

COUNTY COMMISSION OF LEWIS COUNTY

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COMMISSIONERS:
AGNES G. QUEEN
President
PATRICK D. BOYLE
Commissioner
THOMAS V. FEALY
Commissioner

**LEWIS COUNTY COMMISSION
MEETING AGENDA
110 CENTER AVENUE, 2nd FLOOR
WESTON, WV 26452
August 29, 2016
10:00 AM**

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, August 25, 2016. (*action required*)

APPOINTMENTS

3. **NONE**

CORRESPONDENCE

4. **Upshur County Commission Meeting Agenda:** Upshur County Commission Meeting Agenda for August 25, 2016. (*information only*)
5. **Lewis County Park Board Meeting Minutes and Agenda:** The Lewis County Park Board July 20, 2016 meeting minutes and the Wednesday, August 24, 2016 meeting agenda. (*information only*)
6. **Jane Lew Public Service District Meeting Minutes:** Minutes of the July 14, 2016 regular meeting of the Jane Lew Public Service District. (*information only*)

BUSINESS

7. **Board(s) and Committee(s) Reports:** Commissioners will give report(s) on any board(s) or committee(s) they have attended including: Lewis County Firefighters Meeting; Water Project Update Meeting; Miniature Horse and Donkey Auction; West Virginia State Auditor's Mandatory Training; Lewis County Economic Development Authority Meeting; Lewis County Park Board Meeting; Lewis County Initiative for the 2017 Boy Scout Summit Meeting. (*information only*)
8. **Trick-or-Treat Time and Date for Lewis County:** The Lewis County Commission will consider the date and time for Trick-or-Treat in the unincorporated areas of Lewis County. The City of Weston has set Trick-or-Treat in the City for Monday, October 31, 2016 from 6pm to 7pm. (*action required*)
9. **Approval of the West Virginia State Auditor's Office Engagement Letter for the Lewis County Fiscal Year 2015 Audit:** Approval of the West Virginia State Auditor's Office Engagement Letter for the Fiscal Year 2015 Lewis County Audit. Acceptance allows the Auditor's Office to perform this audit. (*action required*)
10. **Lewis County Economic Development Authority Report:** Report of activities of the Lewis County Economic Development Authority by Director Mike Herron. (*information only*)
11. **Timesheets and Leave Requests** (*action required*)
Gary DeMoss September 1 & 2, 2016 Annual Leave

ACTIONS, ORDERS , ESTATE SETTLEMENTS AND PAYMENT OF EXPENDITURES:

12. **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, August 25, 2016. *(action required)*
13. **Presentation by County Clerk of the Orders of Prior Meeting(s) for consideration:** Draft copies will be available for review upon request Thursday, August 25, 2016. *(action required)*
14. **Approval of Estate Settlements:** County Clerk Cynthia S. Rowan presents the Estates ready for Settlement to the Lewis County Commission for approval. Draft Copies will be available for review upon request Thursday, August 25, 2016. *(action required)*
15. **Expenses for the current period presented for consideration of payment:** Draft copies will be available for review upon request Thursday, August 25, 2016 *(action required)*

ADJOURNMENT:

16. **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.*

Upshur County Commission Agenda

Location of Meeting: Upshur County Courthouse Annex
Date of Meeting: August 25, 2016

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• August 11, 2016

9:15 a.m. Discussion and selection of E911 Communications Center Supervisors and Assistant to the Director

Item may lead to Executive Session per WV Code §6-9A-4

(A) *Matters arising from the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation of a public officer or employee, or prospective public officer or employee unless the public officer or employee or prospective public officer or employee requests an open meeting; or*

9:30 a.m. Discussion regarding operational hours of the public restrooms in the Chancery Street Alley

9:45 a.m. Potential property acquisition for the relocation of the Seventeenth Family Court Circuit in an effort to accommodate the addition of a Judge to the Twenty-Sixth Judicial Circuit Court

Item may lead to Executive Session per WV Code §6-9A-4

(9) *To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision: Provided, That information relied on during the course of deliberations on matters involving commercial competition are exempt from disclosure under the open meetings requirements of this article only until the commercial competition has been finalized and completed: Provided, however, That information not subject to release pursuant to the West Virginia freedom of information act does not become subject to disclosure as a result of executive session;*

