

# COUNTY COMMISSION OF LEWIS COUNTY

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Weston, WV 26452  
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**COMMISSIONERS:**  
**AGNES G. QUEEN**  
President  
**PATRICK D. BOYLE**  
Commissioner  
**THOMAS V. FEALY**  
Commissioner

**LEWIS COUNTY COMMISSION**  
**110 CENTER AVENUE, 2nd FLOOR**  
**WESTON, WV 26452**  
**MEETING AGENDA**  
**Monday, February 22, 2016**

## SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

1. 10:00 AM **Call Meeting to Order** (*action required*)
2. 10:05 AM **T. Chad Kelley, Lewis County Assessor**  
RE: Exonerations, Consolidations, Apportionments  
Draft copies will be available for review upon request Thursday,  
February 18, 2016. (*Action required*)

## APPOINTMENTS

3. 10:10 AM **Thomas Aman, Esquire Steptoe & Johnson**  
RE: To consider for adoption a Special Levy Election Order directing that an election be held regarding an increase of property tax levy rates in order to fund fire station construction and maintenance; building and grounds maintenance; vehicle acquisitions, replacements, repair and maintenance; acquisition of firefighting equipment; repair and maintenance of communication equipment; construction and maintenance of training facilities; utility expenses; insurance fees; telecommunication services and equipment; and office equipment for the six volunteer fire departments of Lewis County in a total approximate amount of \$3,587,895. (*action required*)
4. 10:10 AM **Chris Richards, Director, Lewis County Convention and Visitor's Bureau**  
RE: Quarterly Report of activities by the Lewis County Convention and Visitors Bureau.  
(*information only*)

## CORRESPONDENCE

5. **Upshur County Commission Meeting Agenda:** Upshur County Commission Meeting Agenda for Thursday, February 18, 2016. (*information only*)
6. **Region VII Planning and Development Council Announcement of 2016 Small Cities Block Grant Application Deadline and Guidelines:** The 2016 West Virginia Small Cities Block Grant Application deadline has been set for May 23, 2016. A list of priorities and guidelines are attached. (*information only*)
7. **Jane Lew Public Service District Meeting Minutes:** Minutes of the January 14, 2016 meeting of the Jane Lew Public Service District. (*information only*)
8. **Lewis County Emergency 911 Subscriber Fee Remittance from Vonage for January 2016:** Vonage Emergency 911 Subscriber Fee remittance for January 2016 in the amount of \$147.00. (*information only*)

## BUSINESS

9. **Board(s) and Committee(s) Reports:** Reports from Commissioners on any board(s) or Committee(s) meetings attended including: Economic Development Water Project Update; Local Emergency Planning Committee; Paint the Town Blue; West Virginia American Water Stakeholders Meeting; Board of Equalization and Review. *(information only)*
10. **North Central Regional EMS, Inc. Request for Annual Assessment:** North Central Regional Emergency Medical Services, Inc. requests Lewis County contribute an annual assessment in the amount of \$818.60. This funding provides \$2,200.00 in scholarship for potential providers, \$4,000.00 to provide paramedics with 48 hours in continuing education and \$3,000.00 for National Emergency Medical Service Week activities. *(action required)*
11. **Lewis County Economic Development Board Member Reappointment:** The Lewis County Economic Development Authority requests the following individuals be reappointed to the authority for three (3) year terms expiring December 31, 2018: Greg Stark, Richard (Dick) Ritter, Tracey Weber, III and Marvin Murphy. *(action required)*
12. **Lewis County Planning Commission Request to Appoint Leona Swisher as a Member of the Commission:** The Lewis County Planning Commission requests Leona Swisher be appointed to fill the unexpired term of Rex Stalnaker. This term will expire February 1, 2018. *(action required)*
13. **Lewis County Economic Development Authority Report:** Report of activities of the Lewis County Economic Development Authority by Director Mike Herron. *(information only)*
14. **Timesheets and Leave Requests** *(action required)*

## ACTIONS ORDERS AND PAYMENT OF EXPENDITURES:

15. **Actions of the Clerk:** County Clerk Cynthia S. Rowan presents actions of the clerk in recess of the county commission for approval. Draft copies will be available for review upon request Thursday, February 18, 2016. *(action required)*
16. **Presentation by County Clerk of the Orders of Prior Meeting(s) for consideration.** Draft copies will be available for review upon request Thursday, February 18, 2016. *(action required)*
17. **Expenses for the current period presented for consideration of payment.** Draft copies will be available for review upon request Thursday, February 18, 2016. *(action required)*

## ADJOURNMENT:

18. **With no further action being required by the Lewis County Commission, the meeting will be adjourned.** *(action required)*

### LEWIS COUNTY COMMISSION MEETING MANAGEMENT

- Regular meeting agendas will be posted and available to the public before closure two (2) business days prior to the meeting date.
- Agenda matters to be reviewed and/or considered during the meeting are at the discretion of the Lewis County Commission.
- Appointments to speak with the county commission must be scheduled before 10 AM three (3) business days prior to the meeting. Appointments will be given a ten (10) minute time allowance.
- Open discussion by Commission unless executive session is motioned per WV Code §6-9A-4.
- Input or recommendation from constitutional officers, staff or public that is not listed by name on the agenda will only be allowed if requested by the commission or required by statute.
- Those not scheduled on the agenda may sign up for public comment at a minimum fifteen (15) minutes prior to the start of the meeting. Public comment is limited to five (5) minutes per speaker.
- Motion required for consideration of vote.
- All votes unanimous unless otherwise stated.

