PAGE 917

Current Road Name or Highway Number, if any: 12500 EMERSON AVE

Tax District: 12-WILLIAMS Tax Map #: 370 Parcel #: 00R50000

Describe Physical Location: BESIDE HAILEY HEIGHTS ON EMERSON AVE, AND 12500 EMERSON AVE

List Three Road Name Suggestions: 1st BILLS WAY *
2nd BILLY DRIVE
3rd JAMES FORE WAY

Please prioritize.

Signature of Applicant: Bill Atkinson

OFFICIAL USE ONLY

Coordinated with the Map Processor: _____

Processor Signature: Shane E. Jones Process Date: 9-17-18

Granted Street Name: _____

Place signature, address and telephone number all of the homeowners agreeing to the road name changes. This must be 100% of the residents if less than 10 and 75% if more than 10.

Signature	Existing Address	Phone #
<u>Kenneth Kaiserman</u>		<u>1-310-200-5910</u>

WOOD County 03:20:21
Instrument No 8801851
Date Recorded 09/27/2018
Document Type 000
Pages Recorded 3
Book-Page 75-17

SEPTEMBER 27, 2018

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK
FROM THE STATE OF WV IN THE AMOUNT OF \$6,086.79
REPRESENTS REIMBURSEMENT IN REGARD TO THE VICTIMS
OF CRIME ASSISTANCE GRANT NUMBER 15-VA-129.

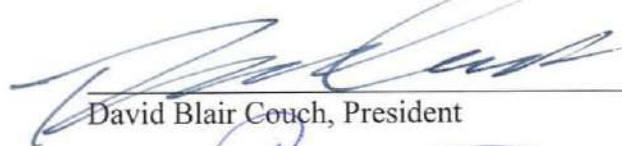
ORDER

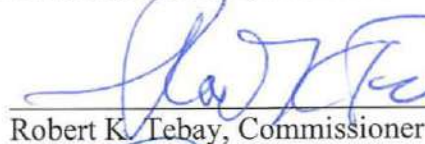
On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of six thousand eighty-six dollars and seventy-nine cents (\$6,086.79) which represents reimbursement to Wood County for expenses incurred during the month of March, 2018, in regard to the Victims of Crime Assistance Grant Number 15-VA-129. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 75, at Page 128 and bearing the date of May 31, 2018, at which time David Blair Couch, in his official capacity as President, and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

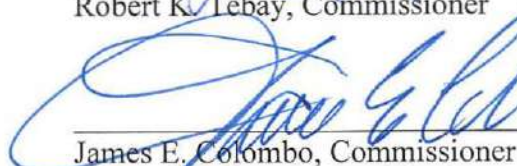
Documentation pertaining to the WVDCJS Victims of Crime Advocate Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


David Blair Couch, President


Robert K. Tebay, Commissioner


James E. Colombo, Commissioner

M/3984

Mark Rhodes
WOOD County 03:18:42 PM
Instrument No 8801850
Date Recorded 09/27/2018
Document Type 000
Pages Reported 1
Book-Page 75-17

SEPTEMBER 27, 2018

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION AUTHORIZED DAVID BLAIR COUCH,
AS PRESIDENT, TO SIGN THE REQUEST FOR REIMBURSEMENT IN
REGARD TO THE COMMUNITY CORRECTIONS GRANT NUMBER
19-CC-26. SAID REQUEST IS IN THE AMOUNT OF \$31,155.30

ORDER


On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by James E. Colombo and made unanimous by David Blair Couch, did hereby AUTHORIZE David Blair Couch, in his official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Community Corrections Grant Number 19-CC-26. Reimbursement is in the amount of thirty-one thousand one hundred fifty-five dollars and thirty cents (\$31,155.30) for the month of August, 2018. In addition to the Request for Reimbursement, the Time Sheets for employees of the Wood County Day Report Center, the Monthly Project Director's Report, the Financial Recap and the Project Financial Reports are being submitted to the Criminal Justice Services, Charleston, West Virginia.

A copy of the Request for Reimbursement is attached to this ORDER and should be made a part thereof.