10:15 a.m. Jeff Smell, Owner of Country Roads Leasing, LLC and representatives of the Mt. Hope Water Association – Discussion regarding financing a truck for the Mt. Hope Water Association using tax-exempt funds through a Master Lease and Sublease Purchase Agreement

1:00 p.m. Supervisor Meeting

2:00 p.m. Policy Board Meeting

3:00 p.m. Review and Discuss “Procedures to Dispatch Wrecker Services” most recently amended on June 18, 2015

Items for Discussion / Action / Approval:

1. Approval of E911 Assistant to the Director Job Description.
2. Correspondence from Software Systems, Inc. regarding changes in maintenance contract amounts. Review and approval of 2016-2017 levels of maintenance. This maintenance includes program updates, telephone support and time spent performing data conversions and other on-site tasks depending upon which level is requested for each system.
3. Review and approval of everbridge renewal quote – 2 options (1) the recurring amount of \$2,935.50 per year for a contract period of 3 years or (2) the amount of \$3,000 for a one year renewal. This service is for the limited capacity free public notification system referred to as nixle 360. Upon approval, the contract start date would be November 23, 2016.
4. Correspondence from David H. Coffman, Sheriff of Upshur County, requesting a certified Order in regards to the Estate of Madeline Thomas to release funds from oil and gas royalties being held by Mountain V Oil & Gas, Inc. in order to satisfy claims against the Estate. Upon approval, Daya Masada Wright will prepare the Order.
5. Approval and signature of Order and Notice of Election for an Additional County Commission Levy for payment of costs to operate the Buckhannon Upshur Parks and & Recreation Complex, consisting of payroll and related expenses of pool staff, materials and equipment for maintenance and upkeep of facilities, supplies and utilities (November 8, 2016).
6. Approval and signature of the Grant Offer for Airport Improvement Program Project No. 3-54-0039-030-2016 at the Upshur County Regional Airport in Buckhannon, WV. The project consists of removing obstructions (acquire land, 1 parcel, 3.67 acres) and remove obstructions (tree removal). The Federal Aviation Administration, for and on behalf of the United states, offers and agrees to pay 90% of the allowable costs with the maximum obligation amount payable being \$85,463.
7. Correspondence from J. Edward McDaniels, Pastor of Christian Fellowship Church, requesting the use of the Courthouse Plaza on Sunday, September 11, 2016 from 3:00 p.m. to 5:00 p.m. for a special service to honor veterans, the police force, fire departments and all other community service personnel.
8. Correspondence from Joe Malcolm requesting reappointment to the Upshur County Fire Board. Upon approval, his term would be for an additional three years to expire on June 30, 2019.
9. Correspondence from Lacy Harbert, E911 telecommunicator, announcing her resignation effective September 3, 2016.
Item may lead to Executive Session per WV Code §6-9A-4
 - (A) *Matters arising from the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation of a public officer or employee, or prospective public officer or employee unless the public officer or employee or prospective public officer or employee requests an open meeting; or*
10. Approval of advertisement for full-time E911 telecommunicator (dispatch) positions. Starting rate of pay is \$11.00 per hour. Applications will be received until the positions are filled.
11. Approval of Lewis-Upshur Animal Control Facility Volunteer, Ashley Shain.

