

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
Tuesday, September 6, 2016
10:00 AM**

**The Lewis County Courthouse is Closed Monday, September 5, 2016
In Observance of Labor Day**

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 on Thursday, September 1, 2016.
(*action required*)

APPOINTMENTS

- 3. NONE**

CORRESPONDENCE

- 4. Upshur County Commission Meeting Agenda:** Upshur County Commission Meeting Agenda for Thursday, September 1, 2016. (*information only*)
- 5. Lewis-Upshur Emergency Planning Committee Meeting Minutes:** Minutes for the Lewis-Upshur Local Emergency Planning Committee Meeting of August 17, 2016. (*information only*)

BUSINESS

- 6. Board(s) and Committee(s) Meetings:** Commissioners will give a report on any board(s) or committee(s) they have attended including: Lewis County Initiative for the 2017 Boy Scout Summit; Lewis County Housing Summit Planning Session; Fire Department FEMA Reimbursements. (*information only*)
- 7. Lewis County Breast Cancer Awareness Day:** The Annual Breast Cancer Awareness Day Luncheon will be held at the Broad Street United Methodist Church Hall at Noon on Thursday, October 20, 2016. Confirmation of attendance is due by October 17, 2016. (*action required*)
- 8. Request for Revision of the Lewis-Upshur Animal Control Facility Volunteer Policy:** A request was received to modify the Lewis-Upshur Animal Control Facility Volunteer Policy to allow the volunteer age limit to be changed from 18 years of age to 16 years of age. Additionally to modify the hours for public to include 1 AM to Noon on Sunday. The Upshur County Commission has tabled this request until Lewis County can review. The revised policy was sent to the Lewis County Prosecuting Attorney and the county insurance carrier for review. Neither have an objection to the volunteer age reduction, as long as the indemnity form is signed by the parent/guardian prior to any work. The Upshur County Commission employs the staff at the facility. Operating hours should be the consideration of Upshur County due the potential increase in employment costs. (*action required*)
- 9. Lewis County Economic Development Authority Report:** Report of activities of the Lewis County Economic Development Authority by Director Mike Herron. (*information only*)
- 10. Timesheets and Leave Requests** (*action required*)
 - a. Barbara Winans Annual Leave Friday, September 20, 2016

ACTIONS, ORDERS , ESTATE SETTLEMENTS AND PAYMENT OF EXPENDITURES:

11. **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, September 1, 2016. *(action required)*
12. **Presentation by County Clerk of the Orders of Prior Meeting(s) for consideration:** Draft copies will be available for review upon request Thursday, September 1, 2016. *(action required)*
13. **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, September 1, 2016. *(action required)*
14. **Expenses for the current period presented for consideration of payment:** Draft copies will be available for review upon request Thursday, September 1, 2016 *(action required)*

ADJOURNMENT:

15. **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: September 1, 2016

- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
- August 25, 2016
 - August 30, 2016 – Special Meeting
- 9:15 a.m. Bid Opening and Review---Contractor Services for the repair/replacement of a portion of the Upshur County Courthouse pressed metal shingle roof that will be funded by the grant award made by the WV Courthouse Facilities Improvement Authority
- 9:30 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;

Items for Discussion / Action / Approval:

1. Establish date and time for Trick or Treat – City of Buckhannon will be Monday, October 31st from 6:00 p.m. to 7:30 p.m. The Moose will hold a Trick or Treat Community Event at Jawbone Park following Trick or Treat.
2. Review and approval of revised James W. Curry Wilderness Area Hunting Permit.
3. Correspondence from Rick Harlow, Upshur County Firefighters Association President, recommending the appointment of Buckhannon Firefighter Linn Baxa to serve on the Upshur County Fire Board. Upon approval, his term will be effective June 30, 2016 and will be set to expire on June 30, 2019.
4. Correspondence from James T. Farrell, Office of Emergency Management Director, requesting the Upshur County Commission to invoice Greenbrier County for the use of two shelter and comfort trailers during the June 2016 floods. The total amount of reimbursement would be for \$476.00 and Greenbrier County can add these costs to their Public Assistance Request.
5. 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 Carrie L. Wallace, on behalf of the Buckhannon Upshur Airport Authority, providing an update regarding the generator sold by the Upshur County Commission to the Airport Authority.
2. Correspondence from Robert L. Pennington, P.E., Deputy State Highway Engineer – Programming and Planning, enclosing the Statewide Transportation Improvement Plan (STIP) listing of proposed amendments to the approved 2016-2021 STIP.
3. Micrologic Equipment Protection Plans Pricing Increase effective September 1, 2016
4. Human Resource Development Foundation, Inc.-- National Dislocated Worker Grant Award Press Release and Flyer
5. Buckhannon-Upshur High School Cheer Fundraiser Flyer
6. Atlantic Coast Pipeline Project Update – August 2016
7. Agendas and/or Notice of Meetings:
 - James W. Curry Library/Park August 24, 2016
 - City Council of Buckhannon September 1, 2016
 - Upshur County Solid Waste Authority September 12, 2016
8. Meeting Minutes:
 - Upshur County Youth Camp Board April 7, 2016
 - Upshur County Youth Camp Board May 5, 2016
 - Upshur County Youth Camp Board July 21, 2016
 - James W. Curry Library and Park Advisory Board July 27, 2016
9. 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 7:00 a.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
- 09/20/16 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
- 09/22/16 4:00 p.m. Upshur County Farmland Protection Board
- TBA 6:00 p.m. Upshur County Fire Fighters Association

10. Appointments Needed or Upcoming:

- Upshur County Fire Board (Vacant Position – 6-30-19) --- 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 8, 2016 --- 9:00 a.m.
 Upshur County Courthouse Annex

Lewis-Upshur LEPC Meeting Minutes

8/17/16

The Meeting was called to order by J. Gum at 12:05 in Upshur County.

The Pledge of Allegiance and Moment of Silence was led by James Gum.

Members Present: D. Burnside, K. Campbell, A. Coberly, S. Dunbrack, J. Ferrell, A. Hayes, P. Hinterer, A. Keating, S. Linger, C. Peoples, J. Reed, B. Shreves, L. Slaughter, E. Smith, J. Spray, J. Taylor, S. Whited, D. Whittaker

Motion was made by S. Linger and seconded by C. Peoples to approve the minutes from the previous meeting. Motion was approved.

Motion was made by B. Rowan and seconded by D. Burnside to approve the financial report as presented. Motion was approved.

Chairman's Comments:

None

Grant Updates:

Chairman Gum reported that the 2015 CERT Grant balance is being worked out with the contractor regarding providing additional copies as stated in the grant.

The HMEP Grant is being finalized and will be submitted before the extended deadline of August 30, 2016. It was reported that the grant application will focus on updating and rewriting a HazMat plan for both counties and will be requesting \$6000. B. Shreves inquired if it would be better to sign a contract with an actual HazMat agency. C. Peoples advised that their company provides this service with several organizations in Texas and is currently talking with Buckhannon Fire Department. D. Burnside commented that there should be more than one company that provides the service.

Committee Reports:

- **Membership:**
In C. Hulls absence, J. Ferrell has agreed to head up the membership committee.

- ByLaws:
No request
- Public Education/Information:
K. Campbell advised that people in the Stonewall Pipeline areas need to be informed that they are in the evacuation zone. We need to start working on some sort of evacuation plan. Discussed including a GIS layer for Lewis and Upshur Counties. He advised that the DEP have not yet put sacrificial annodes on the Stonewall lines. A. Keating reported that she talked with Mary Friend regarding placement of the annodes due to reclamation not being complete. M. Friend replied that it was not the responsibility of the PSC. B. Rowan stated that he feels we are not in the position to do anything in regards to the pipeline. Discussion ensued.

