

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
Weston, WV 26452
Phone: (304)269-8200
Fax: (304)269-2416

lewiscountycommission@lewiscountywv.org
Website: lewiscountywv.org



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 Monday, October 24, 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
on Thursday, October 20, 2016 (*action required*)

APPOINTMENTS

- 3. 10:10 AM Lewis County Commission and Office of Emergency Management/
E-911 Director William Rowan**
RE: A Certificate of Appreciation will be presented to Rick Stout for 25
years of service as Assistant Director of Emergency Management and
Advisory Board Member. (*action required*)

CORRESPONDENCE

- 4. Upshur County Commission Meeting Agenda:** Upshur County Commission Meeting
Agenda for October 20, 2016 (*information only*)
- 5. Lewis County 25% Coal Severance Tax Distribution:** Distribution of Coal Severance
Tax for July 1, 2016 to September 30, 2016 for Lewis County was received in the
amount of \$5,947.64. This is a decrease from the first quarter of 2015 of \$404.62.
(*information only*)
- 6. Lewis County Oil and Gas Severance Tax Distribution:** Distribution of Oil and Gas
Severance Taxes for July 1, 2016 to September 30, 2016 was received. The 75%
distribution is \$68,778.40. this is a decrease of \$36,654.18 from the first quarter of 2015.
The 25% distribution is \$16,459.08. This is a decrease of \$8,987.58. Total decrease from
the first quarter of 2015 compared to the first quarter of 2016 is \$45,641.76.
(*information only*)
- 7. Lewis County Parks and Recreation Authority Fiscal Year 2015 Audit:** Audit
for the 2015 Fiscal year of the Lewis County Parks and Recreation Authority. The only
audit finding was segregation of duties. (*information only*)
- 8. West Virginia University Extension Service, Lewis County, Letter of Appreciation:**
The West Virginia University, Lewis County, Extension Service thanks the Lewis County
Commission for their support of the county 4-H program, particularly Lewis County 4-H
Camp and Jamboree at the Mill. (*information only*)

- 9. West Virginia Public Service Commission Disbursement of Wireless E-911 Subscriber Fees:** At the October 17, 2016 Lewis County Commission Meeting, a letter identifying E-11 Subscriber Fee distribution was presented. The letter was addressed to Lincoln County. The County Commission tabled this item until the County Administrator could contact the West Virginia Public Service Commission. The amount previously reported was in fact for Lincoln County. The Public Service Commission confirmed that Lewis County's Distribution of Wireless E-911 Fees for the months of July, August and September, 2016 is \$104,364.441. This is decrease of \$4,576.35 from last quarter. The County Administrator and Director of Emergency 911 are investigating the reason for this decrease.
(information only)

BUSINESS

- 10. Boards and Committee Reports:** Reports by Commissioners of any board or committee attended since previous meeting including: Lewis County Farm Bureau Dinner; Testing of the Automark voting machines; Lewis County Breast and Cervical Cancer Awareness Luncheon; Central West Virginia Community Action; Lewis County 4-H Achievement Banquet. *(information only)*
- 11. Lewis County Sheriff's Delinquent Tax List:** Sheriff Adam M. Gissy presents the Lewis County 2015 Delinquent Tax List. The Lewis County Commission is asked to approve for publication. *(action required)*
- 12. Resignation of Terri Clevenger from the Lewis County Emergency Ambulance Service Authority:** Terri Clevenger submits her resignation from the Lewis County Emergency Ambulance Authority after 25 years of service. The Lewis County Commission is asked to accept her resignation. *(action required)*
- 13. Lewis County Emergency Ambulance Authority Appointment:** At their October 10, 2016 meeting, the Lewis County Ambulance Authority voted to submit to the County Commission James Markley for approval as a member of the Authority. This is to fill the vacancy created by the resignation of Terri Clevenger. If approved his term of office will expire December 31, 2017. *(action required)*
- 14. Fiscal Year 2017 Records Management & Preservation Grant Application:** Lewis County Circuit Clerk John Hinzman and Lewis County Clerk Cynthia Rowan request Funding through the Fiscal Year 2017 Records Management and Preservation Grant. The circuit clerk's office will use a temporary employee to continue scanning files into digital format. The county clerk's office will use employees, after normal working hours, to continue indexing books so that the information can be viewed on line. *(action required)*
- 15. Request for Reimbursement from the Fiscal Year 2016 Records Management and Preservation Grant:** Fiscal Year 2016 Records Management and Preservation Grant reimbursement is submitted for approval. Total grant reimbursement is \$ \$6,619.09 (\$3,863.31 Circuit Clerk and \$3,106.99 County Clerk). *(action required)*
- 16. Mountain Valley Pipeline Draft Transportation and Traffic Management Plan:** Mountain Valley Pipeline submits the Traffic and Transportation Management Plan for their project. This plans details precautions and measures that will be taken by the Mountain Valley Pipeline team and their contractors during the construction of this Project. The plan was forwarded to the Office of Emergency Management and Sheriff for their review. *(action required)*

17. **Agreement for Stream Restoration, Blockage Removal and Bank Stabilization between the West Virginia Conservation Agency and the Lewis County Commission:** A draft agreement between the West Virginia Conservation Agency and the Lewis County Commission for stream restoration, bank stabilization and blockage removal services is presented for consideration. By signing this agreement it will assist the county in getting help more quickly during emergencies. William Rowan, Director of Emergency Management has reviewed and approved. *(action required)*
18. **Advertisement for Legal Counsel Request for Proposals to Collect Delinquent Personal Property Taxes:** A draft advertise requesting proposals for legal counsel to collect delinquent personal property taxes is submitted for review. West Virginia Code § 11A-2-2 allows counties to hire external legal counsel to collect delinquent personal property taxes. The cost for procurement of the external legal counsel is paid from collections before distribution. The County Administrator spoke with the Superintendent of Schools and he is in agreement to hire. Proposals must be submitted no later than noon December 2, 2016. *(action required)*
19. **Help America Vote Act (HAVA) Grant Application:** Request for assistance through the Help America Vote Act (HAVA) to install a push button door opener for the handicapped entrance of the Lewis County Courthouse. The amount requested is \$6,857.54. *(action required)*
20. **United States Department of Agriculture Community Facilities Grant Application:** Request for assistance from the United State Department of Agriculture Community Facilities Grant to assist with the purchase a vehicle for law enforcement. If approved the grant will provide 15% of the cost. Sheriff Gissy has agreed to provide the balance. Total cost for a fully equipped vehicle from West Virginia State Contract is \$32,950.00. *(action required)*.
21. **Quotes for Coating the Front Steps and Sidewalk at the Lewis County Courthouse:** Lewis County Maintenance Director Rick Stout has obtained three (3) quotes for coating the front steps and sidewalk at the Lewis County Courthouse as requested by the Lewis County Commission. Quotes will be reviewed by the Lewis County Commission for consideration of acceptance. *(action required)*
22. **Quotes for Sealing of the Courthouse and Emergency 911 Center Parking Lots:** Lewis Gilmer Emergency 911 Director William Rowan and Lewis County Maintenance Director Rick Stout have obtained three (3) quotes for sealing of the pavement on the parking lots at the Lewis County Courthouse and Emergency 911 Center. Quotes will be reviewed by the Lewis County Commission for consideration of acceptance. *(action required)*
23. **Lewis County Economic Development Authority Report:** Report of activities of the Lewis County Economic Development Authority by Director Mike Herron. *(information only)*
24. **Timesheets and Leave Requests** *(action required)*