12. 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 Doug Blackwell, President of Deepwell Energy Services, LLC, providing notice of a workforce reduction affecting 177 traffic control flagger's working out of the Buckhannon facility.
2. The Rotary Club of Buckhannon Fall Blood Screening Flyer – October 8th and 15th – 6:30 a.m. until 10:00 a.m.
3. USDA Rural Energy for America Program Grant Info Session Flyer
4. Buckhannon-Upshur Chamber of Commerce Newsletter – August 15, 2016
5. Federal Energy Regulatory Commission – Office of Energy Projects – Project Update for the Atlantic Coast Pipeline and Supply Header Project Docket Nos. CP15-554-000, CP15-555-000, CP15-554-001 – August 2016
6. Lewis-Upshur Animal Control Facility – Adoption Financial Transactions – July 2016
7. Upshur County Mileage Reports – July 2016
 - Upshur 911
 - Maintenance
 - Emergency Management
 - Sheriff
 - Addressing and Mapping
 - Community Corrections
 - Dog Pound
8. Upshur County E911 Communication Reports ---July 2016
 - Monthly Call Summary Report
 - Monthly Department Summary Report
 - Monthly and YTD Wrecker Report
9. Agendas and/or Notice of Meetings:
 - City Council of Buckhannon August 18, 2016
 - WesMonTy RD&D Board of Directors August 23, 2016
10. Meeting Minutes:
 - Upshur County Fire Board May 17, 2016
 - Adrian Public Service District June 9, 2016
 - Adrian Public Service District June 16, 2016
 - Upshur County Fire Board June 21, 2016

- Upshur County Fire Board June 28, 2016
- Adrian Public Service District July 7, 2016
- Upshur County Safe Structures and Sites Enforcement Board July 14, 2016
- Adrian Public Service District July 14, 2016
- Upshur County Fire Board July 19, 2016

11. Meetings:

- 09/06/16 5:30 p.m. Elkins Road PSD
- 09/06/16 6:00 p.m. Hodgesville PSD
- 09/01/16 7:00 p.m. Banks District VFD
- 09/01/16 7:00 p.m. Selbyville VFD
- 09/12/16 12:00 p.m. Upshur County Family Resource Network
- 09/12/16 4:30 p.m. Upshur County Solid Waste Authority
- 09/12/16 6:00 p.m. Buckhannon-Upshur Recreational Park Advisory Board
- 09/12/16 6:00 p.m. Lewis-Upshur Community Corrections Board-Lewis County
- 09/13/16 6:00 p.m. Buckhannon River Watershed Association
- 09/12/16 7:30 p.m. Adrian VFD
- 09/19/16 6:00 p.m. Buckhannon-Upshur Board of Health
- 09/21/16 12:00 p.m. Upshur County Development Authority
- 09/07/16 7:00 a.m. Upshur County Development Authority – Executive Board
- 09/14/16 12:00 p.m. Upshur County Senior Center Board
- 09/28/16 1:30 p.m. Upshur County Conventions & Visitors Bureau – UCDA Office
- 09/14/16 6:00 p.m. Upshur County Citizens Corp - CERT
- 09/28/16 7:30 p.m. Warren District VFD
- 09/08/16 1:00 p.m. Adrian PSD
- 09/08/16 3:00 p.m. Tennerton PSD
- 09/08/16 4:00 p.m. Upshur County Safe Sites & Structures Ordinance Board
- 09/08/16 7:30 p.m. Buckhannon VFD
- 09/08/16 4:00 p.m. Buckhannon Upshur Airport Authority–UCDA Office
- 09/15/16 6:30 p.m. Upshur County Youth Camp Board
- 09/18/16 6:00 p.m. Washington District VFD
- 09/19/16 12:00 p.m. Buckhannon-Upshur Chamber of Commerce
- 09/27/16 4:00 p.m. Upshur County Public Library Board
- 09/20/16 10:00 a.m. Wes-Mon-Ty Resource Conservation & Development
- 09/20/16 6:30 p.m. Upshur County Fire Board
- 09/20/16 5:00 p.m. UC Enhanced Emergency Telephone Advisory Board
- 09/21/16 7:00 p.m. Ellamore VFD
- 09/21/16 12:00 p.m. Lewis Upshur LEPC --- Lewis location
- 09/28/16 10:00 a.m. James W. Curry Advisory Board
- 09/23/16 4:00 p.m. Upshur County Farmland Protection Board
- TBA 6:00 p.m. Upshur County Fire Fighters Association

12. Appointments Needed or Upcoming:

- Upshur County Fire Board (Vacant Position – 6-30-19) --- Fire Association Representative
- Upshur County Fire Board (6-30-16 – Joe Malcolm) – Fire Association Representative
- Buckhannon-Upshur Parks & Recreation Advisory Board (Vacant Position – 6-30-18)- Commission
- Hodgesville Public Service District (8-5-16 – Donnie Kincaid)