*Roberts Rules of Order is utilized as a guide only.*

*The Commission controls meeting management, discussion and input.*

**THE COUNTY COMMISSION OF LEWIS COUNTY**  
**MONDAY, FEBRUARY 22, 2016 REGULAR MEETING**

**AGENDA ITEM**

1. To consider for adoption a Special Levy Election Order directing that an election be held regarding an increase of property tax levy rates in order to fund fire station construction and maintenance; building and grounds maintenance; vehicle acquisitions, replacements, repair and maintenance; acquisition of firefighting equipment; repair and maintenance of communication equipment; construction and maintenance of training facilities; utility expenses; insurance fees; telecommunication services and equipment; and office equipment for the six volunteer fire departments of Lewis County in a total approximate amount of \$3,587,895.

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**Subject:** Lewis County Levy Election Documents

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**From:** Thomas Aman (Thomas.Aman@Steptoe-Johnson.com)

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**To:** cindywhetsell@yahoo.com; bobbystewart00@gmail.com; fjlydon@hughes.net;  
garyhall408@yahoo.com; crowan@lewiscountywv.org;

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**Cc:** Jason.Turner@Steptoe-Johnson.com; Craig.Griffith@Steptoe-Johnson.com;

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**Date:** Tuesday, February 16, 2016 3:48 PM

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Please find attached hereto drafts of the following documents in connection with the Levy Election Order to be considered for adoption by the Lewis County Commission at its regular meeting on Monday, February 22 relative to the proposed fire service excess levy:

- Levy Election Order to be considered for adoption by the Commission;
- Official Ballot for the levy election;
- Proposed Agenda Item for the County Commission meeting

Please include the attached Agenda Item in the meeting notice and agenda which is posted by the County Commission for the meeting on February 22 (at least 3 business days prior to the meeting and not including the day of the meeting). If there are no comments or proposed changes to the attached Levy Election Order and Official Ballot please include the same in the packets which are distributed to the Commissioners for the meeting. If you do have comments or proposed revisions to the attached documents please provide those to me by e-mail.

Feel free to contact me with any questions or issues regarding the attached documents or the levy generally.

Thanks, Tom

**Tom Aman**

Steptoe & Johnson PLLC  
400 White Oaks Boulevard  
Bridgeport, WV 26330  
O: 304-933-8136 F: 304-933-8183 C: 304-677-5338

[thomas.aman@steptoe-johnson.com](mailto:thomas.aman@steptoe-johnson.com)  
[www.steptoe-johnson.com](http://www.steptoe-johnson.com)



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**Attachments**

- image001.png (2.79KB)
- SJDOCS-#7093130-v5-Lewis\_County\_Levy\_Election\_Order.DOC (45.50KB)
- SJDOCS-#7109295-v3-Official\_Ballot.DOC (20.50KB)
- SJDOCS-#7109926-v1-Lewis\_County\_Commission\_\_Agenda\_Item\_for\_Levy\_Election\_Order.DOC (18.00KB)

## Levy Election Order

**AN ORDER OF THE COUNTY COMMISSION OF LEWIS COUNTY DIRECTING THAT AN ELECTION BE HELD FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF LEWIS COUNTY ALL QUESTIONS CONNECTED WITH INCREASING THE RATES OF LEVY ON THE VARIOUS CLASSES OF PROPERTY FOR THE PURPOSE OF FUNDING BUILDING CONSTRUCTION; BUILDING AND GROUNDS MAINTENANCE; VEHICLE ACQUISITIONS, REPLACEMENTS, REPAIR AND MAINTENANCE; FIREFIGHTING EQUIPMENT ACQUISITION; COMMUNICATION EQUIPMENT REPAIR AND MAINTENANCE; TRAINING FACILITY CONSTRUCTION AND MAINTENANCE; UTILITY EXPENSES; INSURANCE FEES; TELECOMMUNICATIONS SERVICES AND EQUIPMENT AND OFFICE EQUIPMENT FOR THE SIX (6) VOLUNTEER FIRE DEPARTMENTS OF LEWIS COUNTY IN A TOTAL APPROXIMATE AMOUNT OF THREE MILLION FIVE HUNDRED EIGHTY-SEVEN THOUSAND EIGHT HUNDRED NINETY-FIVE AND 00/100 DOLLARS (\$3,587,895).**

**WHEREAS**, The County Commission of Lewis County (the "County Commission") has determined that the levies currently authorized by Chapter 11, Article 8 of the Code of West Virginia, 1931, as amended (the "Act"), will not provide sufficient funds for the payment of costs of a project, to consist of fire station construction; building and grounds maintenance; vehicle acquisitions, replacements, repair and maintenance; acquisition of firefighting equipment; repair and maintenance of communication equipment; construction and maintenance of training facilities; utility expenses; insurance fees; telecommunication services and equipment; and office equipment for the six (6) volunteer fire departments of Lewis County over a five (5) year period (the "Project"), and that an election should be held, as provided for under the provisions of Section 16 of the Act, to approve an increase in levies for the fiscal years beginning July 1, 2017, July 1, 2018, July 1, 2019, July 1, 2020, and July 1, 2021; and hereby declares and orders as follows:

1. The purpose for which such additional funds are needed is to fund fire station construction and maintenance; building and grounds maintenance; vehicle acquisitions, replacements, repair and maintenance; acquisition of firefighting equipment; repair and maintenance of communication equipment; construction and maintenance of training facilities; utility expenses; insurance fees; telecommunication services and equipment; and office equipment for the six (6) volunteer fire departments of Lewis County over a five (5) year period.

2. The total approximate amount necessary to carry out the above purpose is \$717,579 annually, net of allowances for discounts, delinquencies, exonerations, and the assessor's valuation fund or a total approximate amount of \$3,587,895 for the five-year levy period.