ACTIONS, ORDERS, ESTATE SETTLEMENTS AND PAYMENT OF PENDITURES:

25. **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, October 20, 2016. *(action required)*
26. **Presentation by County Clerk of the Orders of Prior Meeting(s) for consideration:** Draft copies will be available for review upon request Thursday, October 20, 2016. *(action required)*

- 27. 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, October 20, 2016. *(action required)*
- 28. Expenses for the current period presented for consideration of payment:** Draft copies will be available for review upon request Thursday, October 20, 2016. *(action required)*

ADJOURNMENT:

- 29. 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: October 20, 2016

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance

Approval of Minutes:

- October 13, 2016

9:15 a.m. Joyce Harris-Thacker, Upshur County Schools Graduation Coach – Presentation of Red Ribbon Week Proclamation – October 24th through 28th

9:30 a.m. Upshur County Tobacco Prevention Coalition – Presentation of Great American Smokeout Proclamation – November 17, 2016

1:00 p.m. Public testing of voting machines

Items for Discussion / Action / Approval:

1. Review and signature of correspondence to Tony O’Leary, Community Development Representative, enclosing Community Development Block Grant --- Small Cities Block Grant Request for Payment for the Adrian PSD Phase VI Water Extension. The total amount of Drawdown Request #14 is in the amount of \$16,683.30.
2. Approval of Financial Statement – Fiscal year ended June 30, 2016
3. Review and approval of Volunteers Accident Medical Insurance Enrollment Request Form 2016 in the amount of \$235. Upon approval, Administrator Carrie Wallace will sign and return.
4. Correspondence from Gregory B. Harris, Upshur County Safe Structures and Sites Enforcement Board Permit / Ordinance Officer, requesting that the Commission order clean-up of case number 09114-01. This property is located in Warren Tax District – Tax Map 6C -Parcel Number 41 and is owned by Thomas Moates.
5. Correspondence from Joe Fealy II, Chairman of the Buckhannon Upshur Parks and Recreation Advisory Board, requesting the appointment of JJ Ford to fill the current County appointed vacancy. Upon approval Mr. Ford’s term will be effective July 1, 2016 and expire June 30, 2018.
6. Approval and signature of correspondence to outside agencies regarding FY 18 budget hearings.
7. Approval of Lewis-Upshur Animal Control Facility Volunteers Michelle Jack, Brooke Phelps, Courtney Jack and Rachael Willard.
8. Approve Invoices for Payment, Purchase Card Invoices for Payment, Budget Revisions / Financial Reports or Information, Correction of Erroneous Assessments, Exonerations/Refunds, Grant Updates / Requests for Reimbursements, 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 Wallace, County Administrator, to Robert Ware regarding the discovery that all plots of land in French Creek Estates have been sold by the developer. Thus, the purchase of road name signs is the responsibility of the current property owner per section 7.2 of the Addressing and Mapping Ordinance.
2. Lewis-Upshur Animal Control Facility Cat Report – September 2016
3. Lewis-Upshur Animal Control Facility Adoption Financial Report – September 2016
4. Upshur County Mileage Reports – September 2016
 - Upshur 911
 - Maintenance
 - Emergency Management
 - Sheriff
 - Addressing and Mapping
 - Community Corrections
 - Dog Pound
5. Newsletters and/or Event Notifications:
 - Buckhannon-Upshur Chamber of Commerce Newsletter – October 17, 2016
 - Free “Dining with Diabetes” Workshop Series to begin October 25th at 6:30 p.m. at the WVU Upshur Extension Office
 - Movie showing of “Chasing the Dragon – The Life of an Opioid Addict” – 6:30 p.m. on October 27th at the Buckhannon Police Department Training Facility
 - Hodgesville Lion’s Club “All-You-Can-Eat” Fundraiser – October 29th at the Warren District Community Building from 7:00 a.m. to 1:00 p.m.
6. Agendas and/or Notice of Meetings:
 - Buckhannon-Upshur Airport Authority October 13, 2016
 - Buckhannon-Upshur Chamber of Commerce October 17, 2016
 - WesMonTy RC&D October 18, 2016
 - Upshur County Public Library Board October 18, 2016
 - Upshur County Board of Health October 19, 2016
 - City Council of Buckhannon October 20, 2016
 - Upshur County Farmland Protection Board October 24, 2016
 - Elkins Road PSD November 1, 2016
7. Meeting Minutes:
 - Upshur County Safe Structures and Sites Enforcement Board August 11, 2016
 - Elkins Road PSD – Special Emergency Meeting September 3, 2016
 - Elkins Road PSD September 6, 2016
 - Upshur Citizen Corp Council Minutes September 14, 2016
 - Upshur County CVB September 14, 2016
 - Buckhannon-Upshur Chamber of Commerce September 19, 2016

- Elkins Road PSD
- WesMonTy RC&D Board of Directors

September 20, 2016
September 20, 2016

8. Meetings:

- 10/04/16 5:30 p.m. Elkins Road PSD
- 10/04/16 6:00 p.m. Hodgesville PSD
- 10/06/16 7:00 p.m. Banks District VFD
- 10/06/16 7:00 p.m. Selbyville VFD
- 10/10/16 12:00 p.m. Upshur County Family Resource Network – Cancelled
- 10/03/16 12:00 p.m. Upshur County Family Resource Network – Special Meeting
- 10/10/16 4:30 p.m. Upshur County Solid Waste Authority
- 10/10/16 6:00 p.m. Buckhannon-Upshur Recreational Park Advisory Board –Cancelled
- 10/17/16 6:00 p.m. Buckhannon-Upshur Recreational Park Advisory Board – Special Meeting
- 10/10/16 6:00 p.m. Lewis-Upshur Community Corrections Board-Lewis County – cancelled
- 10/17/16 6:00 p.m. Lewis-Upshur Community Corrections Board
-Special meeting – Lewis County
- 10/11/16 6:00 p.m. Buckhannon River Watershed Association
- 10/11/16 7:30 p.m. Adrian VFD
- 10/19/16 6:00 p.m. Buckhannon-Upshur Board of Health
- 10/19/16 7:00 a.m. Upshur County Development Authority
- 10/05/16 7:00 a.m. Upshur County Development Authority – Executive Board - Cancelled
- 10/12/16 12:00 p.m. Upshur County Senior Center Board
- 10/13/16 3:00 p.m. Upshur County Conventions & Visitors Bureau – UCDA Office
- 10/12/16 6:00 p.m. Upshur County Citizens Corp - CERT
- 10/12/16 7:30 p.m. Warren District VFD
- 10/13/16 1:00 p.m. Adrian PSD
- 10/13/16 3:00 p.m. Tennerton PSD
- 10/13/16 4:00 p.m. Upshur County Safe Sites & Structures Ordinance Board
- 10/13/16 7:30 p.m. Buckhannon VFD
- 10/13/16 4:00 p.m. Buckhannon Upshur Airport Authority–UCDA Office
- 10/20/16 6:30 p.m. Upshur County Youth Camp Board
- 10/16/16 6:00 p.m. Washington District VFD
- 10/17/16 12:00 p.m. Buckhannon-Upshur Chamber of Commerce
- 10/18/16 4:00 p.m. Upshur County Public Library Board
- 10/18/16 10:00 a.m. Wes-Mon-Ty Resource Conservation & Development
- 10/18/16 6:30 p.m. Upshur County Fire Board
- 10/18/16 5:00 p.m. UC Enhanced Emergency Telephone Advisory Board
- 10/12/16 7:00 p.m. Ellamore VFD
- 10/19/16 12:00 p.m. Lewis Upshur LEPC --- Upshur location
- 10/26/16 10:00 a.m. James W. Curry Advisory Board
- 10/27/16 4:00 p.m. Upshur County Farmland Protection Board – Cancelled
- 10/24/16 4:00 p.m. Upshur County Farmland Protection Board – Special Meeting
- 10/31/16 6:00 p.m. Upshur County Fire Fighters Association
- 10/24/16 10:00 a.m. Mountain CAP of West Virginia, CDC