Tabled Items

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

1. Correspondence from Robin Keogh requesting a revision of the Lewis-Upshur Animal Control Facility Volunteer Program. Ms. Keogh requests (1) the volunteer age limit be changed from 18 years of age to 16 years of age with the stipulation that the volunteer be supervised by an adult volunteer, (2) the volunteer application be modified to address younger applicants and (3) hours for volunteering be expanded on Saturday to 9:00 a.m. to 12:00 p.m. and offer Sunday hours.

Next Regular Meeting of the Upshur County Commission
September 1, 2016 --- 9:00 a.m.
Upshur County Courthouse Annex

LEWIS COUNTY PARKS AND RECREATION AGENDA

Wednesday August 24, 2016 at 6:pm at the Park

- 1) Call to Order**
- 2) Reading of the Minutes**
- 3) Treasurer's Report**
- 4) Public Comment**
- 5) Director's Report**
- 6) Old and Unfinished Business**
- 7) New Business**
- 8) Adjourn**

If you are unable to attend, please contact Gene Edwards, at 304-269-4836

LEWIS COUNTY PARK BOARD OF DIRECTORS

Minutes of the Meeting of July 20, 2016

Present: Gene Edwards, President, Barbara Paugh, Vice President, Betty Hill. Treasurer, Shirley Taylor, Secretary, Alyce Henry, Agnes Queen, Josie Britton, Richard Messenger, Andrea Clem, John Shaffer, Park Director, and Tom Alkire,

The Meeting was called to order by Gene Edwards.

The minutes were approved as read. Two corrections were made. Tom Alkire pointed out that the mulch was not replaced on the playground, but was replaced in the Pool area. Richard Messenger pointed out that the cost of the pipe for drainage was estimated to be \$120.00/ 20'. A motion to accept the minutes was made by Richard Messenger and seconded by Alyce Henry--motion passed.

The Treasurer's Report was given by Betty Hill. A motion to accept the report was made by Richard Messenger, seconded by Alyce Henry--motion passed. Also, the audit report was presented by Betty Hill. Richard Messenger met with Dr. Mace about the Tennis Courts, Dr. Mace said "not to open the Courts". Dr. Mace stated that "he would assist us on the projects with the Tennis courts". John Shaffer is waiting for a call back for those who may fill in the cracks in the Tennis Court. John Shaffer will contact John Cooper, Harrison County Parks Director about who to contact to resurface the Courts. Wesleyan is getting new Tennis Courts. Richard Messenger will contact Randy Tenney, Athletic Director at West Virginia Wesleyan.

John Shaffer is preparing for two swim lesson sessions. He reported that the Pool is doing well even with the excessive rain. He reported we are not making money with the Pool Parties. After discussion on raising the prices, it was tabled until further information was available.

Tom Alkire reported that work on the new fence had begun.

The meeting was adjourned by Gene Edwards. The next Meeting will be

WEDNESDAY, AUGUST 24, 2016 AT THE PARK AT 6:pm

Respectfully submitted by Shirley Taylor, Secretary

Minutes of Jane Lew Public Service District

Regular Meeting July 14, 2016

Present: Oscar R. Mills (Chairman); Elaine B. Flaxer (Secretary); Thomas E. Bailey; Nancy E. Gee (General Manager);
Guests: Bertis McCarty, RWA; Doug Forni, P.E. (Thrasher Engineer).
Absent: Dan Ferrell on vacation until 07-18-16.

1. **Call to Order:** Chairman Mills called the meeting to order at 4:00 p.m. at the Jane Lew PSD Office, 70 Park Avenue, Jane Lew WV, and then turned the meeting over to Elaine Flaxer to preside.