3. That the separate and aggregate assessed valuation of each class of taxable property within the County of Lewis certified on February 27, 2015, is as follows:

Class I	-0-
Class II	\$294,978,498
Class III	\$636,161,023
Class IV	\$72,751,300
Aggregate	\$1,003,890,821

4. That the proposed additional rate of levy in cents upon each \$100 valuation on each class of property will be as follows:

Upon Class I Property	2.25 cents
Upon Class II Property	4.50 cents
Upon Class III Property	9.00 cents
Upon Class IV Property	9.00 cents

5. That the proposed number of years to which the additional levy shall apply is five, being the five fiscal years beginning July 1, 2017, July 1, 2018, July 1, 2019, July 1, 2020, and July 1, 2021.

6. That in the event the separate and aggregate assessed value of each class of taxable property within the County increases during the term of the special excess levy, the levy rate shall be reduced so that the projected tax collection will not exceed \$717,579 in any fiscal year. The County Commission reserves unto itself as the levying body of the County of Lewis the right and authority to reduce the additional rates of levy if increased assessments would produce funds beyond projected needs in any year specified in the levy call in accordance the Act.

7. In the event the County Commission shall obtain additional money by grant or otherwise from the state or federal government, or from any agency of either, or from any other source, for the purposes aforesaid, such additional money may be used either in substitution for, or in addition to, the sums obtained from such additional levies as the County Commission may from time to time determine.

8. That the question of such additional levy shall be submitted to a vote at the primary election to be held on Tuesday, May 10, 2016.

9. That notice of the special levy election hereby ordered shall be given, as required by law, by the publication of this order within the 14 consecutive days next preceding the date of such election, with an interval of at least 6 full days between the first and second publications, once a week for 2 successive weeks in two qualified newspapers of opposite politics published or of general circulation in Lewis County, West Virginia.

10. That the form of ballot to be used for such special levy election shall be as follows:

#### OFFICIAL LEVY BALLOT

Election to authorize additional levies for the fiscal years beginning July 1, 2017, July 1, 2018, July 1, 2019, July 1, 2020, and July 1, 2021, in the approximate amount of \$717,579 annually, net of allowances for discounts, delinquencies, exonerations, and the assessor's valuation fund for the following purposes:

Fire station construction and maintenance; building and grounds maintenance; vehicle acquisitions, replacements, repair and maintenance; acquisition of firefighting equipment; repair and maintenance of communication equipment; construction and maintenance of training facilities; utility expenses; insurance fees; telecommunication services and equipment; and office equipment for the six (6) volunteer fire departments of Lewis County over a five (5) year period.

The total approximate amount necessary to carry out the above purposes is \$717,579 annually, net of allowances for discounts, delinquencies, exonerations, and the assessor's valuation fund or a total approximate amount of \$3,587,895 for the five-year levy period, all according to the order of The County Commission of Lewis County entered on February 22, 2016. The additional rate of levy in cents upon each \$100 valuation on each class of property shall be as follows:

Upon Class I Property	2.25 cents
Upon Class II Property	4.50 cents
Upon Class III Property	9.00 cents
Upon Class IV Property	9.00 cents

In the event the separate and aggregate assessed value of each class of taxable property within the County increases during the term of the special excess levy, the levy rate shall be reduced so that the projected tax collection will not exceed \$717,579 in any fiscal year. The County Commission of Lewis County reserves unto itself as the levying body the right and authority to reduce the

additional rates of levy if increased assessments would produce funds beyond projected needs in any year specified in the levy call.

In the event The County Commission of Lewis County shall obtain additional money by grant or otherwise from the state or federal government, or from any agency of either, or from any other source, for the purposes aforesaid, such additional money may be used either in substitution for, or in addition to, the sums obtained from such additional levies as The County Commission of Lewis County may from time to time determine.

\_\_\_\_\_ For the Levy

\_\_\_\_\_ Against the Levy

**INSTRUCTION:** Those favoring the imposition of additional levies, place an “X” in the blank before “For the Levy”; those against such additional levies, place an “X” in the blank before “Against the Levy”

Adopted and entered of record this February 22, 2016.

\_\_\_\_\_  
President of The County Commission  
of Lewis County

## CERTIFICATION

The undersigned, being the duly qualified, elected and acting Clerk of The County Commission of Lewis County, West Virginia, does hereby certify that the foregoing is a true, correct and complete copy of a Order duly adopted and entered of record by The County Commission of Lewis County, at a regular meeting duly held on February 22, 2016, pursuant to proper notice, at which meeting a quorum was present and acting throughout, and which Order has not been amended, modified, rescinded, repealed, annulled, revoked or otherwise altered as of the date hereof.

Dated: February 22, 2016.

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County Clerk

**OFFICIAL BALLOT**  
**THE COUNTY COMMISSION OF LEWIS COUNTY**  
**LEVY ELECTION**  
**TUESDAY, MAY 10, 2016**

OFFICIAL LEVY BALLOT

Election to authorize additional levies for the fiscal years beginning July 1, 2017, July 1, 2018, July 1, 2019, July 1, 2020, and July 1, 2021, in the approximate amount of \$717,579 annually, net of allowances for discounts, delinquencies, exonerations, and the assessor's valuation fund for the following purposes:

Fire station construction and maintenance; building and grounds maintenance; vehicle acquisitions, replacements, repair and maintenance; acquisition of firefighting equipment; repair and maintenance of communication equipment; construction and maintenance of training facilities; utility expenses; insurance fees; telecommunication services and equipment; and office equipment for the six (6) volunteer fire departments of Lewis County over a five (5) year period.

The total approximate amount necessary to carry out the above purposes is \$717,579 annually, net of allowances for discounts, delinquencies, exonerations, and the assessor's valuation fund or a total approximate amount of \$3,587,895 for the five-year levy period, all according to the order of The County Commission of Lewis County entered on February 22, 2016. The additional rate of levy in cents upon each \$100 valuation on each class of property shall be as follows:

Upon Class I Property	2.25 cents
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In the event the separate and aggregate assessed value of each class of taxable property within the County increases during the term of the special excess levy, the levy rate shall be reduced so that the projected tax collection will not exceed \$717,579 in any fiscal year. The County Commission of Lewis County reserves unto itself as the levying body the right and authority to reduce the additional rates of levy if increased assessments would produce funds beyond projected needs in any year specified in the levy call.