J. Ferrell reported that J. Reed held a public meeting regarding Volunteerism. A slide show was presented regarding funding through FEMA. The mission areas and core capabilities were highlighted. J. Ferrell noted that someone needs to be representing long-term recovery on the LEPC. He commented that we can't keep depending on ad hoc warming/cooling stations....we need a shelter.

A. Coberly reported that Congress is going to be looking at ESF functions and the funding they receive. He noted that the federal government is looking to cut \$20 million which will greatly affect the local areas. Conversation and questions regarding "shelters" developed between several members. J. Reed suggested that we start talking about preparedness for emergencies that we can help with and grow from there.

- Annual Exercise Planning Team (HSEEP):
Nothing to report at this time, waiting to hear from J. Harvey. No date has been set for the exercise.
- Hazard Assessment & Planning:
No report

Tier II Reports:

J. Ferrell commented that the new Tier II will be discussed at the SERC meeting. The state claims that they are going to take over.

Off Site Emergency Response Plans:

No report

Old Business:

No report

New Business:

J. Reed reported that the Health Department is willing to go to locations to give flu shots. Contact him for information.

J. Gum stated that he has received correspondence from the Upshur County Commission requesting meeting dates/locations for their website. That information will be forwarded.

J. Gum and L. Slaughter have reviewed the LC-UC LEPC site and will begin editing. Any suggestions should be forwarded to him. J. Ferrell stated that the LEPC also has a Twitter account and it is under J. Ferry's email.

Membership Comments:

D. Burnside thanked everyone for their thoughts on M. Knotts. He reported that he is not in good shape at all and has a long road ahead.

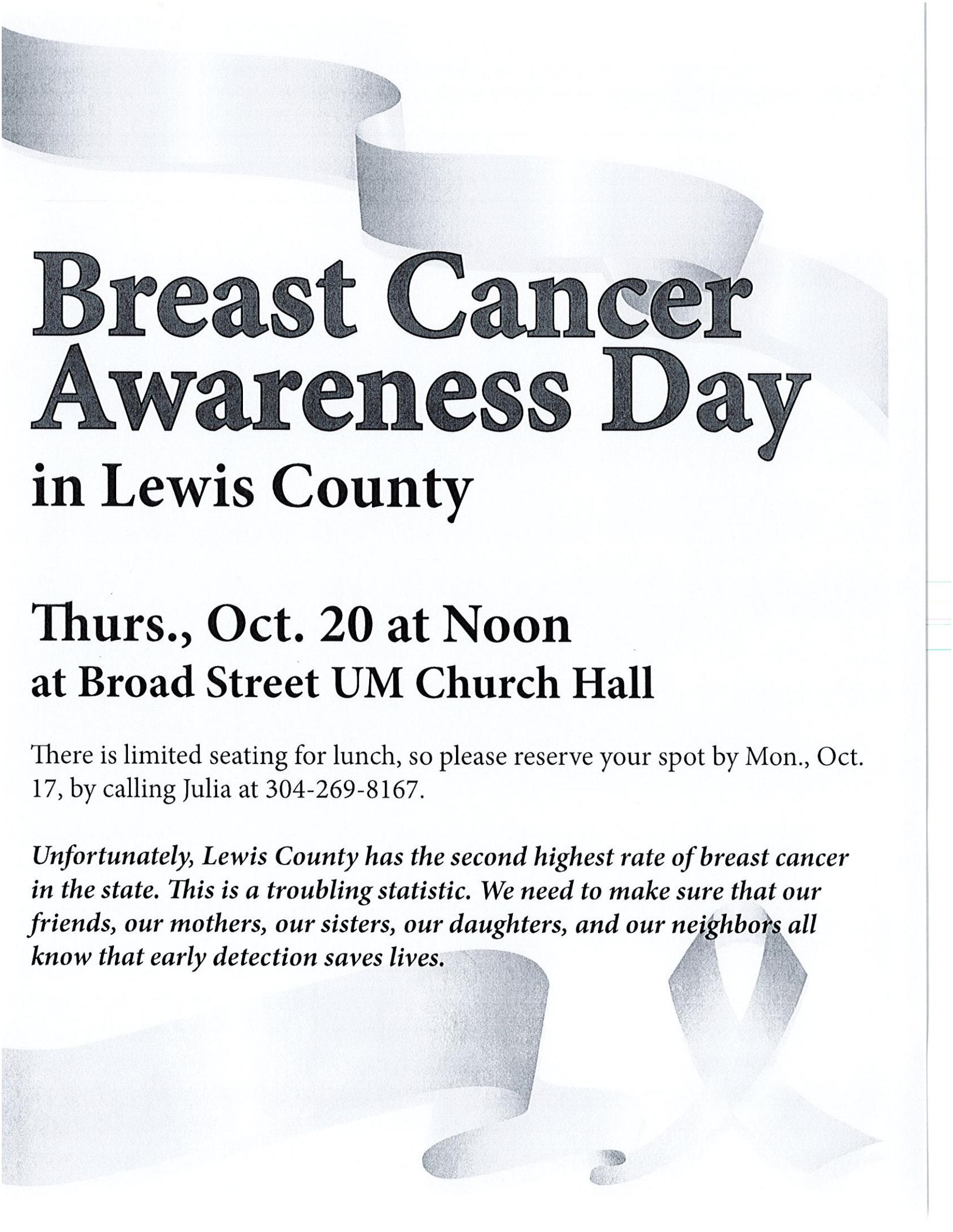
A. Coberly stated that he hopes to start using local papers for preparedness issues publicized at least once a month.

