

Keyes Ferry Acres Maintenance Association

---

270 Industrial Blvd.  
Kearneysville, WV 25430

October 31, 2018

To: Keyes Ferry Acres Lot Owners

From: Lee Snyder



Re: Keyes Ferry Acres Maintenance Association Meeting Notice

Dear Lot Owner:

As you may know, the Keyes Ferry Acres Maintenance Association has been established by the Jefferson County Commission with the duty of maintaining the roads and common property in Keyes Ferry Acres. The Association has also been formed as a non-profit corporation under West Virginia law. We now would like to schedule the first meeting for the Association's membership, which consists of all lot owners. The meeting will be held as follows:

Saturday, December 1, 2018  
10:00am  
at the office of  
Snyder Environmental Services, Inc.  
270 Industrial Blvd.  
Kearneysville, WV 25430  
Conference Room, 2<sup>nd</sup> Floor

This meeting is an organizational meeting. The principal business will be to nominate and elect five members to the Board of Directors. In accordance with the Declaration and Bylaws, the Directors will operate the Association. Proxies can be assigned by lot owners who cannot attend the meeting (proxy form on blue paper is attached). Lee Snyder, or any person whom you appoint and is present at the meeting, can vote your proxy for you. I have also attached an additional meeting notice which includes the required statutory references.

over, please

Please make sure Keyes Ferry Acres Maintenance Association has your desired address for all notices and notices of proposed budgets to be mailed or emailed to you. Providing us with your email address would expedite our correspondence and reduce postage cost.

We hope to see you all on December 1, 2018 at 10 am.

Obviously, the most significant issue surrounding the formation of the Keyes Ferry Acres Maintenance Association is the level of lot fee assessments. In order that all lot owners can understand the level of fees collected in prior years, we provide Exhibit A. This lays out our historic collections. In order that all lot owners can understand the level of historic cost incurred in operating the Road Fund under Oak Meadow's management, we provide Exhibit B, which shows historic expenses.

One of the next challenges is to establish a lot fee that will allow the funding of a budget that will provide for more adequate maintenance and allow for the funding of actual road improvements. Following in Exhibit C are some potential example lot fees and the level of income they are likely to generate. The actual adoption of the fee level will be by vote of the Board of Directors.

Next, the elected Board of Directors will need to consider a budget for the coming year. Following is a potential budget as Exhibit D. We have provided categories of expenses that need to be addressed. We also have provided an estimate of the cost to reconstruct a typical 1,000 feet of road in Keyes Ferry Acres to provide proper drainage and a wider, properly sloped paved surface, which will be long-lasting and much more economically maintained, see Exhibit E. Both maintenance and improvement will have to be taken into consideration in establishing a fee level.

Thank you for your support. We look forward to an improving community with the assistance of a well-operated Road Maintenance Association.

**NOTICE OF SPECIAL MEETING OF THE MEMBERS OF KEYES FERRY  
ACRES MAINTENANCE ASSOCIATION**

Oak Meadow, LLC, organizer and incorporator of Keyes Ferry Acres Maintenance Association, Inc., and also owner of the requisite number of allocated membership interests to call a Special Meeting pursuant to WV Code 31E-7-702(a)(2) hereby serves Notice pursuant to WV Code 31E-7-702 that a Special Meeting of the Members of the Corporation will be held as follows:

**Saturday, December 1, 2018  
10:00am  
at the office of  
Snyder Environmental Services, Inc.  
270 Industrial Blvd.  
Kearneysville, WV 25430  
Conference Room, 2<sup>nd</sup> Floor**

The Special Meeting shall also serve the Organizational Meeting of the Corporation pursuant to WV Code 31E-8-820 and pursuant to WV Code 31E-7-702(d) the sole agenda item and exclusive order of business for the meeting is the nomination and election of the initial five (5) Directors of the corporation. The elected Board of Directors will thereafter appoint the Officers of the Corporation.