In the event The County Commission of Lewis County shall obtain additional money by grant or otherwise from the state or federal government, or from any agency of either, or from any other source, for the purposes aforesaid, such additional money may be used either in substitution for, or in addition to, the sums

obtained from such additional levies as The County Commission of Lewis County may from time to time determine.

\_\_\_\_\_ For the Levy

\_\_\_\_\_ Against the Levy

**INSTRUCTION:** Those favoring the imposition of additional levies, place an “X” in the blank before “For the Levy”; those against such additional levies, place an “X” in the blank before “Against the Levy”

**Subject:** FW: Lewis County Levy Election Timeline  
**From:** Thomas Aman (Thomas.Aman@StepToe-Johnson.com)  
**To:** cindywhetsell@yahoo.com; crowan@lewiscountywv.org; bobbystewart00@gmail.com; fjlydon@hughes.net; garyhall408@yahoo.com;  
**Date:** Tuesday, February 16, 2016 3:59 PM

Attached is our draft of the timeline for the special election proceedings.

Thanks, Tom

**Tom Aman**

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[thomas.aman@stepToe-johnson.com](mailto:thomas.aman@stepToe-johnson.com)  
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**Attachments**

- image001.png (2.79KB)
- SJDOCS-#7109326-v1-Levy\_Election\_Timeline.DOC (15.00KB)

## **Timeline for Lewis County Fire Service Levy Election**

**1. Monday, February 29, 2016 (71 days prior to election)**

Lewis County Commission must adopt by this date an order set out as required by law for submitting the question to the voters at the regular election on May 10, 2016.

- Actual date for adoption is **February 22**

**2. Tuesday, March 1, 2016 (70 days prior to election)**

Copies of the order are delivered by this date to the county clerk and the board of ballot commissioners.

The county clerk determines the number of absentee ballots needed and notifies the County Commission for purposes of ordering ballots.

**3. Wednesday, March 2, 2016 (69 days prior to election)**

County Commission contracts for ballot printing with an authorized printer.

**4. Thursday, April 14 to Wednesday, April 20, 2016 (26 to 20 days prior to election)**

First publication of sample ballot as a Class I-0 legal advertisement.

**5. Tuesday, April 26 to Monday, May 2, 2016 (14 to 8 days prior to election)**

Notice of election published as a Class II-0 legal advertisement.

**6. Tuesday, May 3 to Monday, May 9, 2016 (7 to 1 day prior to election)**

Notice of election published as a Class II-0 legal advertisement. Issue to be placed on ballot published as Class I-0 legal advertisement (may be of sample ballot).

## Upshur County Commission Agenda

Location of Meeting: Upshur County Courthouse Annex  
Date of Meeting: February 18, 2016

- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance  
Approval of Minutes:  
• February 11, 2016
- 1:00 p.m. Board of Review and Equalization - Adjournment
- 1:05 p.m. Supervisor Meeting
- 2:00 p.m. Policy Board Meeting

### Items for Discussion / Action / Approval:

1. Approval of James W. Curry Scholarship Announcement and Application for 2016.
2. Approval and signature of the 2015 EMPG grant in the amount of \$28, 965.
3. Approval of Request for Bids for the Grounds Keeping Contract for 2016. Grounds keeping will commence on or around March 28, 2016 and will conclude on or around September 30, 2016. All sealed bids must be received no later than 9:00 a.m. on March 10, 2016. Sealed bids received by the above deadline will be opened, reviewed, and read aloud by the Upshur County Commission at 10:00 a.m. on Thursday, March 10, 2016.
4. Approval of Advertisement for Temporary Grounds Keeping / Maintenance Position for the 2016 spring/summer seasons, beginning in mid-March and going through late September. The rate of pay is \$9.00 per hour, with no benefits provided for this position. Applications must be received on or before the close of business on Wednesday, March 2, 2016.
5. Approval and signature of Order Overruling Objection to Qualification of Personal Representative for the Estate of Dallas Jackson Tacy, deceased.
6. Approval of renewal of membership in NAEIR (National Association for the Exchange of Industrial Resources) free supplies program. The renewal rate is \$495.00 for 10 months, effective March, 2016.
7. Approval of the Rental Contract for use at the Buckhannon-Upshur Recreational Park for the 2016 season.
8. Correspondence from William Thomas requesting consideration of appointment of Virgil LaRosa to fill the vacant unexpired position on the Buckhannon Upshur Airport Authority. Upon approval, Mr. LaRosa's term would be effective immediately and would expire on June 30, 2017.
9. Correspondence from Steve Linger, E911 Director, requesting the termination of Jericka Phillips, effective immediately.

10. Approve Invoices for Payment, Purchase Card Invoices for Payment, Budget Revisions / Financial Reports or Information, Correction of Erroneous Assessments, Exonerations/Refunds, Final Settlements, Vacation Orders, Consolidation of Land Tracts, Facility Maintenance Concerns or Updates, Road Name Requests, Project Reports / Updates, Request to Attend Meetings, Request for Day(s) Off.