9. Appointments Needed or Upcoming:

- Buckhannon-Upshur Parks & Recreation Advisory Board (Vacant Position – 6-30-18)- Commission

Tabled Items

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

Next Regular Meeting of the Upshur County Commission
October 27, 2016 --- 9:00 a.m.
Upshur County Courthouse Annex

Special Meeting of the Upshur County Commission
Wednesday, October 26, 2016 --- 1:00 p.m.
Board of Assessment Appeals Hearings

[Print](#) | [Close Window](#)**Subject:** FWD: 25% Coal Severance Tax Distribution for October 2016**From:** crevis@lewiscountywv.org**Date:** Fri, Oct 14, 2016 10:35 am**To:** "Cindy Whetsell" <lwhetsell@lewiscountywv.org>**Cc:** "Debbie Hull" <dhull@lewiscountywv.org>**Attach:** image001.gif

image002.jpg

image003.png

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image005.jpg

image006.png

Coal Taxes 25% - October 2016.pdf

Attached is the Distribution of Coal Severance for July 1, 2016 through September 30, 2016 (25%)

Lewis County: \$5,947.64

For comparison, the 2015 amount for the same time frame was \$6,352.36.

Crystal Revis

Assistant Chief Tax Deputy
 Lewis County Sheriff's Office
 110 Center Avenue
 Weston, WV 26452
 304.269.8222 / phone
 304.269.8698 / fax

----- Original Message -----

Subject: 25% Coal Severance Tax Distribution for October 2016**From:** "Sullivan, Sherri" <sherri.sullivan@wvsto.com>**Date:** 10/14/16 10:25 am

To: "Hambleton" <hambletonh@frontier.com>, "Hamlin" <townofhamlin@zoominternet.net>, "Hampshire County Sheriff" <jwolford@hampshirewv.com>, "Hancock County" <klascola@hancockcountywv.org>, "Hancock County" <bvidas@hancockcountywv.org>, "Handley" <townofhandley@suddenlinkmail.com>, "Hardy County" <ralph.dean@hardycounty.com>, "Harpers Ferry" <harpersferry1@frontier.com>, "Harrison County" <dbook@harrisoncountywv.com>, "Harrisville" <tohvw@zoominternet.net>, "Hartford" <hartfordwater@yahoo.com>, "Hedgesville" <hedgesvillewv@frontier.com>, "Hendricks" <solenapac@yahoo.com>, "Hillsboro" <townofhillsboro@frontiernet.net>, "Hinton" <hintoncitymanager@hotmail.com>, "Hundred" <townofhundred@frontiernet.net>, "Huntington" <blattj@cityofhuntington.com>, "Hurricane" <fray@hurricanewv.com>, "Huttonsville" <danteojr@frontiernet.net>, "laeger" <townofiaeger1@frontier.com>, "Jackson County" <sheila.randolph@jacksoncountywv.com>, "Jane Lew" <townofjanelew@juno.com>, "Jefferson County" <jenkinsteresa@hotmail.com>, "Kanawha County" <barrymccloud@kanawhasheriff.us>, "Kanawha County" <allenbleigh@kanawhasheriff.us>, "Kenova" <kenovacityclerk@yahoo.com>, "Kermit" <mayor@kermitwv.com>, "Keyser" <mayoramtower@cityofkeyser.com>, "Keyser" <finance@cityofkeyser.com>, "Keystone" <dorothy_young2000@yahoo.com>, "Kingwood" <citykgwd@labs.net>, "Lester" <all3630@aol.com>, "Lewis County" <crevis@lewiscountywv.org>, "Lewisburg" <sarbaugh@lewisburg-wv.com>, "Lincoln County" <mary_napier@aol.com>, "Lincoln County" <jjohn1021@aol.com>, "Logan" <gblevins1943@yahoo.com>, "Logan" <maryann_neil@yahoo.com>, "Logan County" <cgunnoe@mail.wvnet.edu>, "Lumberport" <lumberprt@aol.com>

[Print](#) | [Close Window](#)**Subject:** FWD: 75% Oil and Gas Severance Tax for October 2016**From:** crevis@lewiscountywv.org**Date:** Tue, Oct 04, 2016 12:03 pm**To:** "Cindy Whetsell" <lwhetsell@lewiscountywv.org>**Attach:** image001.gif

image002.jpg

image003.png

image004.png

image005.jpg

image006.png

Oil & Gas Taxes 75% - October 2016.pdf

Lewis County: ²⁰¹⁷\$68,778.40 (75%) — ²⁰¹⁶\$105,432.38

Crystal RevisAssistant Chief Tax Deputy
Lewis County Sheriff's Office

110 Center Avenue

Weston, WV 26452

304.269.8222 / phone

304.269.8698 / fax

*<36,654.18>**Total <45,641.76>*

----- Original Message -----

Subject: 75% Oil and Gas Severance Tax for October 2016**From:** "Sullivan, Sherri" <sherri.sullivan@wvsto.com>**Date:** 10/4/16 9:53 am