**Oak Meadow, LLC,**

By: B. Lee Snyder

Its: MANAGER

Date: 10-31-18

**Keyes Ferry Acres Maintenance Association, Inc.**  
**SPECIAL MEETING PROXY**

I/We, the undersigned owner(s) of one or more Units in Keys Ferry Acres Subdivision, being being part of the membership of Keyes Ferry Acres Maintenance Association, Inc., ("Association") by Order of the County Commission of Jefferson County, West Virginia, acting pursuant to WV Code § 31E-7-722, do hereby appoint the individual identified below to be my/our proxy agent ("Proxy Agent") and to cast all votes allocated to my/our Unit(s) with regard to all business to be conducted and all matters submitted to the members at the Special Meeting of the membership, or any adjournments thereof, and in all consents to any actions taken at the Special Meeting to be held 10:00 AM on Monday, Saturday, December 1, 2018 at the Snyder Environmental Services, Inc., 270 Industrial Blvd., Kearneysville, WV 25430. This appointment shall continue from this date until either revoked by me (or either of us if multiple signators) in writing, or if not revoked in writing, at midnight on December 1, 2018, at which time this Proxy and appointment shall be null and void without further action by the undersigned. During the time period that this Proxy shall remain in effect and enforceable, the Proxy Agent appointed hereunder shall have all of the powers that the undersigned may possess with respect to voting of membership interests in the Association which are allocated to the represented Units entitled to vote, provided, however, this Proxy is expressly limited to those matters set forth in the Notice of Special Meeting for the meeting and none other. The acts of the Proxy hereunder are ratified and confirmed to the extent that Proxy Agent shall do or cause to be done such acts by virtue of and within the limitations set forth in this Proxy.

I hereby revoke any and all proxies previously given by me with respect to the membership or ownership interest(s) subject of this Proxy but so far only as the same apply to the December 1, 2018, Special Meeting. I hereby waive any procedural defects to notice or call of the above Special Meeting and acknowledge notice of same prior to my execution hereof.

To the extent that this Proxy shall be executed and delivered by multiple members who collectively own undivided interests in one or more Units, the words used herein, regardless of the number and gender specifically used, shall be deemed and construed to include any other number, singular or plural, and any other gender, masculine, feminine, or neuter, as the context requires.

**INDIVIDUAL ACKNOWLEDGEMENT**

\_\_\_\_\_  
*Unit Owner [Printed Name]*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*Unit(s) Owned*

\_\_\_\_\_  
*Proxy Agent Appointed*

\_\_\_\_\_  
*Signature of Unit Owner(s)*

\_\_\_\_\_  
*Date*

**CORPORATE OR ENTITY ACKNOWLEDGEMENT**

\_\_\_\_\_  
*Unit Owner [Printed Name]*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*Unit(s) Owned*

\_\_\_\_\_  
*Proxy Agent Appointed*

By: \_\_\_\_\_

Its: \_\_\_\_\_  
*Signature and capacity of  
authorized representative.*

\_\_\_\_\_  
*Date*

10/31/2018  
 Exhibit A

**Income to Road Fund**

For the past 3 years the total income into the KFA Road Fund has been:

June 2015 to May 31, 2016	
from property owners:	\$15,650.00
from Oak Meadow:	(pd after May 31, 2016, see below) \$0.00
<b>Total Income</b>	<b>\$15,650.00</b>

June 2016 to May 31, 2017	
from property owners:	\$16,820.00
from Oak Meadow:	(payment for 2 years) \$29,125.00
<b>Total Income</b>	<b>\$45,945.00</b>

June 2017 to May 31, 2018	
from property owners:	\$16,475.00
from Oak Meadow:	\$13,625.00
<b>Total Income</b>	<b>\$30,100.00</b>

June 2018 to current:	
from property owners:	\$9,045*
from Oak Meadow:	\$0.00
<b>Total Income</b>	<b>\$9,045.00</b>

*Revenues this year	
Payment for past due lot fee collected at property closings	\$6,875
Payment for past due lot fee on estate settlement	\$970
Payment for current lot fee paid without invoicing	\$1,200

Total Road Fund invoices mailed in the past 3 years:

June 2015 to May 31, 2016	38,650.00	
Customer Invoices	29,325.00	53%
Oak Meadow Invoices	9,325.00	

June 2016 to May 31, 2017	42,200.00	
Customer Invoices	28,725.00	59%
Oak Meadow Invoices	13,475.00	

June 2017 to May 31, 2018	40,625.00	
Customer Invoices	27,000.00	61%
Oak Meadow Invoices	13,625.00	

Average % of Bills which were Paid **57.70%**

% of Invoices Collected

Note: No new invoices were produced in June 2018 due to the anticipated formation of the Keyes Ferry Acres Maintenance Association

10/31/2018

**Exhibit B**

**Expenses to Road Fund**

Expenses for the 3 previous  
and current years are:

	6/1/2015 5/31/2016	6/1/2016 5/31/2017	6/1/2017 to 5/31/2018	6/1/2018 to Current
Gravel and Millings w/Hauling	\$6,119.78	\$12,421.10	\$7,645.32	\$10,280.58
Road Grading, Machine				
Rental and Labor	\$7,041.43	\$21,421.88	\$5,351.77	\$10,664.56
Tree/Brush/Debris Removal	\$0.00	\$4,189.50	\$996.00	\$1,926.19
Snow Removal	\$16,602.86	\$1,650.00	\$951.35	\$0.00
Culvert Installation	\$15,000.00	\$0.00	\$0.00	\$0.00
Admin/Bank Fees/Postage	\$1,061.94	\$55.20	\$1,051.30	\$1,625.02
Asphalt Paving	\$6,037.45	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$51,863.46</b>	<b>\$39,737.68</b>	<b>\$15,995.74</b>	<b>\$24,496.35</b>

Unpaid invoices to Snyder Environmental Services Stand at \$124,979  
See Exhibit F for further detail

The Balance in the Keyes Ferry Acres Road Fund account is \$5,406.55

10/31/2018

**Exhibit C**

**Potential Lot Fee Options**

<b>Assumed Fee level Per Lot</b>	<b>Annual Fee Per Lot</b>	<b>Cost per Month Per Lot</b>	<b>Cost per Week Per Lot</b>
\$75	\$75	\$6.25	\$1.44
\$100	\$100	\$8.33	\$1.92
\$125	\$125	\$10.42	\$2.40
\$150	\$150	\$12.50	\$2.88
\$175	\$175	\$14.58	\$3.37
\$200	\$200	\$16.67	\$3.85

**Estimated Annual Income to the Association Based on 757 lots**

<b>Assumed Annual Lot fee</b>	<b>Resulting total Annual Income</b>	<b>Deduction for Non-Payment*</b>	<b>Projected Annual Net Income</b>
\$75	\$56,775.00	-\$12,075.00	\$44,700.00
\$100	\$75,700.00	-\$16,100.00	\$59,600.00
\$125	\$94,625.00	-\$20,125.00	\$74,500.00
\$150	\$113,550.00	-\$24,150.00	\$89,400.00
\$175	\$132,475.00	-\$28,175.00	\$104,300.00
\$200	\$151,400.00	-\$32,200.00	\$119,200.00

**\*42.3% of non-Oak Meadow owners historically have not paid their road fees  
382 non-Oak Meadow lots x 42.3% = 161 lots won't likely pay their road fees  
Collection of these lot fees will likely require legal action**





10/31/2018

**Exhibit E**

**Estimate of Road Re-construction Cost for KFA Roads, per 1,000 feet of Road**

Assume 1,000 feet of road to be constructed per each contract

Item	Explanation	Unit Cost	# Units	Total Cost
Culverts	15" to 24"; 8 per 1,000' @30'ea. Includes driveway culverts	\$58/ft.	240'	\$13,920.00
Tree Removal	Assume average 2 large trees per 1,000'	\$1,500/ea.	2	\$3,000.00
Grading & Shaping Ditches using Grading Bucket	Ditches are necessary on both sides of road	\$11/ft.	2,000'	\$22,000.00
Scarifier Asphalt, Regrading Profile, Recompact	Profile of road needs to be changed, widened and recompacted	\$8/ft.	1,000'	\$8,000.00
6" Base Gravel	Supply grade & compact 6" of 3/4" crusher run gravel	\$29/ton	1,050 tons	\$30,450.00
Supply & Place 3" of Base Asphalt	Base course of asphalt paving	\$140/ton	350 tons	\$49,000.00
Supply & Place 1 1/2" of Wearing Course Asphalt	Wearing course of asphalt paving	\$150/ton	175 tons	\$26,250.00
Supply, Place & Compact Stone Shoulders	2' wide shoulder gravel each side	\$4.50/ft.	2,000'	\$9,000.00

**Total Estimate for 1,000' of Road Re-construction**

**\$161,620.00**

**The above estimate is for budgeting purposes only**

**It is suggested that work performed for the Association will be awarded by competitive bidding**

**KEYES FERRY ROAD FUND  
 SNYDER ENVIRONMENTAL SERVICES  
 Summary of Invoices and payments from the Road Fund to Snyder Environmental Services**

	End Bal	Year	Year	Year	Year	Year	Year	Year	Year	Year
	May 2010	May 2011	May 2012	May 2013	May 2014	May 2015	May 2016	May 2017	May 2018	Oct 2018
Total SES Invoices for work performed on roads		8,769	105,043	7,569	19,217	24,912	28,318	36,682	15,804	21,446
Total payments from KFA Road Fund to Snyder Environ.		(14,346)	(30,037)	(19,568)	(20,945)	(20,173)	(22,405)	(16,000)	(25,390)	(17,133)
Balance Due Snyder Environmental Services	43,214	37,637	112,644	100,644	98,917	103,656	109,569	130,251	120,666	124,979