**For Your Information:**

**(Certain Items May Require Discussion, Action and/or Approval by the Commission)**

1. Correspondence from Michael Livesay, II, Program Coordinator, Senior Companion Program, requesting funding in the amount of \$1,500 for FY 17.
2. Correspondence from Michelle Strader, President, Southern Upshur County Association (SUBA), requesting funding in the amount of \$1,500 for FY 17.
3. Correspondence from Cheyenne Walters, Program Director for the 26th Judicial Circuit Community Corrections Day Report Center, to Carol Smith, regarding Carla Waldo's hourly rate of pay at \$12.40 per training, with one training per month. Ms. Waldo's regular rate of pay for BIPPS class and parenting class will stay the same at \$50 (after payroll deductions) and \$75 respectively.
4. Upshur County Community Baby Shower – March 19, 2016
5. Agendas and/or Notice of Meetings:
  - Buckhannon-Upshur Airport Authority February 11, 2016
  - Upshur County Public Library Board February 16, 2016
  - Upshur County Fire Board February 16, 2016
  - Elkins Public Service District March 1, 2016
6. Meeting Minutes:
  - Adrian Public Service District December 17, 2015
  - Adrian Public Service District January 14, 2016
7. Meetings
  - 02/02/16 5:30 p.m. Elkins Road PSD
  - 02/02/16 6:00 p.m. Hodgesville PSD
  - 02/04/16 7:00 p.m. Banks District VFD
  - 02/04/16 7:00 p.m. Selbyville VFD
  - 02/08/16 12:00 p.m. Upshur County Family Resource Network
  - 02/08/16 4:30 p.m. Upshur County Solid Waste Authority
  - 02/08/16 6:00 p.m. Buckhannon-Upshur Recreational Park Advisory Board
  - 02/08/16 6:00 p.m. Lewis-Upshur Community Corrections Board -- Lewis County
  - 02/09/16 6:00 p.m. Buckhannon River Watershed Association
  - 02/09/16 7:30 p.m. Adrian VFD
  - 02/10/16 7:00 a.m. Upshur County Development Authority – Executive Board Meeting
  - 02/10/16 6:00 p.m. Buckhannon-Upshur Board of Health
  - 02/10/16 12:00 p.m. Upshur County Senior Center Board
  - 02/10/16 1:30 p.m. Upshur County Conventions & Visitors Bureau – UCDA Office

- 02/10/16 6:00 p.m. Upshur County Citizens Corp - CERT
- 02/10/16 7:30 p.m. Warren District VFD
- 02/11/16 1:00 p.m. Adrian PSD
- 02/11/16 3:00 p.m. Tennerton PSD
- 02/11/16 4:00 p.m. Upshur County Safe Sites & Structures Ordinance Board
- 02/11/16 7:30 p.m. Buckhannon VFD
- 02/11/16 4:00 p.m. Buckhannon Upshur Airport Authority—meeting held at Airport
- 02/15/16 12:00 p.m. Buckhannon-Upshur Chamber of Commerce
- 02/16/16 10:00 a.m. Wes-Mon-Ty Resource Conservation & Development
- 02/16/16 6:30 p.m. Upshur County Fire Board
- 02/16/16 5:00 p.m. UC Enhanced Emergency Telephone Advisory Board
- 02/16/16 4:00 p.m. Upshur County Public Library Board
- 02/17/16 7:00 p.m. Ellamore VFD
- 02/17/16 12:00 p.m. Lewis Upshur LEPC --- Upshur location
- 02/21/16 6:30 p.m. Upshur County Youth Camp Board
- 02/21/16 6:00 p.m. Washington District VFD
- 02/22/16 10:00 a.m. Mountain CAP of West Virginia, CDC
- 02/24/16 7:00 a.m. Upshur County Development Authority
- 02/25/16 4:00 p.m. Upshur County Farmland Protection Board
- 03/23/16 10:00 a.m. James W. Curry Advisory Board
- TBA 6:00 p.m. Upshur County Fire Fighters Association

8. Board of Review & Equalization Meeting Schedule

- 02/01/16 1:00 p.m. No Appointments ---Review of Property Books
- 02/05/16 9:00 a.m. Board of Review & Equalization
- 02/10/16 9:00 a.m. Board of Review & Equalization
- 02/11/16 1:00 p.m. Board of Review & Equalization
- 02/16/16 1:00 p.m. Board of Review & Equalization
- 02/16/16 2:30 p.m. Coal, Oil & Gas and Industrial Appointments
- 02/17/16 9:00 a.m. Board of Review & Equalization
- 02/18/16 1:00 p.m. Adjournment

9. Appointments Needed or Upcoming:

- Upshur County Fire Board (Vacant Position – 6-30-16) --- 1<sup>st</sup> District Community Representative
- Upshur County Airport Authority (Vacant Position – 06-30-17) – Commission
- Upshur County Farmland Preservation Board (Vacant Position – 06-30-15) – At large – Non Farming

Tabled Items

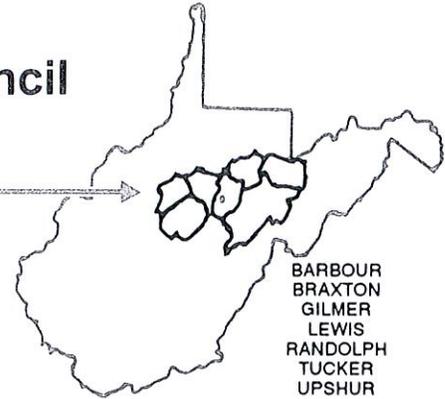
(Certain Items May Require Discussion, Action and/or Approval by the Commission)

The County Commission will sit as the Board of Review & Equalization beginning at 1:00 p.m. on the 1st day of February, 2016, and shall continue until the work is complete but will adjourn no later than the close of business on the 18<sup>th</sup> day of February, 2016.