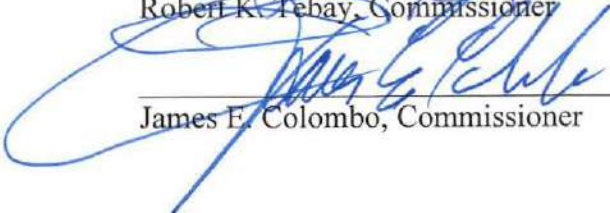
Documentation pertaining to the Community Corrections Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


David Blair Couch, President


Robert K. Tebay, Commissioner


James E. Colombo, Commissioner

M/3985

WEST VIRGINIA Division of Criminal Justice Services	Request for Reimbursement
----------------------------------------------------------------------	--------------------------------------

RECEIVED (For DCJS Use Only)	Subgrantee: Wood County Commission
	Address: One Court Square, Suite 203 Parkersburg, WV 26101
	Project #: 19-CC-26
	FEIN#: 556 000 417
	Funds are hereby requested to cover expenditures FROM: 8/1/18 TO: 8/31/18

PROJECT CASH EXPENDITURES

CATEGORY	AMOUNT
Personnel/Contractual	\$31,155.30
Travel/Training	-0-
Space	-0-
Other	-0-
Equipment	-0-
TOTAL	\$31,155.30

CERTIFICATION:

I certify that this report presents actual receipts and expenditures of funds for the period covered and for the total grant budget to date, made in accordance with the approved budget for this grant.

All documentation is available at our office.

BY: David Blair Couch, President, Wood County Commission
 TYPED NAME & TITLE
 (Authorized Official or Grant Financial Officer ONLY)


 SIGNATURE

9/27/18
 DATE

DCJS USE ONLY

ADMINISTRATIVE APPROVAL:

This request is approved in the amount of \$ _____
 Initials _____ Date _____

Pursuant to the authority vested in me, I certify that this request is correct and proper for payment.

 Date

 Program Accountant

Mark Rhodes
 Wood County 03:29:09 PM
 Instrument No 8801564
 Date Recorded 09/27/2018
 Document Type CM
 Pages Recorded 2
 Book-Page 75-17

SEPTEMBER 27, 2018

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION AUTHORIZED DAVID BLAIR COUCH TO SIGN THE REQUEST FOR REIMBURSEMENT IN REGARD TO THE VICTIMS OF CRIME ASSISTANCE GRANT NUMBER 15-VA-129. SAID REQUEST IS IN THE AMOUNT OF \$5,912.80

ORDER

On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by James E. Colombo and made unanimous by David Blair Couch, did hereby AUTHORIZE David Blair Couch, on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Victims of Crime Assistance Grant Number 15-VA-129. The Request for Reimbursement is in the amount of five thousand nine hundred twelve dollars and eighty cents (\$5,912.80) for the month of August, 2018. Along with the Request for Reimbursement Form; a Financial Recap Page; Project Financial Report; Daily Time Sheets for the Victims Advocate, Tiffany Kiger; Monthly Progress Reports and the Monthly Statistical Report have been submitted.

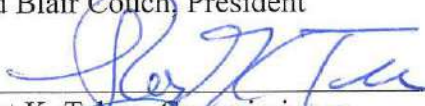
A copy of the Request for Reimbursement is attached to this Order and should be made a part thereof.

Documentation pertaining to the Victims of Crime Advocate Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY


David Blair Couch, President


Robert K. Tebay, Commissioner


James E. Colombo, Commissioner

M/3986

WEST VIRGINIA DIVISION OF JUSTICE AND COMMUNITY SERVICES	Request for Reimbursement
---------------------------------------------------------------------------	--------------------------------------------

RECEIVED (For DJCS Use Only)	Subgrantee:	Wood County Commission
	Address:	One Court Square, Suite 203
		Parkersburg, WV
		26101
	Project #:	15-VA-129
	FEIN#:	556 000 417
Funds are hereby requested to cover expenditures FROM: 8/1/18 TO: 8/31/18		

PROJECT CASH EXPENDITURES

CATEGORY	AMOUNT
Personnel/Contractual	\$5,912.80
Travel/Training	
Space	
Other	
TOTAL	\$5,912.80

CERTIFICATION:

I certify that this report presents actual receipts and expenditures of funds for the period covered and for the total grant budget to date, made in accordance with the approved budget for this grant.