To: "Boone County" <bonita.jarrell@boonecountywv.net>, "Braxton County" <kbrownbc04@yahoo.com>, "Brooke County" <mwill@sheriff.state.wv.us>, "Cabell County" <taxoffice@cabellcounty.org>, "Clay County" <claycoclerk@hotmail.com>, "Doddridge County" <mcade@sheriff.state.wv.us>, "Fayette County" <Deborah.A.Berry@wv.gov>, "Gilmer County" <kim.jenkins@gilmercountywv.gov>, "Grant County" <mlantz@sheriff.state.wv.us>, "Grant County" <gcsher@sheriff.state.wv.us>, "Grant County" <gcsheriffsdept@citlink.net>, "Hancock County" <klascola@hancockcountywv.org>, "Hancock County" <bvidas@hancockcountywv.org>, "Harrison County" <dbook@harrisoncountywv.com>, "Jackson County" <sheila.randolph@jacksoncountywv.com>, "Kanawha County" <barrymcloud@kanawhasheriff.us>, "Kanawha County" <allenbleigh@kanawhasheriff.us>, "Lewis County" <crevis@lewiscountywv.org>, "Lincoln County" <mary_napier@aol.com>, "Lincoln County" <jjohn1021@aol.com>, "Logan County" <cgunnoe@mail.wvnet.edu>, "Marion County" <rvernon@marioncountywv.com>, "Marshall County" <marshallcountytax@hotmail.com>, "Mason County" <ttoolitt@sheriff.state.wv.us>, "McDowell County" <cmtmcdowelltax@yahoo.com>, "Mercer County" <mercercocommission@frontiernet.net>, "Mercer County" <mccjmd@frontiernet.net>, "Mercer County" <moyeverlin@hotmail.com>, "Mineral County Sheriff" <taxchris@yahoo.com>, "Mineral County Sheriff" <taxalison@yahoo.com>, "Mingo County" <wvarney@mingocountywv.com>, "Monongalia County" <taxoffice@monsheriff.com>, "Nicholas County Sheriff" <angelaevans0321@yahoo.com>, "Ohio County" <sclatterbuck@ohcoso.com>, "Ohio County" <gstewart@ohiocountywv.gov>, "Ohio County" <rarchey@ohiocountywv.gov>, "Pendleton County" <pcsdlaw@pendletoncommission.com>, "Pendleton County" <commission@pendletoncommission.com>, "Pleasants County" <saralou@sheriff.state.wv.us>, "Pocahontas County" <tman2@sheriff.state.wv.us>, "Pocahontas County" <shelton1@assessor.state.wv.us>, "Preston County Sheriff" <jlewis@prestoncountywv.gov>, "Putnam County" <jyoung@putnamwv.org>, "Putnam County" <lcopley@putnamwv.org>, "Putnam County" <bdonat@putnamwv.org>, "Raleigh County Sheriff" <ralcom@raleighcounty.com>, "Randolph County" <abarrickman@randolphctywv.org>, "Ritchie County" <tdmcdona@clerk.state.wv.us>, "Ritchie County" <dkjones@mail.wvnet.edu>, "Roane County" <swalker@sheriff.state.wv.us>, "Summers County" <rssalmons@hotmail.com>, "Taylor County" <beccalynn6936@gmail.com>, "Tucker County" <tuesday@commission.state.wv.us>, "Tyler County"

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Subject: FWD: 25% Oil & Gas Severance Tax for 2016
 From: crevis@lewiscountywv.org
 Date: Tue, Oct 04, 2016 12:04 pm
 To: "Cindy Whetsell" <lwhetsell@lewiscountywv.org>
 Attach: image001.gif
 image002.jpg
 image003.png
 image004.png
 image005.jpg
 image006.png
 Oil & Gas Taxes 25% - October 2016.pdf

Lewis County: ²⁰¹⁷\$16,459.08 (25%) \rightarrow ²⁰¹⁶\$25,446.66

Crystal Revis

Assistant Chief Tax Deputy
 Lewis County Sheriff's Office
 110 Center Avenue
 Weston, WV 26452
 304.269.8222 / phone
 304.269.8698 / fax

$\langle 8,987.58 \rangle$

----- Original Message -----

Subject: 25% Oil & Gas Severance Tax for 2016
 From: "Sullivan, Sherri" <sherri.sullivan@wvsto.com>
 Date: 10/4/16 11:54 am
 To: "Hambleton" <hambletonth@frontier.com>, "Hamlin" <townofhamlin@zoominternet.net>, "Hampshire County Sheriff" <jwolford@hampshirewv.com>, "Hancock County" <klascola@hancockcountywv.org>, "Hancock County" <bvidas@hancockcountywv.org>, "Handley" <townofhandley@suddenlinkmail.com>, "Hardy County" <ralph.dean@hardycounty.com>, "Harpers Ferry" <harpersferry1@frontier.com>, "Harrison County" <dbook@harrisoncountywv.com>, "Harrisville" <tohvv@zoominternet.net>, "Hartford" <hartfordwater@yahoo.com>, "Hedgesville" <Hedgesvillewv@frontier.com>, "Hendricks" <solenapac@yahoo.com>, "Hillsboro" <townofhillsboro@frontiernet.net>, "Hinton" <hintoncitymanager@hotmail.com>, "Hundred" <townofhundred@frontiernet.net>, "Huntington" <blattj@cityofhuntington.com>, "Hurricane" <fray@hurricanewv.com>, "Huttonsville" <danteojr@frontiernet.net>, "laeger" <townofiaeger1@frontier.com>, "Jackson County" <sheila.randolph@jacksoncountywv.com>, "Jane Lew" <townofjanelew@juno.com>, "Jefferson County" <jenkinsteresa@hotmail.com>, "Kanawha County" <barrymcccloud@kanawhasheriff.us>, "Kanawha County" <allenbleigh@kanawhasheriff.us>, "Kenova" <kenovacityclerk@yahoo.com>, "Kermit" <mayor@kermitwv.com>, "Keyser" <finance@cityofkeyser.com>, "Keyser" <mayoramtower@cityofkeyser.com>, "Keystone" <dorothy_young2000@yahoo.com>, "Kingwood" <citykgwd@labs.net>, "Lester" <all3630@aol.com>, "Lewis County" <crevis@lewiscountywv.org>, "Lewisburg" <sarbaugh@lewisburg-wv.com>, "Lewsburg" <shonaker@lewisburg-wv.com>, "Lincoln County" <mary_napier@aol.com>, "Lincoln County" <jjohn1021@aol.com>, "Logan" <gblevins1943@yahoo.com>, "Logan" <maryann_neil@yahoo.com>, "Logan County" <cgunnoe@mail.wvnet.edu>, "Lumberport" <lumberprt@aol.com>, "Madison" <kbannister@madisonwv.org>, "Man" <mavistoler@frontier.com>, "Mannington" <wvmgton@aol.com>, "Marion County" <rvernon@marioncountywv.com>, "Marlinton" <townofmarlinton@frontiernet.net>, "Marmet" <marmet2411@aol.com>, "Marshall County" <marshallcountytax@hotmail.com>, "Martinsburg" <mspickler@cityofmartinsburg.org>, "Mason" <mason1@suddenlinkmail.com>, "Mason County" <tdoolitt@sheriff.state.wv.us>, "Masontown" <masontownwv@atlanticbb.net>, "Matewan" <sheila.kessler1959@yahoo.com>, "McDowell County" <cmtmcdowelltax@yahoo.com>, "McMechen" <tltweedlie@comcast.net>, "Mercer County" <mccjmd@frontiernet.net>, "Mercer County" <mercercocommission@frontiernet.net>, "Mercer County"



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AUDIT REPORT OF
LEWIS COUNTY PARKS AND RECREATION AUTHORITY
LEWIS COUNTY, WEST VIRGINIA
REGULAR AUDIT

For the Year Ended June 30, 2015
Fiscal Year Audited Under GAGAS: 2015

Lewis County Parks and Recreation Authority
Lewis County, West Virginia
Schedule of Findings and Responses
June 30, 2015

Findings Related to the Financial Statements Required To be Reported in Accordance with GAGAS
--

FINDING NUMBER 2015-001

Material Weakness – Segregation of Duties

There is insufficient segregation of duties at the Authority. Due to the size of the Authority and the number of employees, there are times when one individual prepares checks, reconciles the bank account, records receipts, prepares deposits, and opens the mail for the Authority.