Next Regular Meeting of the Upshur County Commission  
February 25, 2016 --- 9:00 a.m.  
Upshur County Courthouse Annex

# Region VII Planning and Development Council

99 EDMISTON WAY • SUITE 225 • BUCKHANNON, WV 26201  
PHONE: (304) 472-6564 • FAX (304) 472-6590



## MEMORANDUM

TO: Region VII Planning & Development Council Members  
All Public Service Districts/Water Associations  
All Project Engineers  
All Local Development Authorities

FROM: Cary Smith C.A.S.  
Project Manager

DATE: February 3, 2016

RE: **2016 SCBG Program Application Guidelines**

=====

The Small Cities Block Grant (SCBG) application deadline for the 2016 Program Year has been set for **May 23, 2016**. It is a good idea to contact our office as soon as possible if there is a possibility your project will be requesting SCBG funds. There is not much time to prepare so we are asking that you please contact our office immediately if you think you might have a project to submit or if you have concerns meeting this deadline.

The priority of the SCBG program has been and still remains water and sewer infrastructure projects, so please keep that in mind as you develop your project for consideration of SCBG funds. Also, keep in mind that all water and sewer infrastructure projects must be reviewed by the West Virginia Infrastructure and Jobs Development Council (IJDC), and found technically feasible to be eligible for funding. Please make note of the deadline dates with regard to IJDC submissions and other application requirements.

- Projects submitted to IJDC prior to March 10<sup>th</sup> will have a complete review; however the IJDC determination letter must be submitted with the application to be eligible.
- Projects submitted to IJDC prior to April 10<sup>th</sup> will not have a complete review by IJDC before the SCBG deadline date. The project will be required to submit the IJDC determination letter and technical review memo to the WVDO no later than June 15, 2016 in order to be eligible.
- Project numbers issued by IJDC in 2014 and 2015 will be accepted with a proper cost estimate update. IJDC project numbers dated 2013 or earlier will diminish the competitiveness of the application due to the age of project data.
- Income surveys shall **not be more than 3 years old** and conducted in compliance with the WVDO Income Survey Guidelines.

# Minutes of Jane Lew Public Service District

## Regular Meeting January 14, 2016

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**Present:** Thomas E. Bailey (2015 Chairman); Oscar R. Mills (2016 Chairman); Elaine B. Flaxer (Secretary); Nancy E. Gee (General Manager)

**Guests:** Doug Forni (ThrasherEng);

**Absent:**

1. **Call to Order:** The meeting was called to order by 2015 Chairman Bailey at 4:01 p.m. at the new Jane Lew PSD Office, 70 Park Avenue, Jane Lew, then presided over by Elaine B. Flaxer at the request of 2016 Chairman Oscar R. Mills after his election.

2. **Election of Officers:**

**MOTION:** (Flaxer/Bailey) - in conformity with Article XI, Section 2 of the Board's Rules of Procedure, to rotate the office of Chairman to Oscar R. Mills for calendar year 2016, effective immediately. [Carried Unanimously]

*DISCUSSION:* Oscar Mills requested that he be allowed to delegate the role of presiding over meetings throughout 2016, and Elaine Flaxer agreed to take it on. In all other ways Oscar Mills will carry out the responsibilities of Chairman.

**MOTION:** (Bailey/Mills) - to elect Elaine B. Flaxer to the office of Board Secretary for calendar year 2016. [Carried Unanimously]

**MOTION:** (Bailey/Flaxer) - in conformity with her 2015 Job Description, to re-appoint Nancy E. Gee to the office of Treasurer for calendar year 2016 as part of the job of General Manager. [Carried Unanimously]

3. **Rules of Procedure:**

**MOTION:** (Bailey/Flaxer) to ratify the existing Rules of Procedure as adopted on 12/14/04 and amended 02/09/06. [Carried Unanimously]

4. **Schedule of 2016 Regular Meetings and Office Closures:**

**MOTION:** (Bailey/Flaxer) to adopt the proposed schedule, time and location (attached) of regularly JLPSD meetings and JLPSD office closures for year 2016. [Carried Unanimously]

Assignments

- ✓ General Manager to see that annual 2016 Meeting Schedule & Office Closures is provided to local news media.
- ✓ General Manager to see that annual 2016 Meeting Schedule & Office Closures is posted on the door of the new District Office and at the Lewis County Courthouse.

5. **Minutes: (12/10/15)**

**MOTION:** (Bailey/Mills) to approve attached Minutes of 12/10/15 regular meeting. [Carried Unanimously]

## 6. General Manager's December Reports (Gee)

### A. WATER:

1. Bills (Attached)

MOTION: (Bailey/Mills) to ratify payment of attached list of water invoices for December 2015. [Carried Unanimously]

2. Treasury Report (Attached)

MOTION: (Flaxer/Bailey) to approve attached Water Treasury Report for December 2015. [Carried Unanimously]

3. Water Adjustments Report (Attached)

MOTION: (Bailey/Flaxer) to approve attached Water Adjustments Report for December 2015. [Carried Unanimously]

4. Water Purchase, Sales & Loss Report (Attached) – actual unaccounted December loss of 7%.

MOTION: (Bailey/Flaxer) to approve attached Water Purchase & Sales Report for December 2015. [Carried Unanimously]

5. Water Preventive Maintenance Report

- a) Lines -
- b) Fire hydrants [57] –
- c) Flushing Hydrants [25] – flushed hydrants on Mayre St, Dairy St and Jane Lew School.
- d) Valves [148] – installed valve on Main St. across from school where drunk driver mowed down hydrant.
- e) Meters [659] -
- f) Booster Stations [3]
- g) Tanks [2] –
- h) Office Heating -Cooling Systems
- i) Vehicles-[1.5]
- j) Generators [2 portable] – exercised weekly
- k) Critical Inventory –

6. Water System Repairs Report (fixing breakdowns) –

- ✓ Hit & run driver (now in jail) mowed down fire hydrant across from school. Replaced hydrant and lines. Our insurance to pay and pursue reimbursement from driver's insurance..
- ✓ Ordered parts to repair worn out hydrant in front of Jane Lew Fire Department.
- ✓ Repaired railing on ramp at PSD office where drunk hit & run driver took out 2 posts from railing on NY's Eve.