All documentation is available at our office.

BY: David Blair Couch, President
 TYPED NAME & TITLE


 SIGNATURE

9/27/18
 DATE

(Authorized Official or Grant Financial Officer ONLY)

DJCS USE ONLY	
ADMINISTRATIVE APPROVAL: This request is approved in the amount of \$ _____ <div style="display: flex; justify-content: space-around; width: 100%;"> Initials Date </div> Pursuant to the authority vested in me, I certify that this request is correct and proper for payment. <div style="display: flex; justify-content: space-between;"> <div> _____ Date </div> <div> _____ Program Accountant </div> </div>	

Mark Rhodes
 Wood County 03:15:10 PM
 Instrument No. 9901949
 Date Recorded 09/27/2018
 Document Type 000
 Pages Recorded 2
 Book-Page 75-47

SEPTEMBER 27, 2018

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION AUTHORIZED DAVID BLAIR COUCH,
AS PRESIDENT, TO SIGN THE REQUEST FOR REIMBURSEMENT IN
REGARD TO THE COMMUNITY CORRECTIONS GRANT NUMBER
19-CC-26. SAID REQUEST IS IN THE AMOUNT OF \$30,920.17

ORDER

On this date, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by James E. Colombo and made unanimous by David Blair Couch, did hereby AUTHORIZE David Blair Couch, in his official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Community Corrections Grant Number 19-CC-26. Reimbursement is in the amount of thirty thousand nine hundred twenty dollars and seventeen cents (\$30,920.17) for the month of July, 2018. In addition to the Request for Reimbursement, the Time Sheets for employees of the Wood County Day Report Center, the Monthly Project Director's Report, the Financial Recap and the Project Financial Reports are being submitted to the Criminal Justice Services, Charleston, West Virginia.

A copy of the Request for Reimbursement is attached to this ORDER and should be made a part thereof.

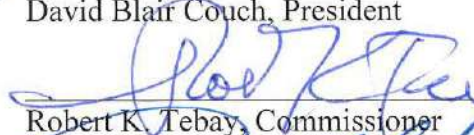
Documentation pertaining to the Community Corrections Grant is on file in the Office of the County Administrator.

APPROVED:

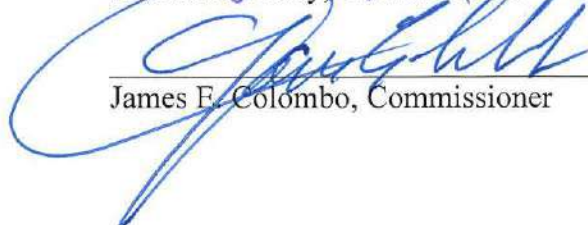
THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Robert K. Tebay, Commissioner



James E. Colombo, Commissioner

M/3987

WEST VIRGINIA Division of Criminal Justice Services	Request for Reimbursement
----------------------------------------------------------------------	--------------------------------------

RECEIVED (For DCJS Use Only)	Subgrantee: Wood County Commission
	Address: One Court Square, Suite 203 Parkersburg, WV 26101
	Project #: 19-CC-26
	FEIN#: 556 000 417
	Funds are hereby requested to cover expenditures FROM: 7/1/18 TO: 7/31/18

PROJECT CASH EXPENDITURES

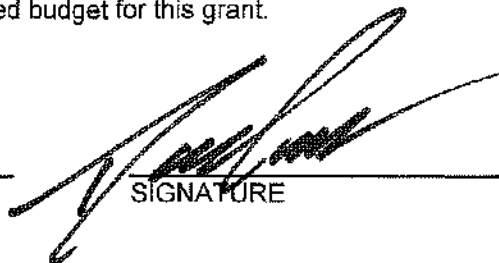
CATEGORY	AMOUNT
Personnel/Contractual	\$30,920.17
Travel/Training	-0-
Space	-0-
Other	-0-
Equipment	-0-
TOTAL	\$30,920.17

CERTIFICATION:

I certify that this report presents actual receipts and expenditures of funds for the period covered and for the total grant budget to date, made in accordance with the approved budget for this grant.

All documentation is available at our office.