2. **Minutes:**

MOTION: (Bailey/Mills) to approve attached Minutes of 06/09/16 regular meeting. [Carried Unanimously]

3. **General Manager's June Reports (Gee)**

A. **WATER:**

1. **Water Bills** (Attached)

MOTION: (Bailey/Mills) to ratify payment of attached listed water invoices for June 2016. [Carried Unanimously]

2. **Water Treasury Report** (Attached)

MOTION: (Flaxer/Bailey) to approve attached Water Treasury Report for June 2016. [Carried Unanimously]

3. **Water Adjustments Report** (Attached)

MOTION: (Bailey/Mills) to approve attached Water Adjustments Report for June 2016. [Carried Unanimously]

4. **Water Purchase, Sales & Loss Report** (Attached) – 06% *unaccounted loss, actual*

MOTION: (Flaxer/Mills) to approve attached Water Purchase, Sales & Loss Report for June 2016. [Carried Unanimously]

5. **Water Preventive Maintenance Report**

- a) **Lines** -
- b) **Fire hydrants** [57] – finished flushing hydrants. All 57 now flushed.
- c) **Flushing Hydrants** [25] – all 25 flushing hydrants now flushed.
- d) **Valves** [148]
- e) **Meters** [659] – changed out 43 replacement touch-read meters given to us by manufacturer.
- f) **Booster Stations** [3] – checked weekly
- g) **Tanks** [2] –
- h) **Office Heating Cooling Systems**
- i) **Vehicles**-[1.5]
- j) **Generators** [2 portable] – exercised weekly
- k) **Critical Inventory** – good

6. **Water Repairs Report** – none

7. **Water Leak Detection Program** – visually checked for leaks while reading meters

8. **Cross Connections/Backflow Prevention Program**– ongoing

9. **New Non-Project Water Taps** – none

10. **Other** –

Assignments

- ✓ Continue to install new replacement touch-read meters until finished.

B. WASTEWATER:

1. Wastewater Bills (Attached)

MOTION: (Bailey/Mills) to ratify payment of listed sewer invoices for June 2016. [Carried Unanimously]

2. Wastewater Treasury Report (Attached)

MOTION: (Bailey/Mills) to approve sewer Treasury Report for June 2016. [Carried Unanimously]

3. Wastewater Adjustments Report (Attached)

MOTION: (Bailey/Mills) to approve sewer Adjustments Report for June 2016. [Carried Unanimously]

4. Wastewater Volume & Treatment Cost Report (Attached)

MOTION: (Flaxer/Bailey) to approve sewer Volume & Treatment Cost Report for June 2016. [Carried Unanimously]

5. Wastewater Preventive Maintenance Report (attached)

- a) Lines–
- b) Manholes [594] –
- c) Grinder Pumps [46]
- d) Lift Stations [16 total] –
- e) Bar Screen [1] – cleaned weekly
- f) Vehicles – [1.5] – truck tires aligned
- g) Generators [5 total] – exercised weekly
- h) Classroom Heating & Cooling –
- i) Critical Inventory - good

6. Wastewater Repairs Report –

- ✓ Replaced pump at Janet McIntyre residence, Sycamore Lick
- ✓ Rebuilt broken 1 E1 grinder pump currently in inventory
- ✓ Flushed line at Mike Ford residence, 144 Virginia St.. Mike came to us and voiced concern that old Orangeburg pipe line installed 35 years ago will fail, and asked that it be replaced. It requires continuous flushing, and at least once while being flushed it back-flowed into his bathroom. Gee has put on schedule for replacement.

7. I&I Loss & Prevention Report – 3.7" rainfall; 1,395,108 gals I&I to Weston (actual)

8. New Non-Project Sewer Taps – 1 new tap at Weber residence, Rt. 19.

9. Other – Stan Wolfe (DEP) conducted late June Compliance Evaluation Inspection of our records and facilities. Everything looked good except rain gauge needs to be recalibrated, and sewer meter at tie-in to Weston needs to be tested. Report pending.

4. Announcements:

5. Correspondence:

- a. Letter 09-09-16 from Nancy Gee to Evelyn McMillion re: past due sewer bill.