7. Water Leak Detection Report - visual check of entire system while reading meters.

8. Cross-Connections/Backflow Report -

9. New Non-Project Water Taps – none

10. Other – had camera system installed at PSD Office: 2 cameras directed outside building and 1 inside pointing to persons entering front door. Pictures held up to 2 weeks, after which system recycles.

Assignments

- ✓ Gee to check if heating/cooling systems require/get preventive maintenance.

### B. WASTEWATER:

1. Wastewater Bills (Attached)

MOTION: (Bailey/Mills) to ratify payment of list of sewer invoices for December 2015. [Carried Unanimously]

2. Wastewater Treasury Report (Attached)

MOTION: (Bailey/Mills) to approve sewer Treasury Report for December 2015. [Carried Unanimously]

3. Wastewater Adjustments Report (Attached)

MOTION: (Bailey/Mills) to approve sewer Adjustments Report for December 2015. [Carried Unanimously]

4. Wastewater Volume & Cost Report (Attached) - December rainfall 2.5 inches

MOTION: (Bailey/Mills) to approve sewer Volume & Cost Report for December 2015. [Carried Unanimously]

5. Wastewater Preventive Maintenance Report (attached)
  - a) Lines
  - b) Manholes [594]
  - c) Grinder Pumps [46]
  - d) Lift Stations [16 total] – pulled pump, cleaned rags at Lift 1 (Lively Healthcare) & installed new seal & ring around impeller.
  - e) Bar Screen [1] – cleaned weekly
  - f) Vehicles – [1.5] – new tires, brakes, oil change, windshield washer & fluid
  - g) Generators [5 total] – exercised weekly
  - h) Classroom Heating & Cooling
  - i) Critical Inventory
6. Wastewater Repairs Report (attached) –
  - ✓ Fixed floats at Lift 3 (Rt. 19 Y)
  - ✓ Bolt broke on Lift 5 (Sewer Plant) pump; sent for repair.
7. I&I Loss & Prevention Report – 2.5 rainfall inches. Finally reached customer in new service area whose pipe had pulled apart and allowed I&I into public system. Now fixed and inspected. Board discussed with Gee how to make a reasonably accurate calculation of our actual monthly I&I, and she agreed to develop one.
8. New Non-Project Sewer Taps – none
9. Other –

*Assignment*

- ✓ Gee to check if heating & cooling systems require/get any kind of routine maintenance.
- ✓ Gee to develop an actual calculated I&I loss report for each 30-day period.

. Announcements: none

8. Correspondence:

- a. Letter (12-17-15) from Nancy Gee to Stephen Gould, Re: I & I entering our system from his lines.
- b. Letter (12-15-15) from Meredith Vance, DHHR, Compliance & Enforcement Unit, RE: 2016 Monitoring Schedule

~ ~ OLD BUSINESS ~ ~

9. Update: Phase II Sewer Upgrade [09-1043-PSD-42T-PC-PW-CN] (Gee; Forni)

- A. New Customer Hookups – none
- B. Final Closeout – still about \$36 to be returned to lender
- C. Odor Issue – smoke testing still not done due to cold weather. Forni has a plan to pursue.
- D. Lift Station 10 pump – diagnosis: relay switch. Plan to pursue.
- E. Pay Requisition - none this month
- F. Financial Report – none this month

*Assignment*

- ✓ Forni to fix odor problem.
- ✓ Thornburg to fix lift pump problem.

10. Update: Pending Non-Project Extensions and Road Bores (Gee) none

11. Update: Board Review of PSD Policies and Job Descriptions (Flaxer) – no progress

- A. Private Fire Protection Policy
- B. Professional Incentives Policy
- C. Revise Water Job Description to be consistent with a water PURCHASE entity
- D. Other

12. Update: Personnel Matters (Gee) – nothing new

- A. Office Staff
- B. Water Staff
- C. Sewer Staff

13. Update: Lease of Sewer Ground (Gee) - no news.

14. Update: Working Capital Mandate (Gee) – our accountant Zach Dobbins advised Gee that (1) the PSC does not require that our working capital be set aside into a designated account, and (2) he believes that both our water and wastewater divisions will be fully funded by the due date. The board requested that Gee request a current opinion in writing from our other accountants, Tetrick and Bartlett, as to whether at our current rates both divisions will be in compliance by July 2016. Gee agreed to do so.

*Assignments*

- ✓ *Gee to get current opinion from Tetrick & Bartlett about working capital mandate for both water & wastewater divisions.*

~ NEW BUSINESS ~

15. Late Received Agenda Items (Gee) - none.

16. Adjournment: The meeting was adjourned by Chairman Designee Flaxer at 5:06 p.m.

  
Oscar R. Mills, Chairman

  
Elaine B. Flaxer, Secretary

Company Name:

Acct / FEIN: 770704688

Vonage Business Solutions, Inc. c/o Avalara, Inc. (FKA EZtax Services)  
8675 W. 96th Street  
Suite 220  
Overland Park, KS 66212-3382

Phone #: (913) 859-9674

Fax #: (913) 548-4210

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**E911 Tax Remittance Form - Wireline**

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Lewis County Commission

110 Center Avenue

Weston, WV 26452

Reporting Period: 01/01/16 - 01/31/16

Return Due: 03/01/16

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Number of Lines	11
Exempt Lines	0
Taxable Lines	11
Rate or Charge Per Line	1.7500
Gross Surcharge Amount	19.25
Administrative Fee Allowed	0.00
Credits	0.00
Penalty	0.00
Interest	0.00
Remittance	19.25

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Signed: *Kirsten Felgate*

Name & Title: Kirsten Felgate, Sr Tax Compliance Analyst

Date: 02/04/16

I hereby declare that all information provided herein is true, complete, and accurate to the best of my knowledge.