BY: David Blair Couch, President, Wood County Commission
 TYPED NAME & TITLE
 (Authorized Official or Grant Financial Officer ONLY)


 SIGNATURE

9/27/18
 7/31/18
 DATE

DCJS USE ONLY

ADMINISTRATIVE APPROVAL:

This request is approved in the amount of \$ _____
 Initials _____ Date _____

Pursuant to the authority vested in me, I certify that this request is correct and proper for payment.

Date _____

Program Accountant _____

Mark Rhodes
 WOOD County 03:17:06 PM
 Instrument No 8801849
 Date Received 09/27/2018
 Document Type 001
 Pages Received 2
 Book Page 73-17

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: PETITION FOR THE ESTABLISHMENT OF WOODCLIFF ACRES ROAD
MAINTENANCE ASSOCIATION

ORDER FILING PETITION and SETTING HEARING

This day came, Robert K. Tebay, III Counsel for the Petitioners and tendered to the Commission the Petition of at least 60% of the abutting landowners of WOODCLIFF ACRES, a residential subdivision containing private ways located in Lubeck District, Wood County, along with the proposed recordable documents to establish the association, and


WHEREUPON, feeling it proper so to do under the provisions of West Virginia Code 7-12A-3 it is hereby,

ORDERED:

1. That the Petition be filed.
2. That a hearing on said Petition be held on the 29th day of OCTOBER 2018 at 10:30 o'clock A m., (not less than 10 nor more than 30 days from filing).
3. That the Petitioners cause a notice of this hearing to be posted in at least two conspicuous places within said Woodcliff Acres,
4. That the Petitioners cause a Class I advertisement of the time and place of the hearing to be published in the Parkersburg News/Sentinel.

Dated: SEPTEMBER 27, 2018

ENTER:


Commissioner


Commissioner


Commissioner

Prepared by:


Robert K. Tebay, III L.C. No. 3717
Counsel for Petitioners

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

TO: THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

**PETITION FOR THE ESTABLISHMENT OF WOODCLIFF ACRES ROAD
MAINTENANCE ASSOCIATION UNDER WEST VIRGINIA CODE 7-12-1 ET. SEQ.**

PURPOSE:

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.

REQUEST FOR ESTABLISHMENT:

We the undersigned owners of real estate abutting or using Woodcliff Drive, as more particularly shown on Exhibit A, hereto, being at least 60% thereof hereby Petition the County Commission to authorize the establishment of the Woodcliff Road Maintenance Association.

In support of our Petition, we assert:

- a. That Woodcliff Drive is an orphan subdivision road, providing public access to the property abutting and/or using the same.
- b. That this Petition is filed in good faith to meet the purposes set forth above and provide for the fair and equitable allocation of expenses for the subject road.
- c. The signatures attached are genuine.
- d. The proposed maintenance association will result in special benefits to all owners of residential property abutting on said orphan road, subdivision road, state road or public road.

MEMBERSHIP, RULES, ASSESSMENT AND COLLECTION OF FEES:

Upon approval of the County Commission, the undersigned proposes the following with regard to the Association:

- a. Membership: All property owners abutting Woodcliff Drive for access to their respective property to Dupont Road are required to be members under the statute. Provided

however that all property owners otherwise using Woodcliff Drive, 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 \$_____ 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 _____, 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 Woodcliff Drive, 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 \$_____ 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 _____ 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.

RECORDATION AND BINDING EFFECT:

Upon the approval of this Petition by the County Commission, the recordation of this Petition in the Office of the Clerk of the County Commission shall become the initial Association Documentation establishing the Association, and imposing the rights, and duties as specified in West Virginia Code 7-12-1 et. Seq. upon all members, whether such members are among the 60% or more signing the initial Petition or not.

We the undersigned property owners abutting Woodcliff Drive hereby Petition the County Commission of Wood County to approve the establishment of the Woodcliff Acres Road Maintenance Association upon the terms conditions and requirements set forth herein.

See attached property owner Petition.

Woodcliff Acres Road Maintenance Assoc.

By Counsel

A handwritten signature in blue ink, appearing to read "Robert K. Tebay, III", is written over a horizontal line.