Proper internal control procedures dictate the responsibility for approving, executing and recording transactions should rest with different individuals. Failure to maintain sufficient segregation of duties could allow errors and/or irregularities to go undetected without the knowledge of the Board of Directors.

In a small operation, such as the Lewis County Parks and Recreation Authority, it is not always possible to have enough staff to properly segregate duties. Understanding this, we recommend the Board of Directors take a more active role in monitoring transactions, such as examining cancelled checks, reconciling accounts, and reviewing bank reconciliations. We recommend these reviews be random and sporadic, rather than scheduled. Such reviews would act as a deterrent to irregularities and would allow the Authority an opportunity to timely detect and correct any errors that may occur.

Officials Response:

The Authority will analyze their internal control structure and the Board of Directors will monitor financial activity. Improvements in the internal control structure will be made as they are financially feasible in the future.



EXTENSION SERVICE
LEWIS COUNTY

October 10, 2016

Lewis County Commission
110 Center Avenue
Weston, WV 26452

Dear Agnes, Pat & Tom:

October is National 4-H Month! This exciting time provides the opportunity to look toward the new 4-H year and the promises it holds, as well as, to reflect on the successes of our youth and programs over the past year.

We are proud of the accomplishments of all of our children and youth who have participated in Lewis County 4-H programs and events such as the Lewis County 4-H Camp, Energy Express, Jamboree at the Mill and so many more.

All of these and other 4-H programs depends on the support from our many community partners. Your contribution of \$500.00 to Lewis County 4-H Camp and \$2,500 to Jamboree at the Mill helped ensure that quality youth development activities were conducted in a caring, supportive environment.

The Lewis County 4-H Camp provides life-long experiential learning activities for each of the 118 campers in attendance.

Jamboree at the Mill provided no cost, family-friendly activities for hundreds of attendees this year.

Your generous donation ensured that participants of Lewis County 4-H Camp and Jamboree at the Mill were met with the 4-H Motto: "To make the Best Better" throughout and beyond the course of the event.

Again, thank you for your support.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Liz Post'.

Liz Post, Extension Agent
WVU Lewis County Extension Service

Public Service Commission of West Virginia

201 Brooks Street, P.O. Box 812
Charleston, West Virginia 25323

Phone: (304) 340-0300
Fax: (304) 340-0325



October 4, 2016

Lincoln County Commission
P.O. Box 497
Hamlin, WV 25523-0497

SUBJECT: Disbursement of Wireless E-911 Subscriber Fees

Dear County Commissioner:

A check in the amount of \$116,511.03 ^{Lincoln} representing a disbursement of Wireless E-911 subscriber fees will be mailed directly from the West Virginia State Auditor's Office. This amount is your County's share of the fees remitted to the Public Service Commission for the months of July, August, and September 2016. The next disbursement will be in three months.

I can be reached at our toll-free number, 1-800-344-511, Extension 364, or direct at 304-340-0364, should you have any questions about the disbursement calculation or about the fees in general.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra Mitchell".

Sandra Mitchell
Budget & Finance Manager

SM:kp

*Verified w/
PSC -
104,364. 44
\$ 108,940. 76
Last Quarter*

County Commissioners, Lewis County Authority Board Members and Members of the Lewis County Squad,

This is to inform you of my resignation as an Authority Board Member on this date July 11, 2016.

It has been a pleasure working with all the different Board Members during my 25 years of involvement.

I hope the Lewis County Ambulance continues to move in a positive direction .

Sincerely,

A handwritten signature in blue ink that reads "Terri Clevenger". The signature is written in a cursive style with a large, prominent initial "T".

Terri Clevenger



Lewis County Emergency Ambulance Service Authority

155 West Second Street • P. O. Box 228 • Weston, West Virginia 26452

Emergency Phone: Dial 911

Office Phone: (304) 269-8207

James C Taylor
Weston Lewis County EMS
PO Box 228
155 W 2nd ST
Weston WV 26452

October 12, 2016

Lewis County Commission
110 Center Avenue, 2nd Floor
Weston, WV 26452

Dear Sirs and Madam:

On October 10, 2016 I nominated James Markley for the position of Weston Lewis County Ambulance Authority Member recently vacated by Terri Clevenger. After over 20 years of excellent service to the community Terri has tendered her resignation from the board.

James, as an upstanding member of the community seems like a logical choice as a replacement. James was a founding member of the rescue squad and will be an asset to guiding the squad in the future.

The current members of the authority board have voted and approved of Mr. Markley's placement. It is their recommendation and mine that he become a member. I would like the Lewis County Commission's formal approval of Mr. Markley as an Authority Board Member.

Thank you,

James C Taylor
Director
Weston Lewis County EMS



97 Cambridge Place | Bridgeport, WV 26330 | 304-626-7945

October 12, 2016

Cindy Whetshell, County Administrator
110 Center Avenue
2nd floor
Weston, WV 26452

Re: MVP Traffic and Transportation Management Plan

Dear Cindy Whetshell, County Administrator,

Mountain Valley Pipeline, LLC (MVP) has developed a Traffic and Transportation Management plan for its Mountain Valley Pipeline Project. This plan details precautions and measures that will be taken by the MVP team and their contractors during the construction of the Project. Please find this plan enclosed for your review and comment.

Thank you for your consideration.

Trevor Leamon
Sr. Project Manager
Mountain Valley Pipeline, LLC
(724) 873-3474 | tleamon@eqt.com

Enclosures



Mountain Valley Pipeline Project

Docket No. CP16-10-000

Traffic and Transportation Management Plan

October 2015
Revised October 2016

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1.0 Introduction

Mountain Valley Pipeline, LLC (MVP) has developed this Traffic and Transportation Management Plan to describe the measures MVP and their Contractors will take to minimize potential impacts on federal, state and local roadways during the construction of the Project. This plan outlines traffic impact minimization measures, noxious weed control measures, and dust control methods that will be used on the Project to reduce impacts during construction.

Operations and maintenance activities will be conducted with light vehicles at very few occasions that should have no impact to roadways and traffic once the project is in-service.

2.0 Traffic Impacts

Prior to construction, MVP will obtain applicable Federal, State/Commonwealth, and local road use and crossing permits, as required. MVP personnel will comply with all permit requirements and conditions to provide for public safety and minimize impacts on public roads. Copies of this *Traffic and Transportation Management Plan* and applicable road use and crossing permits will be provided to the appropriate personnel and maintained at each Contractors' field office.