~ ~ OLD BUSINESS ~ ~

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

- A. **New Customer Hookups** – none
- B. **Lift Pump Issues** –
 - Lift 10 – interface module came from C.I. Thornburgh, has been installed, has given proof that new variable frequency drive (VFD) installed last month is working. Second new VFD for Lift 10 currently on order;
 - Lift 6 – new, properly sized VFDs pending;
 - Lift 5 – no progress on finding cause of impeller bolts continuously shearing off.
- C. **Odor Issue** – Tri-State currently working on flood cleanup in Clendenin. Plan is for them to start 7-25-16 on reseating unstable pipe in new sewer extension. Bob Brooks, Thrasher Project Inspector, to be here as well. Boone Brown to supervise on behalf of JLPSD. Entire cost to be borne by ThrasherEng and Tri-State. (See attached report from ThrasherEng.)
- D. **Final Cleanup** – Veltri property fixed by PSD and owners satisfied. McCormick property to be inspected by Gee and Boone Brown and attempt to be made to reach agreement with owner.
- E. **Final Closeout** – today's meeting; see Requisition #25 below:

MOTION: (Bailey/Flaxer) to authorize Oscar R. Mills as Chairman to sign indicating Board approval of attached Sewer Requisition #25 dated 07-14-16 in the total amount of \$4,737.00 for Tepeco-Trombold Equipment for one E1 grinder pump.
[Carried Unanimously]

Assignment

- ✓ Thrasher to fix odor problem.
- ✓ Gee to follow up with C.I. Thornburgh on Lift #5 issue.
- ✓ Gee to follow up with purchase and installation of grinder pump in Stephanie Kirkpatrick basement.

7. Update: **Pending Non-Project Extensions and Road Bores (Gee)** – none.

8. Update: **Board Review of PSD Policies and Job Descriptions (Flaxer)** – nothing

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

9. Update: **Personnel Matters (Gee)** – nothing new

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

10. Update: **Lease of Sewer Ground (Gee)** - no progress.

11. Update: **WVDOH Water & Sewer Line Relocation (Gee)** – still no news.

Assignment

~ NEW BUSINESS ~

12. NEW: 2016/17 Water and Wastewater Budgets (Gee)

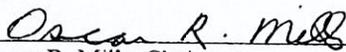
MOTION: (Bailey/Flaxer) to amend the Water and Wastewater Budgets to eliminate the purchase of a new side-by-side ATV.
[Carried Unanimously]

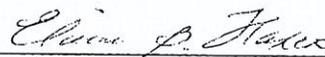
13. NEW: Expiration of Tom Bailey's Term of Office (Gee)

MOTION: (Flaxer/Mills) to authorize Nancy E. Gee as General Manager to send letter to Lewis County Commission requesting that Thomas E. Bailey be appointed for another 6-year term on the JLPSD Board retroactive to 07-01-16.
[Carried Unanimously]

14. Late Received Agenda Items – Matt Shearer from Jane Lew Lions Club requested permission to place a broom display in office for PSD to collect money for them. Board advised that since Vickie Perrine would have to take on the work the decision should be hers.

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


Oscar R. Mills, Chairman


Elaine B. Flaxer, Secretary

Attachments:

- June '16 Bills Paid (Water/Wastewater)
- June '16 Treasury Reports (Water/Wastewater)
- June '16 Adjustments Reports (Water/Wastewater)
- June '16 Purchase & Sales / Volume & Cost Reports (Water/Wastewater)
- All Correspondence listed on Page 2
- ThrasherEng plan to fix odor problem
- Executed copy of Sewer Pay Requisition #25

E-Copies of Unapproved Minutes Sent to:

- James V. Kelsh, Attorney
- Dan Ferrell, Phase II Sewer Project Engineer, Thrasher Engineering
- Doug Forni, Thrasher Engineering
- Shane Whitehair, Region VII
- PSD Office
- Board Members



State of West Virginia

Lisa A. Hopkins

State Auditor

**Office of the State Auditor
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State Capitol, Building 1, Suite W-100
Charleston, West Virginia 25305**

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August 11, 2016

Ms. Agnes Queen, President
Lewis County Commission
110 Center Avenue
Weston, WV 26452

We are pleased to confirm our understanding of the services we are to provide the Lewis County Commission for the fiscal year ended June 30, 2015. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the Lewis County Commission's basic financial statements as of and for the year ended June 30, 2015. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Lewis County Commission's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Lewis County Commission's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's discussion and analysis (if applicable).
2. GASB required supplementary pension information (if applicable).
3. Schedule of funding progress – OPEB (if applicable).