Robert K. Tebay, III LC

P.O. Box 251

Parkersburg WV 26102

Petition Signatures

Of Woodcliff Acres Association

In compliance with the requirements of West Virginia Code Section 7-12A, the undersigned, all of whom are of legal age, and all of whom own property of either side of Wood County, Lubeck District, Map 130 Woodcliff Acres Subdivision road known as Woodcliff Drive and use this road to access to their property, have voluntarily associated themselves together for the purpose of forming a Road Maintenance Agreement, do hereby certify.

Lot	Lubeck District Map 130	Owner	Signature
	32-4	Williams, Christopher Wilkinson, Sandra	
	32-5	Wilkinson, Sandra Wilkinson, Michael	
3	D	Carl Wilkinson Nadon Wilkinson	
4	D	1 Barnette, Marvin E. 2	
5	D	1 Laughry, John 2 Laughry, Kelly	
6	D	1 Ruble, Jeffrey L. 2 Ruble, Lori	
7	D	1 Talbott, Ronald 2 Talbott, Michelle Dye	
8	D	1 Gallagher, Geneva R. 2 None	
9	D	1 Kersey, Diana 2	
10	D	1 Wheeler, Nancy E. 2	
11	D	1 West, Devon O. 2	
12	D	1 Abbott, Martha W. 2 None	
13	D	1 Metz, Kiz J. 2 None	
14	D	1 Bryant, William G.	

FILE COPY

Petition Signatures

Of Woodcliff Acres Association

In compliance with the requirements of West Virginia Code Section 7-12A, the undersigned, all of whom are of legal age, and all of whom own property of either side of Wood County, Lubeck District, Map 130 Woodcliff Acres Subdivision road known as Woodcliff Drive and use this road to access to their property, have voluntarily associated themselves together for the purpose of forming a Road Maintenance Agreement, do hereby certify.

Lot	Dist	Map	Owner	Signature
4	D		1 Barnette, Marvin E.	
			2	
5	D		1 Laughry, John	
			2 Laughry, Kelly	
6	D		1 Ruble, Jeffrey L.	Jeffrey L. Ruble
			2 Ruble, Lori	
7	D		1 Talbott, Ronald	
			2 Talbott, Michelle Dine	
8	D		1 Gallagher, Geneva R.	Geneva R. Gallagher
			2 None	
9	D		1 Kersey, Diana	
			2 Joseph Ewing Amy Ewing	Joseph Ewing Amy Ewing
10	D		1 Wheeler, Nancy E.	
			2	
11	D		1 West, Devon O.	Devon O. West
			2	
12	D		1 Abbott, Martha W.	Martha Abbott
			2 None	
13	D		1 Metz, Kiz J.	Kiz Metz
			2 None	
14	D		1 Bryant, William G.	William G. Bryant
			2 Bryant, Diane	Diane Bryant
15	D		1 St. Clair, David	David St. Clair
			2 St. Clair, David	David St. Clair
16	D		1 Yarnell Holding, LLC	No structure on property
			2	
17	D		1	

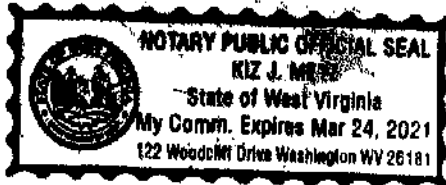
List of Current Property Owners

Woodcliff Acres Association List of Current Property Owners		
4	D	1 Barnette, Marvin E.
		2
5	D	1 Laughry, John
		2 Laughry, Kelly
		2
6	D	1 Ruble, Jeffrey L
		2 Ruble, Lori
7	D	1 Talbott, Ronald
		Talbott Michelle Dye
		2
8	D	1 Gallagher, Geneva R.
		2 none
9	D	1 Kersey, Diana
		2 None
10	D	1 Wheeler, Nancy E.
		2
11	D	1 West, Devon O.
		2
12	D	1 Abbott, Martha W.
		2 None
13	D	1 Metz, Kiz J.
		2 None
14	D	1 Bryant, William G.
		2 Bryant, Diane
15	D	1 St. Clair, David
		2 St. Clair, Vickie B
16	D	1 Yarnell Holding, LLC
		2
17	D	1
		2

State of West Virginia:

County of Wood:

The foregoing instrument was acknowledged this the 15th day of July 2018
By Dana O'Leary



Kiz J Metz

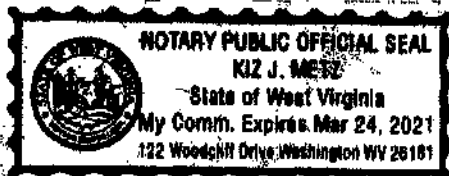
Notary Public

My commission expires: May 24, 2021

State of West Virginia:

County of Wood:

The foregoing instrument was acknowledged this the 15th day of July 2018
By Martha Abbott



Kiz J Metz

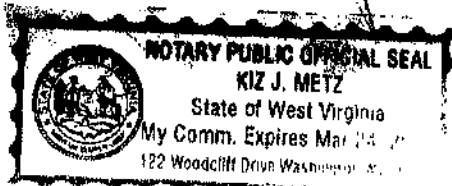
Notary Public

My commission expires: May 24, 2021

State of West Virginia:

County of Wood:

The foregoing instrument was acknowledged this the 15th day of July 2018
By William Bryant Diane Bryant



Kiz J Metz

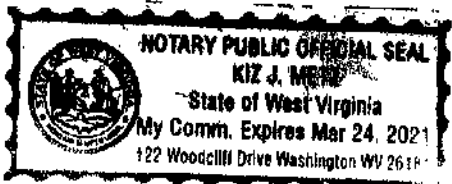
Notary Public

My commission expires: May 24, 2018

State of West Virginia:

County of Wood:

The foregoing instrument was acknowledged this the 15th day of 2018 July
By Jeffrey L Rubb



Kiz J Metz

Notary Public

My commission expires: May 24, 2018

State of West Virginia:

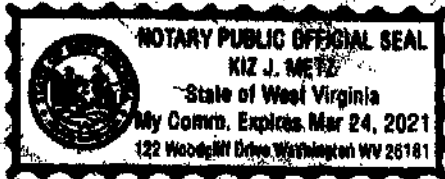
County of Wood:

The foregoing instrument was acknowledged this the 16 day of July 2018

By

[Signature]

Amy Ewing



Kiz Metz

Notary Public

My commission expires: Mar 24, 2021

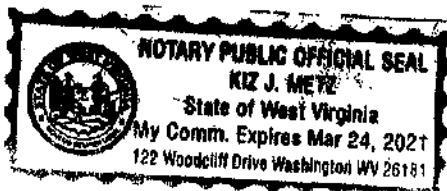
State of West Virginia:

County of Wood:

The foregoing instrument was acknowledged this the 16 day of July 2018

By

Beaver R. Gallagher



Kiz Metz

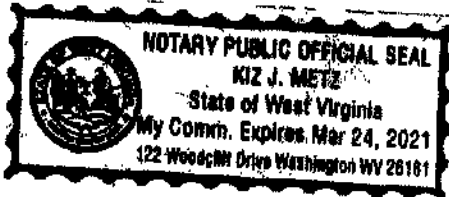
Notary Public

My commission expires: March 24, 2021

State of West Virginia:

County of Wood:

The foregoing instrument was acknowledged this the 16th day of July 2018
By David M. St. Clair



Kiz J. Metz

Notary Public

My commission expires: March 24, 2021

State of West Virginia:

County of Wood:

The foregoing instrument was acknowledged this the _____ day of _____
By _____

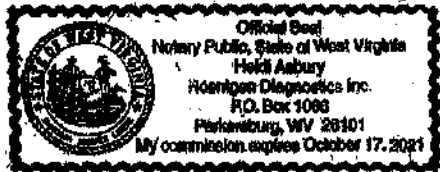
Notary Public

My commission expires: _____

State of West Virginia:

County of Wood:

The foregoing instrument was acknowledged this the 23rd day of July 2018
By Kristy Metz



Heidi A. Blum
Notary Public

My commission expires: 10/17/2021

State of West Virginia:

County of Wood:

The foregoing instrument was acknowledged this the _____ day of _____
By _____

Notary Public

My commission expires: _____

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

**IN RE: PETITION FOR THE ESTABLISHMENT OF WOODCLIFF ACRES ROAD
MAINTENANCE ASSOCIATION**

ORDER ESTABLISHING WOODCLIFF ACRES ROAD MAINTENANCE ASSOCIATION

This ____ day of _____, 2018 came the Petitioners upon a Petition to establish a road maintenance association for WOODCLIFF ACRES located in Lubeck 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 Woodcliff Drive.
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 the streets within Woodcliff Acres 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 Woodcliff Acres Road 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 the streets within Woodcliff Acres for access to their respective property to West Virginia Route ____ (DuPont Road) are required to be members under the statute. Provided however that all property owners otherwise using the streets within Woodcliff Acres, 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 \$ _____ 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 Woodcliff Drive, 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 \$ _____ 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 within Woodcliff Acres as shown on the tax maps of Lubeck District, Wood County, West Virginia.

ENTERED this _____ day of _____, 2018.

Commissioner

Commissioner

Commissioner

Prepared by:



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

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

**IN RE: PETITION FOR THE ESTABLISHMENT OF WOODCLIFF ACRES ROAD
MAINTENANCE ASSOCIATION**

TO WHOM IT MAY CONCERN:

NOTICE OF HEARING:

Please take notice that a hearing upon a Petition to establish the WOODCLIFF ACRES ROAD
MAINTENANCE ASSOCIATION will take place in the Chambers of the Wood County Commission on
the ____ day of _____, 2018 at __, o'clock ____ m.

By Order of the Wood County Commission

CLASS I PUBLICATION

POSTED (2X)



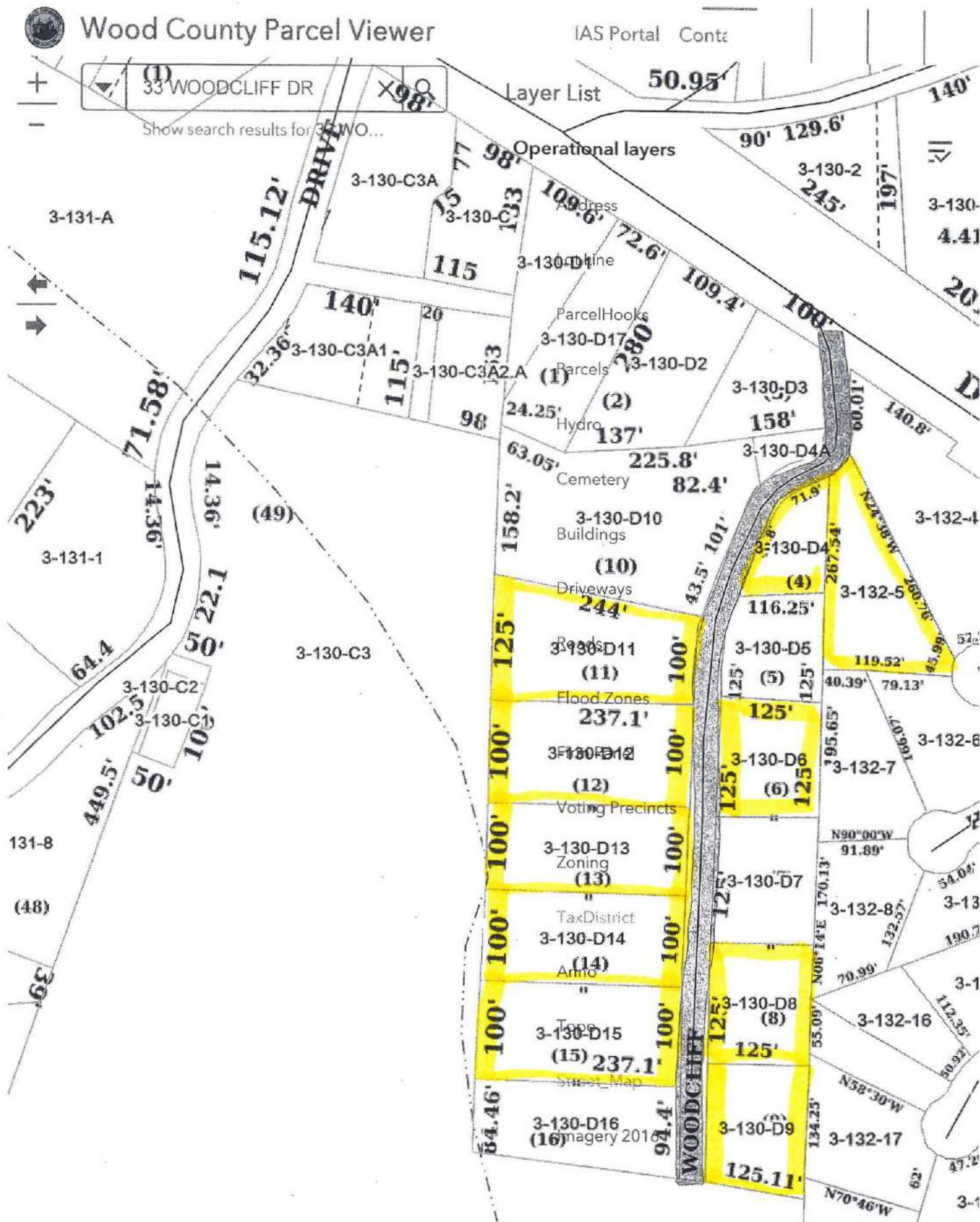
IAS Portal Contd...