MVP's Traffic Coordinator will consult with State/Commonwealth and local agencies regarding detour routes, speed/load limits, and other use limitations, conditions, or restrictions on the roads that will be utilized during construction. Before the start of construction, MVP will work with these agencies to obtain the most up-to-date traffic information for the roadways in the MVP Project area as well as ongoing road reconstruction or improvement projects in the vicinity of the pipeline route and facilities area. Where local, private roadways will be affected, MVP will coordinate with landowners and lessees of properties to mitigate potential impacts on those roads. Similarly, where roads on public lands will be affected, MVP will coordinate with the appropriate managing agency to mitigate potential impacts on roads or implement required traffic and transportation procedures. As discussed further in the following sections, MVP will place and maintain traffic control measures, such as flag persons, warning signs, lights, and/or barriers, as appropriate, to ensure the safety of construction workers and the public and to minimize traffic congestion. MVP will maintain traffic flow and emergency vehicle access on roadways with traffic control personnel or detour signs, where necessary. MVP's Traffic Coordinator will work with local law enforcement, fire departments, and emergency medical services to coordinate access for effective emergency response during construction. Contractors will be directed to comply with local weight limitations and restrictions on area roadways.

MVP strives to mitigate the increase in construction-related truck traffic on local roads shared with community and school buses in suburban and more densely populated rural areas. Key components to a successful community partnership include:

- Central point of command for construction traffic route plan. MVP will have a Traffic Coordinator reporting to the Safety Program Manager responsible for maintaining traffic related plans, procedures, records, and documents.
- School bus curfews. Often times construction vehicles can pose concern when school buses are traveling their established routes. The community expects for their children to have safe and timely travel to and from school. MVP will work with the governing School Districts or the School Transportation Department in the project area to identify the bus routes and times. Construction traffic will be limited or refrained during the bus route times with a published school bus route curfew time period.

- Speed enforcement. In more rural areas, law enforcement is often not staffed to handle a sudden increase in traffic. Establishing a third-party contractor to assist in monitoring the speed of the route not only keeps contractor and the public safe but lends accountability to MVP. Inevitably, contractors will end up off of bonded routes. The Traffic Coordinator will be able to actively monitor these issues and reduce unbonded travel that can become costly if damage occurs. The Coordinator can also be useful in diffusing potential hostile situations with neighbors and landowners.

All impacts shall be within the guidelines of all applicable agencies, as well as approval from landowners. A list of state and county contacts is provided in the table below. At completion of the Project, MVP will restore all roads back to their original level of service or better, unless MVP is directed otherwise in writing by the landowner or regulatory agency. Pre-construction video will be used to document the roadway condition prior to Project usage.

County, State Requirements			
	Phone	Website	Contact Name/Position
State Agency			
West Virginia Department of Transportation (WVDOT)	(304) 558-0384	http://www.transportation.wv.gov	Wayne Kessinger, Permits Section Administrator
WVDOT	(304) 842-1500	http://www.transportation.wv.gov	Gary Clayton, P.E., Statewide Oil and Gas Coordinator
West Virginia County			
Wetzel	(304) 455-8217	http://www.wetzelcounty.wv.gov/	Larry Lemon, County Commissioner
Harrison	(304) 624-8690	http://www.harrisoncountywv.com/	Linda Cross, Deputy Director of Planning Commission
Doddridge	(304) 873-2631	http://www.doddridgecounty.wv.gov/	George Eidel, OES Manager
Lewis	(304) 269-8200	http://www.lewiscountywv.org/	Cindy Whetsell, County Administrator
Braxton	(304) 765-2835	http://www.braxtoncounty.wv.gov/	Edie Tichner, Administrative Assistant
Webster	(304) 847-7600	http://www.webstercounty.wv.gov/	Traci Dean, County Administrator/Floodplain Manager
Nicholas	(304) 872-0811	http://www.nicholascountywv.org/	David Brown, County Maintenance Assistant/Supervisor
Greenbrier	(304) 647-6689	http://www.greenbriercounty.net/	Kelly Banton, Commission Assistant
Fayette	(304) 574-4273	http://www.fayettecounty.wv.gov/	Tim Richardson, Zoning Enforcement Officer
Summers	(304) 466-7126	http://www.summerscountywv.org/	Greg Bandall, County Assessor
Monroe	(304) 772-3096	http://www.monroecountywv.net/	Donald Evans, County Clerk
West Virginia Community			
Smithfield (town)	(304) 334-5641	N/A	
Salem (city)	(304) 838-3635	http://www.local.wv.gov/salem/	Ronnie Davis, City Manager
Cowen (town)	(304) 226-3101	http://www.local.wv.gov/cowen/	Tammy Crue, Mayor
Camden-on-Gauley (town)	(304) 226-8667	http://www.local.wv.gov/camdenongauley/	Lisa Cutlip, Mayor
Quinwood (town)	(304) 438-6658	N/A	Cassandra Childers, Town Clerk
Rainelle (town)	(304) 438-7191	http://www.rainelle-wv.com/	Eddie Midkiff, Town Recorder
Rupert (town)	(304) 392-5682	http://www.local.wv.gov/rupert/	Jim Nichols, Mayor

County, State Requirements			
	Phone	Website	Contact Name/Position
State Agency			
Virginia Department of Transportation (VDOT)	(540) 381-7194	http://www.virginiadot.org/	Paul Brown, Area Land Use Engineer
Virginia County			
Giles	(540) 921-2525	http://www.gilescounty.org/	Bryan Reed, Subdivision Agent/VDOT Project Administrator
Montgomery	(540) 394-2148	http://www.montgomerycountyva.gov/	Emily Gibson, Planning Director
Roanoke	(540) 776-7190	http://www.roanokecountyva.gov/	Richard Caywood, Assistant County Administrator
Franklin	(540) 483-3030	http://www.franklincountyva.gov/	Neil Holthouser, Director of Planning/Community Development
Pittsylvania	(434) 432-7974	http://pittsylvaniacountyva.gov/	Greg Sides, Assistant County Administrator
Virginia Community			
Pearisburg (town)	(540) 921-0340	http://www.pearisburg.org/	Rick Tawney/Town Engineer/Director of Public Works
Pembroke (town)	(540) 626-7191	http://www.pembrokeva.org/	Stanley Lucas, Utility Director
Newport (village)	(540) 544-6822	http://www.newportrecreation.com/	Ava Howard, Community Action Committee Marketing Director
Blacksburg (town)	(540) 961-1100	http://www.blacksburg.gov/	Randy Formica, Construction Engineer
Boones Mill (town)	(540) 334-5404	http://www.townofboonesmill.org/	Jane Campbell, Town Treasurer
Rocky Mount (town)	(540) 483-0907	http://www.rockymountva.org/	Josh Gibson, Town Planner
Chatham (town)	(434) 432-8153	http://www.chatham-va.gov/	Bob Hanson, Director of Public Works

3.0 Pipeline Road Crossings

MVP will construct road and highway crossings in accordance with the permit requirements and the construction drawings for the crossing. No work on any such crossing shall be started before obtaining all applicable permits from the regulatory agencies. At a minimum, MVP will maintain single lane traffic on all roads and shall provide flagmen, road signs and all other signaling required by the governing authority to supervise the flow of traffic. MVP will provide barricades, warning signs, flares, lanterns, flagmen and such other protective measures required to maintain traffic and to safeguard the public at all times.

Any damage to paved or blacktop roads shall be repaired per specifications provided by the regulatory agencies. Road surfaces other than hard surface roads (i.e., paved, blacktop, or concrete) shall be backfilled in well-tamped 6-inch layers and shall be finished with a well-tamped surface matching the existing road. If flowable fill is used, it will be in accordance with the appropriate mix per agency specifications. For all types of crossings, additional or other limitations may be provided by the governing municipality and must prevail.

