

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
MONDAY, APRIL 10, 1995

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

On this date, the County Commission met in regular session. They signed a purchase order for Lowe's Home Centers in the amount of \$15.30 as well as invoices and other correspondence.

On this date, the County Commission, upon a motion made by Jean Grapes, seconded by Steven A. Grimm and passed, approved minutes from Monday, April 3, 1995.

On this date, the County Commission approved a Personal Property Improper for JM Huber Corporation - City District.

At 10:00 A.M., the County Commission held a Public Hearing in regard to the College View Road Maintenance Association. Glenn Gainer was the speaker for said Association. Mr. Gainer stated the Petitioners live on an orphan county road of which there is no maintenance; they have had several meetings in the neighborhood to fix up the roads, but they've been unsuccessful; usually everyone agreed to pay, but then one person wouldn't; now they wish to start a Maintenance Association; property values are low because of the condition of the road; there are three types of roads and there were five signs posted in the area. They submitted the affidavit of publication. Mary Dailey is opposed to the maintenance association and stated that Paula O'Brien and she went to Charleston to oppose this law. Mrs. Dailey read a statement that she said she has read to Senators; she thought that they could raise the money without

going through the association, but that did not work out; she feels that the purpose of the maintenance association and the statement that the association will result in benefits to property owners living on said road have not been addressed. An unidentified man stated that he pays taxes to the State and County and doesn't want to have to pay a "road tax". An unidentified speaker said that the roads are deplorable but he has seen a lack of organization; there was no two or three people who wanted to do it until now; we have done everything by the law; the by-laws that everyone is opposing has not been passed yet, but will be up for vote at the first meeting of the maintenance association and at the first meeting they will elect a board, the one now is only voluntary and temporary. Rick Clinton stated that they had attended the meetings at first but quit because they were very unruly; people were yelling at each other and he knows that several neighbors were not invited to attend the meetings. Harold Yoke spoke, however it is inaudible due to people talking close to microphone. Chuck Dailey stated that he agreed that several people were not invited to later meetings; and stated that it could go beyond the road, it could be sewer drains, street lights and maybe even a park or whatever else; we are not opposed to maintaining the road, we are opposed to putting ourselves in an establishment that will dictate what we do. President Grapes stated that the people are the maintenance association and they would be in charge of it. Mr. Dailey repeated his earlier statements. More discussion took place. Mary Dailey then stated, "You can call it whatever you want to, it's still a homeowners association , there is only one state statute, you

said you couldn't really do anything about the law and some of the concerns we have but you, as a commission, are accountable, according to the law, to cover these four points, point 3 and 4 have not been met, you can't say that all of these points have been met and approve it. You have to look very carefully at 3 and 4 based on the comments and the letters I submitted and the statements that I made that the maintenance association document does not address the maintenance association purpose and number 4 it will result in special benefits to all property owners and those are things that have to be shown today and that is why we are protesting. We believe that according to the law that this association will not fulfill those criteria." Mr. Gainer stated that they did file an object and purpose, which basically states "for repairing the roads and maintaining the roads." Don Harper stated that he thinks they could fix their road by getting some slag or something and he agrees that something needs to be done about the drainage in the area; he doesn't think that self help works anymore; there is always going to be maintenance on the road; we need to be realistic and realize that it is going to cost money to maintain the road. More discussion. President Grapes stated that all the Commission can do is approve the association, after that it is up to the homeowners to decide how it is ran. Richard Thomas has been trying to get the road blacktopped for eight years. Mrs. Crowden read a letter to the Commission; they were not informed of the meetings of the association; and they would like a basin put in if the road is paved. Mrs. Dailey stated that eleven people out of thirty are opposed to the maintenance

association. The County Commission, upon a motion duly made, seconded and passed, continued this hearing indefinitely so that they may get a legal opinion from the Prosecuting Attorney.

The hearing scheduled for 11:00 A.M., to remove the Administratrix for the Estate of Wayne Bowser was cancelled.

At 1:15 P.M., the County Commission met with Ed Bohren, Executive Director of Mountwood Park. Mr. Bohren presented a letter to the Commissioners inviting them to the First Annual Challenge at Mountwood Mountain Bike Race that will be held May 7, 1995. Mr. Bohren would also like to ask for financial assistance; Commissioner Grimm has visited the park; a long time plan for the park will be submitted to the Park Board; renovation, relocation and addition of new facilities are the focus of the plan; they would like to renovate the games area; he is asking the Commission for assistance in renovating the tennis courts, mini golf course, ball diamond and basketball court, as well as the repair of two shuffleboard courts; and the initial cost for the repairs comes to approximately \$15,095.00. Commissioner Grimm asked if the park would have any matching funds. Mr. Bohren stated that he has had to do many repairs on the water lines since he has been here, so they don't have much money at this time. The Commission will discuss this matter.

At 2:30 P.M., the County Commission went to the Judicial Building for the "Burning of the Mortgage of the Wood County Judicial Building".

On this date, the County Commission of Wood County ORDERED that the amount of seven thousand dollars (\$7,000.00) be contributed to

the Wood County Recreation Commission. Said contribution would be utilized to assist in the purchase of two (2) mowers to be used in their summer baseball programs, and is pursuant to the letter of request from Loren Elder, Director of the Wood County Recreation Commission. An Order was prepared regarding this matter.

On this date, the County Commission of Wood County, in regular session, upon a motion made by Steven A. Grimm, seconded by Holmes R. Shaver and made unanimous by Jean Grapes, announced to all concerned, that they, as a Commission, are calling for a SPECIAL SESSION to be held on April 18, 1995 at 8:30 o'clock A.M., for the purpose of Laying the 1995/1996 Fiscal Year Levy in accordance with Chapter 11, Article 8, Section 15, of the West Virginia Code, as amended.

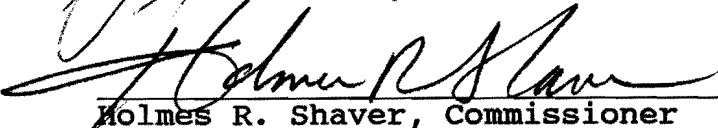
Having no further scheduled appointments or business to attend to, the County Commission adjourned at 4:00 P.M.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

  
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Jean Grapes, President

  
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Steven A. Grimm, Commissioner

  
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Holmes R. Shaver, Commissioner