33 WOODCLIFF DR

Show search results for 35 WO...

Layer List

Operational layers



200ft

-81.629 39.263 Degrees

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

**IN RE: PETITION FOR THE ESTABLISHMENT OF WOODCLIFF ACRES ROAD
MAINTENANCE ASSOCIATION**

ORDER ESTABLISHING WOODCLIFF ACRES ROAD MAINTENANCE ASSOCIATION

This ____ day of _____, 2018 came the Petitioners upon a Petition to establish a road maintenance association for WOODCLIFF ACRES located in Lubeck 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 Woodcliff Street.
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 the streets within Woodcliff Acres 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 Woodcliff Acres Road 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 the streets within Woodcliff Acres for access to their respective property to West Virginia Route ____ (DuPont Road) are required to be members under the statute. Provided however that all property owners otherwise using the streets within Woodcliff Acres, 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 \$ _____ 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 Woodcliff Street, 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 \$ _____ 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.

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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 within Woodcliff Acres as shown on the tax maps of Lubeck District, Wood County, West Virginia.

ENTERED this _____ day of _____, 2018.

Commissioner

Commissioner

Commissioner

Prepared by:



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

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

**IN RE: PETITION FOR THE ESTABLISHMENT OF WOODCLIFF ACRES ROAD
MAINTENANCE ASSOCIATION**

TO WHOM IT MAY CONCERN:

NOTICE OF HEARING:

Please take notice that a hearing upon a Petition to establish the WOODCLIFF ACRES ROAD
MAINTENANCE ASSOCIATION will take place in the Chambers of the Wood County Commission on
the ____ day of _____, 2018 at ____, o'clock ____ m.

By Order of the Wood County Commission

CLASS I PUBLICATION

POSTED (2X)

ROBERT K. TEBAY, III, L.C.

ATTORNEY AT LAW
331 JULIANA STREET
P.O. Box 251
PARKERSBURG, WEST VIRGINIA, 26102-0251
TELEPHONE 304-422-3110
FAX 304-422-1933

ROBERT K. TEBAY, III
e-mail: tebaylaw@juno.com

September 21, 2018

Marty Seufer, County Administrator

Via hand-delivery

9/27/18
MONDAY 10/29
10:30a

Road Maint. Assoc.

Dear Mr. Seufer,

Enclosed please find the Petition of over 60% of the owners of property using Woodcliff Drive within, Woodcliff Acres Subdivision for the formation of a road maintenance association.

With this petition is the signature of those property owners making the request a location map and the proposed Order of the Commission.

Please coordinate a hearing date and time with my office for the Commission to take action on this request. The code requires this to be no less than 10 days nor more than 30 days following the filing of the Petition. Once we have that date and time we can publish the notice as required.

As always, I thank you in advance for your attention to this request.

Sincerely,



Robert K. Tebay, III

Cc: Kiz Metz.

Mark Rhodes
WOOD County 03:22:09 PM
Instrument No 8801852
Date Recorded 09/27/2018
Document Type 000
Pages Recorded 22
Book-Page 75-17