We have also been engaged to report on supplementary information other than RSI that accompanies Lewis County Commission's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor's report on the financial statements:

1. Rate covenant compliance (if applicable).
2. Combining statements and supplementary schedules (if applicable).

Auditor Responsibilities

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of the Lewis County Commission and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of Lewis County Commission's financial statements. Our report will be addressed to the governing board of the Lewis County Commission. We will make reference to Balestra Harr & Scherer CPA's audit of the Lewis County Fire Board and the Lewis County Park & Recreation Commission, Tetrick & Bartlett, PLLC's audit of the Lewis County Emergency Ambulance Authority, and a yet to be determined CPA's audit of the Lewis County Economic Development Authority in our report on your financial statements. Our audit will also include performing procedures, or requesting other auditors to perform procedures, on the financial information of the Lewis County Board of Health and Lewis County Building Commission to enable us to express such an opinion. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will include a paragraph that states: (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that Lewis County Commission is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Audit Procedures – General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from: (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance

may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures – Internal Control

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures – Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Lewis County Commission's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Other Services

If necessary, we may also assist in preparing the financial statements and related notes of the Lewis County Commission in conformity with U.S. generally accepted accounting principles based on information provided by you. If performed, these non-audit services would not constitute an audit under *Government Auditing Standards* and such services would not be conducted in accordance with *Government Auditing Standards*. We would perform the services in accordance with applicable professional standards. The other services would be limited to the financial statements previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for establishing and maintaining effective internal controls, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management is reliable and financial information is reliable and properly reported.

Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with U.S. generally accepted accounting principles, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving: (a) management, (b) employees who have significant roles in internal control and, (c) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts or grant agreements, or abuse that we report.

You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that: (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements and related notes and any other non-audit services we may provide. If non-audit services are provided, you will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee any non-audit services that may be provided by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Audit Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

We will provide copies of our reports to the Lewis County Commission. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of the West Virginia State Auditor's Office and constitutes confidential information. However, subject to applicable laws or regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a federal oversight agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Governmental Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of the West Virginia State Auditor's Office personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies. *Government Auditing Standards* require we provide our most recent external peer review report and any subsequent peer review reports to the party contracting for the audit. A copy of our most recent external peer review report is available at our website (<http://www.wvsao.gov/ChiefInspector/AdvisoryMemos.aspx>) or can be obtained by contacting our office.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Our auditors, Cara Maxson and Tyler Goodykoontz, has been assigned to conduct your audit and expect to begin the engagement on approximately August 10, 2016. To enable the auditors to work more efficiently, we would appreciate it if you would provide them with suitable office space that is quiet and has access to a telephone. Our fee for these services will be \$24,580 for the audit. Our invoices for these fees will be rendered periodically as work progresses and are payable on presentation. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new contract price before we incur the additional costs.

We appreciate the opportunity to be of service to the Lewis County Commission and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and provide it to the auditor. If the auditor is not available, please return it to us to the attention of Cathy Pierce.

Very truly yours,



Charlie McKinney
Assistant Chief Inspector
Chief Inspector Division
West Virginia State Auditor's Office

RESPONSE:

This letter correctly sets forth the understanding of the Lewis County Commission.

By: _____

Title: _____

Date: _____

No.102

Lewis County Commission
Commission Employee Vacation/Sick Leave Request Form

I, Garry Demon, hereby request the following day(s) off:

List day and date (Ex: Monday, May 2, 2005) for each day off. Please indicate if leave involves any Courthouse holidays.

Thursday September 1, 2016
Friday September 2, 2016

Time off is to be taken from (circle one): Annual Leave Sick Leave Comp Time

Garry Demon 8-19-16
Employee Signature Date

Tracy E. Stewart 8-19-16
Supervisor Signature Date

Commission Approval 08/29/2016
Date