At the end of each workday, MVP will make passable any open-cut driveways for ingress and egress. This may be accomplished by using steel plates. Any and all steel plates used for such purposes shall be properly pinned (i.e., secured in place) and ramped on each end to allow traffic flow. The backfilling road crossings shall be performed immediately after the pipe is installed and in accordance with requirements established by the applicable permit.

4.0 Construction Traffic

An increase in traffic to local and state roads will be expected throughout the day between the hours of 6 am to 7 pm. The temporary traffic will include transportation for construction workers in light and heavy duty trucks, as well as tractor trailers hauling machinery and materials. Impacts are expected to be minor and short term because construction spreads and personnel will be geographically dispersed and personnel will commute to and from work areas in early morning and late evening during nonpeak traffic hours. Traffic will be entering and leaving off-site locations such as laydown yards, right-of-way and additional temporary workspace for the purpose of pipeline construction, hauling material and roadway maintenance. Once the material and heavy equipment are placed on the right-of-way, construction equipment will move in a linear manner along the right-of-way as work progresses, minimizing traffic on local roads. The amount of equipment moved by hauling from site to site will be reduced due to the accessibility created by the construction right-of-way.

MVP intends to make road improvements at areas that are not conducive to heavy hauling and large traffic volume, in addition to maintaining all bonded roads during construction, and finally returning the roads back to their original or better level of service, meaning their original width and length, unless MVP is directed otherwise in writing by the landowner or state agency.

5.0 Noxious Weeds

To prevent noxious weeds from transporting along roadways, MVP developed the following plan:

- The prompt seeding and revegetation of areas of disturbed soils with certified weed-free seed.
- Encourage the cleaning of equipment and vehicles prior to entering or leaving each management area. (Pressure wash in a designated area only.)
- Minimize soil disturbance, where possible.

- Use certified weed-free mulch/straw for erosion control.
- Mowing of weeds in newly revegetated areas during the first season of establishment prior to seed formation of the weeds in the revegetated area. Care will be taken to encourage seed formation and growth of new native plants.

6.0 Fugitive Dust Control

Dirt and gravel during construction periods in dry weather can create an inhospitable environment for neighbors and workers. MVP developed the Fugitive Dust Control Plan to address this issue. Highlights of that Plan are also discussed below.

Implementation of construction and restoration best management practices and operational controls will be used to mitigate fugitive dust emissions. The project earth disturbance permit will outline specific practices that control fugitive dust, including a construction sequence; use of rock construction entrances; and temporary soil stabilization methods. Operational controls are also implemented, including the use of a reduced speed limit on unpaved access roads as well as sweeping/vacuuming paved roadways when Project-related soils are tracked out onto paved surfaces.

Wet suppression, using water, is the predominate method of suppressing fugitive dust on unpaved roads and gravel pads as it causes finer materials to adhere into larger particles. Increasing the moisture content of the finer materials may be accomplished either naturally or mechanically. Moisture content of unpaved road surfaces can be naturally increased through rainfall. Moisture content can also be increased mechanically through the application of water. The amount of water required to sufficiently control fugitive dust emissions is dependent on the characteristics of materials (e.g., surface moisture content), ambient conditions (e.g., rainfall, humidity, temperature), activities occurring in the area (e.g., vehicle traffic, vehicle weight, speeds), etc.

The following actions will be taken to reduce fugitive dust from our operations:

I. Pipeline Construction Activities and Other Earth Disturbances

Fugitive dust emissions from vegetation removal, clearing and grading, cutting and filling, topsoil removal, trenching, backfilling and stockpile storage will be controlled to a great extent by following the construction sequencing and disturbing limited areas at a time. If sustained visible dust plumes occur, dust suppression can be achieved by applying water along the travel lane and disturbed land via water truck. Spoil piles left undisturbed for four or more days should be temporarily stabilized with seed and mulch to prevent wind and water erosion.

II. Unpaved Roads

Fugitive dust emissions generated by motorized equipment and miscellaneous vehicle traffic will be controlled by wet suppression as necessary. Fugitive dust emissions from active access roads will be controlled by periodic wetting of surfaces using a water truck. During periods of high truck traffic, road surfaces will be wetted more frequently to minimize dust emissions. Watering will occur less frequently if weather conditions (e.g., rain, frozen surfaces, etc.) are adequate to suppress dust. On unpaved roads, MVP will limit the speed limit to reduce the potential of fugitive dust emissions. On unpaved roads, MVP will reduce the speed limit to reduce the potential of fugitive dust emissions.

III. Paved Roads

Fugitive dust emissions from paved roads will be controlled with a combination of water trucks, power washers, sweeping and/or vacuuming, as appropriate, to minimize the amount of fugitive dust that is generated and built up on the road surfaces.

IV. Track-out onto Roads

Trackout of loose materials will be controlled using rock construction entrances on access roads that begin at a junction with paved roads; this is done to prevent tracking of mud onto public roadways. In the event that loose material goes beyond the rock construction entrance, sweeping and or vacuuming will be used to remove the materials. In the event that loose material goes beyond the rock construction entrance, sweeping and or vacuuming will be used to remove the materials.

V. Deposition on Other Premises

MVP will take all appropriate actions to prevent the deposition of solid or liquid materials onto any other premises from the Project site and access roads that may cause or contribute to visible dust emissions. Preventive actions may include, but are not limited to dust control, such as wet suppression, the operation of a sweeper truck on paved roadways equipped with water suppression, and the operation of a vacuum truck.

VI. Tackifiers

Contractor may propose the use of tackifiers to reduce fugitive dust provided that the product to be utilized has been approved by the appropriate federal and state agencies where its application will occur. Contractor will detail the proposed use of any such substances in their dust control plan and provide copies of the material safety data sheets and application procedures. Typically, tackifiers used are DustFloc, RoadFloc and Kodiak Super TACKMixes.

7.0 Inspection, Monitoring and Record Keeping

The construction contractor will implement the dust control measures specified in this plan. All construction personnel will be informed of the measures in this plan. Environmental inspectors will have primary responsibility for monitoring and enforcing the implementation of dust control measures by the construction contractor. The inspectors will also be responsible for ensuring that these measures are effective and proper documentation is maintained. When environmental conditions are dry, inspection of dust control measures will be conducted daily, and the environmental inspectors will be responsible for recording the following information on a daily basis:

- weather conditions, including temperature, wind speed and wind direction;
- number of water trucks in use;
- incidents where dust concentration is such that special abatement measures must be implemented;
- condition of soils (damp, crusted, unstable, other) on the right-of-way and other construction sites;
- condition of soils (damp, crusted, unstable, other) on access roads;
- condition of track-out pads;
- overall status of dust control compliance.

This information will be incorporated into the environmental inspector's daily report, and significant instances of non-compliance with the plan will be reported to the Construction Manager as soon as they are discovered.

8.0 Transportation Management on Federal Lands

8.1 Jefferson National Forest

The MVP will cross roads and utilize access roads on U.S. Forest Service (USFS) lands in the Jefferson National Forest (JNF) in West Virginia and Virginia. Traffic and transportation management activities on these lands will conform to the standards and guidelines contained within the Land and Resource Management Plan (LRMP) of the JNF for road use, maintenance, and construction. Applicable standards and guidelines, as well as site-specific requirements for traffic and transportation management activities, will be addressed in the *Plans of Development or Construction, Operations, and Maintenance Plans* prepared for the USFS lands crossed by the MVP. Potentially applicable standards and guidelines are listed below.