J. Reed spoke about "Healthy Body, Healthy Spirits" will be having an event in October. These are opportunities to see how people around the state have made volunteerism work.

Public Comment:

None

Motion to adjourn was made by E. Smith and seconded by J. Ferrell. The meeting was adjourned. The next meeting will be held Wednesday, September 21, 2016 at 12:00 in Lewis County.



Breast Cancer Awareness Day

in Lewis County

**Thurs., Oct. 20 at Noon
at Broad Street UM Church Hall**

There is limited seating for lunch, so please reserve your spot by Mon., Oct. 17, by calling Julia at 304-269-8167.

Unfortunately, Lewis County has the second highest rate of breast cancer in the state. This is a troubling statistic. We need to make sure that our friends, our mothers, our sisters, our daughters, and our neighbors all know that early detection saves lives.

Subject: Fwd: RE: Fwd: Fw: LUAC Facility Volunteer Program

From: C L Wallace (clwallace@upshurcounty.org)

To: cindywhetsell@yahoo.com;

Cc: jlcochran@upshurcounty.org; tperry@upshurcounty.org;

Date: Monday, August 8, 2016 10:19 AM

Cindy,

As you may have seen, the Upshur County Commission had the following on their agenda last week:

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.

They tabled the item until the request can be discussed with Lewis County Commission, WVCORP and Jan. Could you please add the discussion to your next agenda and let me know the result? I think Upshur would be in favor of the minor volunteers with the requirement that they must be at least a Junior in High School and would only volunteer when Ms. Keough or Ms. Rebecca were available to supervise. Of course, there must also be an understanding that Ms. Keough and Ms. Rebecca report back to LUACF Staff and have no authority over the Staff nor other volunteers.

I have attached the correspondence, revised hold harmless agreements drafted by WVCORP and feedback from Jan.

Thanks,

Carrie Wallace

County Administrator
Upshur County Commission
38 W Main Street, Room 302
Buckhannon, WV 26201
clwallace@upshurcounty.org
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F: 304 / 472.2399

Lewis County Commission
Commission Employee Vacation/Sick Leave Request Form

I, Barbara Winans, 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.

~~Monday, Sept 12, 2016~~
Friday, Sept 20, 2016

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

Barbara K. Winans 8/26/16
Employee Signature Date

Judy E. Stov 8/26/16
Supervisor Signature Date

09/06/2016
Commission Approval Date