Company Name:

Vonage America c/o Avalara, Inc. (FKA EZtax Services)  
8675 W. 96th Street  
Suite 220  
Overland Park, KS 66212-3382

Acct / FEIN: 202758841

Phone #: (913) 859-9674

Fax #: (913) 548-4210

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**E911 Tax Remittance Form - Wireline**

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Lewis County Commission

110 Center Avenue

Weston, WV 26452

Reporting Period: 01/01/16 - 01/31/16

Return Due: 03/01/16

Number of Lines	73
Exempt Lines	0
Taxable Lines	73
Rate or Charge Per Line	1.7500
Gross Surcharge Amount	127.75
Administrative Fee Allowed	0.00
Credits	0.00
Penalty	0.00
Interest	0.00
Remittance	127.75

Signed: \_\_\_\_\_

*Rachel Gross*

Name & Title: Rachel Gross, Tax Compliance Analyst

Date: 02/08/16

I hereby declare that all information provided herein is true, complete, and accurate to the best of my knowledge.



# **NORTH CENTRAL REGIONAL EMS, INC.**

**1829 Pleasant Valley Road**

**Fairmont, WV 26554**

**Phone: 304-366-8764**

**Fax: 304-366-5091**

January 27, 2016

Lewis County Commission  
PO Box 466  
Weston, WV 26452-0466

Ladies and Gentlemen:

Attached you will find our invoice for the FY '16 Emergency Medical Services (EMS) assessment for your county. The annual assessment is utilized to fund projects in the Region VI/VII EMS System for which funding from other sources is inadequate or unavailable. Funds are administered and prioritized by the Board of Directors for **North Central Regional EMS, Inc.** Our Board is comprised of individuals from throughout our service area.

This source of funding continues to be utilized to benefit our entire thirteen county service area. Since January 1, 2015, funds have been expended for the following:

1. \$2,200 - Glenice Q. Cather Scholarship for EMS.
2. \$4,000 - Paramedic 48 hour refresher course which is required to renew their certification.
3. \$3,000 - National EMS Week activities and recognition.

Thank you for your past and continued support of EMS and for your consideration of this request. If you have any questions regarding this information, please feel free to contact me at 304-694-0915.

Sincerely,

Glen M. Satterfield, President  
North Central Regional EMS, Inc.

GMD/laletter.wpd

Attachment

*Proudly Serving EMS*  
*Barbour, Braxton, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Preston, Randolph,*  
*Taylor, Tucker and Upshur Counties*

**North Central Regional Emergency Medical Services, Inc.**  
1829 Pleasant Valley Road  
Fairmont, WV 26554-2737

**INVOICE #0286**

Invoice Date: 01/22/2016  
Salesperson: Shirley J. Morrison

(304) 366-8764

**SOLD TO:**

Lewis County Commission  
PO Box 466  
Weston, WV 26452-0466

(304) 269-8200 (Commission)

Quantity	Description	Unit Price	Amount
	<p><u>Fiscal Year 2016 EMS Assessment: 07/01/2015 - 06/30/2016</u></p> <p>Population Base: 16,372</p> <p>NOTE: Based on 2010 Census figures obtained from the United States Census Bureau.</p> <p>PLEASE MAKE CHECK PAYABLE TO: <b>NCREMS, Inc.</b></p>	<p>.05/capita</p>	<p><u>\$818.60</u></p>

P.O. Box 466  
Weston, WV 26452  
www.lceda.org



Office: 304.269.4993  
Fax: 304.269.2416  
info@lceda.org

February 17, 2016

To: County Commission President Agnes Queen  
County Commissioner Mr. Pat Boyle  
County Commissioner Mr. Tom Fealy

Re: Appointments to the Lewis County Economic Development Authority

Dear Commissioners:

The Lewis County Economic Development Authority held its Annual Meeting on January 28, 2016 at the Court House. A quorum was present. In accordance with Chapter 7, Article 12, Section 3 of the West Virginia Code, members of the Authority shall be appointed by the Lewis County Commission for terms of three years each on the Board of Directors.

The Lewis County Economic Development Authority respectfully requests the following individuals be re-appointed to three-year terms expiring on December 31, 2018. Each candidate has expressed a desire to continue service to the county and I can attest that all four candidates are considered active, engaged, experienced and qualified.

Marvin Murphy	Tracey Weber III	Richard (Dick) Ritter	Greg Stark
PO Box 610	PO Box 270	329 Roane Avenue	1428 Casey Dr.
Buckhannon, WV 26201	Weston, WV 26452	Clarksburg, WV 26301	Camden, WV 26338

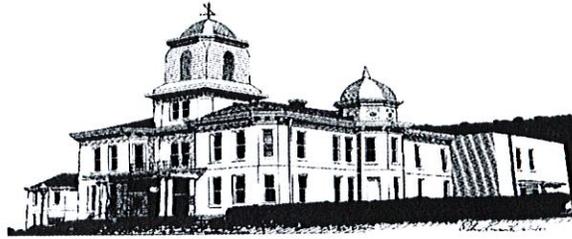
Allow me to thank you in advance for your consideration in this matter.

Sincerely,  
Michael D. Herron

A handwritten signature in blue ink, appearing to read "Michael D. Herron", is written over the typed name.

Executive Director

# Lewis County Planning Commission



PO Box 466, Weston, WV 26452 304-269-8200 fax 304-269-2416

February 22, 2016

Dear Lewis County Commission,

The members of the Lewis County Planning Commission would like to request that Leona Swisher be considered for appointment to fill one of the empty positions on the planning commission. We have contacted Mrs. Swisher and she has indicated that she is available to serve. Mrs. Swisher has a long background in both the business and agriculture fields in Lewis County and we feel that she would be an invaluable addition to the planning commission.

Respectfully Submitted,

Lewis County Commission