- Roads shall be designed and constructed to the standard necessary to provide access and manage resources according to management prescription desired conditions and public safety (JNF LRMP FW-230).
- All new and reconstructed roads will blend into the landscape to the extent practical (JNF LRMP FW-232).
- Apply the level of maintenance needed to protect the investment, facilitate resource management, and provide for user safety (JNF LRMP FW-234).
- Closed system roads are planted with native or desirable non-native wildflowers, forbs, shrubs, and/or grasses (JNF LRMP FW-235).
- Specify management requirements for permittee access roads in the designated use permit, where roads are included in the authorization (JNF LRMP FW-248).

8.2 National Park Service

The MVP will cross National Park Service lands along the Blue Ridge Parkway in Virginia. MVP will use the Conventional Bore drill construction method to install the proposed pipeline under the parkway, which will avoid direct impacts on the parkway. No impacts on traffic along the Blue Ridge Parkway are anticipated.

**AGREEMENT
CONCERNING STREAM RESTORATION, BANK STABILIZATION AND
BLOCKAGE REMOVAL SERVICES BETWEEN
THE WEST VIRGINIA CONSERVATION AGENCY AND
THE LEWIS COUNTY COMMISSION**

THIS AGREEMENT is made this 3rd day of October, 2016 by and between the West Virginia Conservation Agency, an agency of the State Conservation Committee, (WVCA), the West Fork Conservation District, (CCD) and the Lewis County Commission, a political subdivision of the State of West Virginia, (XCC). Authority to enter into this Agreement is found in W.Va. Code §19-21A-4 and W.Va. Code §7-1-3u.

WHEREAS, there exists a substantial need to protect people and property from floods and/or to minimize stream bank erosion; and

WHEREAS, counties and municipalities have the authority to undertake works of improvement to protect people and property from floods through a variety of methods, including the rechanneling and dredging of streams; removal of accumulated debris, snags, sandbars, rocks and any other kinds of obstructions; and to carry out erosion and sedimentation control measures and programs; and

WHEREAS, the WVCA has the technical expertise to assist counties and municipalities with meeting this authority; and

WHEREAS, the need for such assistance can best be met through cooperative efforts of the XCC, CCD and the WVCA, including such actions as the financial cost-sharing of work to meet shared objectives relating to the protection of people and property from flooding; and

NOW, THEREFORE, it is hereby agreed between the parties as follows:

I. DEFINED TERMS

As used throughout this Memorandum, the following terms have the meaning set forth below:

“West Virginia Conservation Agency” means the administrative office of the State Conservation Committee as provided for by W.Va. Code §19-21A-4.

“Executive Director of the WVCA” means the Administrator of the West Conservation Agency as set forth in W.Va. Code §19-21A-4.

“West Fork Conservation District” means a political subdivision of the state, organized in accordance with the provisions of W.Va. Code §19-21A-4.

“Lewis County Commission,” means a political subdivision of the state created and defined by W. Va. Code §7-1-1.

“Stream” means any watercourse, distinguishable by banks and a bed, regardless of its size, which water flows continually or intermittently, regardless of its volume.

II. COVENANTS

A. Scope and Term. This agreement covers any and all work necessary to design and construct projects contemplated under W.Va. Code §7-1-3u.

B. Cost Share Funding. The WVCA, XCD and XCC have agreed to jointly fund work in accordance with a funding formula that will be negotiated for each project and discussed in a Statement of Work, which will be labeled Attachment A (hereafter “the Project.”):

III. FUNDING CONTINGENCY

This agreement is at all times contingent upon funding availability.

IV. THE LEWIS CC SHALL:

1. Identify and prioritize potential sites.
2. Provide an agreed upon portion of cost share funding, as determined by the negotiated funding formula for each project and contracting services associated with each project.
3. Land Rights/Permits: Obtain all necessary land rights and permits to complete the identified project.
4. Identify disposal sites in the county.

V. THE WVCA SHALL:

1. Technical Assistance – Provide technical assistance for the permit, design and construction oversight.
2. Provide an agreed upon portion of cost share funding, as determined by the negotiated funding formula for each project.

VI. THE WEST FORK CD SHALL:

1. Provide an agreed upon portion of cost share funding, as determined by the negotiated funding formula for each project and administrative support for each project.

VII: PROJECTS

1. A committee representing XCC, WVCA and XCD will meet to discuss XCC's potential site list to determine project suitability and funding availability, and prepare a recommendation.

2. XCC may reject the committee's recommendation on a particular project and may elect to complete said project at its own cost. In such cases, to the extent practicable, WVCA will provide technical assistance, but no cost share.

VII. PRINCIPAL CONTACTS:

Lewis County Commission

West Virginia Conservation Agency

West Fork Conservation District

VIII. BILLING AND PAYMENT

1. CCD agrees to pay its portion of the cost share funding, within forty-five (45) days of receipt of both 1) a satisfactory final inspection of the project by WVCA, and 2) a properly documented and complete invoice.
2. Insert billing and payment details for the other parties here: XCC, WVCA (if applicable)

VIII. AMENDMENTS

This Agreement may be amended upon the terms reached in conference upon notice by each party to the other. Such amendment conference shall be attended by the XCC, the Executive Director WVCA, and the West Fork CD chairman or their respective designees, and held within ten (10) days after the giving of notice as aforesaid, should any party fail to attend a properly noticed amendment conference, the proposed amendment shall not act to amend this Agreement. In order for an amendment to take effect it shall be 1) in writing, 2) attached to this Agreement as an addendum hereto, and 3) include the signature of each party to this Agreement.

IX. TERMINATION

This Agreement becomes effective on the date indicated below and will remain in effect until amended or terminated. Each party may seek to terminate this agreement at any time, provided

that at least thirty (30) days prior written notice of the effective date of termination is given to the other parties.

X. NOTICE.

Any notices required to be given under this Agreement shall be delivered in person or sent by certified or registered mail

to West Fork CC at:
Lewis County Commission

to the WVCA at:

WV Conservation Agency
Attn: Brian Farkas, Executive Director
1900 Kanawha Blvd., East
Charleston WV

XI. MISCELLANEOUS

This agreement does not confer any rights or benefits on any third party.

This agreement shall be governed by the laws of West Virginia.

The terms of this agreement are not intended to alter, amend, or rescind any provisions of State law. Any provision of this agreement, which conflicts with State law, will be null and void.

Insofar as any condition or term of this agreement is found, by a court of competent jurisdiction, to be unlawful, the remaining terms and conditions remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding and Agreement to be executed by their duly authorized representatives as of the date first above written.

WEST FORK CONSERVATION DISTRICT

By: _____
CHAIRMAN

WEST VIRGINIA CONSERVATION AGENCY

By: _____
BRIAN FARKAS
EXECUTIVE DIRECTOR

LEWIS COUNTY COMMISSION

By: _____
PRESIDENT

DRAFT