

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
Weston, WV 26452
Phone: (304)269-8200
Fax: (304)269-2416
Email: lewiscountycommission@lewiscountywv.org
Website: lewiscountywv.org



COMMISSIONERS:
AGNES G. QUEEN
Commissioner
PATRICK D. BOYLE
Commissioner
ROD WYMAN
Commissioner

LEWIS COUNTY COMMISSION
110 CENTER AVENUE, 2nd FLOOR
WESTON, WV 26452
MEETING AGENDA
TUESDAY, JANUARY 3, 2017

SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

- 1. 10:00 AM Call Meeting to Order** (*action required*)
- 2. 10:05 AM Organizational Meeting**

RE: As required by West Virginia State Code §7-1-1, the Lewis County Commission will recess the regular meeting and convene their 2017 Organizational Meeting. The Organizational Meeting is under separate agenda attached to this document. Upon adjournment of the Organizational Meeting, the Lewis County Commission will reconvene into regular session. (*action required*)

APPOINTMENTS

- 3. 10:15 AM John Breen, Lewis County Assessor**
RE: Exonerations, Consolidations, Apportionments
Draft copies will be available for review Thursday, December 29, 2016 upon request. (*action required*)
- 4. 10:20 AM RE: Oath of Office for Lewis County Office Staff:** Oaths of Office will be administered to Lewis County Deputy County Clerks, Deputy Circuit Clerks, Tax Deputies, Deputy Sheriffs and support staff, Deputy Assessors, Assistant Prosecuting Attorneys, Emergency 911/Office of Emergency Management staff, Maintenance staff, County Administrator and Assistant. (*action required*)
- 5. 10:25 AM John Breen, Lewis County Assessor**
RE: Advertisement for Vacancies
Mr. Breen requests approval to advertise for the positions of a Deputy Assessor for data collection and a Deputy Assessor for property transfers. This advertisement will be to fill two vacant positions. (*action required*)
- 6. 10:30 AM Sheriff Adam M. Gissy**
RE: Repairs to Process Server Vehicle
The vehicle used by the Lewis County Process Server has a cracked head and a non-functioning water pump. Sheriff Gissy will discuss options for repairs to this vehicle. (*action required*)

CORRESPONDENCE

7. **Upshur County Commission Meeting Agenda:** The Upshur County Commission meeting agenda for December 22, 2016 is presented for review. *(information only)*
8. **Notification that DTE Energy has Purchased the Appalachian Gathering System:** DTE Energy has recently purchased the Appalachian Gathering System located in West Virginia and Pennsylvania. The Stonewall Gathering System located in Lewis County and jointly owned by Antero Resources and WGL, Midstream Inc. is part of this system. *(information only)*

BUSINESS

9. **Board(s) and Committee(s) Reports:** Reports from Commissioners from any board(s) or Committee(s) meetings attended including: Opening of Time Capsule in celebration of the Lewis County's 200th Birthday; Annual Lewis County Courthouse Holiday Dinner; State of West Virginia vs. Myers hearing; Swearing-In of Lewis County Newly Elected Officials. *(information only)*
10. **Agreement for Stream Restoration, Bank Stabilization and Blockage Removal:** The Lewis County Commission signed a 2016 agreement with the West Virginia Conservation Agency and the West Fork Conservation Agency that would allow quicker response to stream restoration, bank stabilization and blockage removal during emergencies. The commission is asked to re-enter into this agreement for 2017. *(action required)*.
11. **Resignation of P. Wayne Ammons, Lewis County Deputy Assessor:** P. Wayne Ammons tendered his resignation of employment as a Lewis County Deputy Assessor effective December 31, 2016. *(action required)*
12. **Lewis County Assessors Property Valuation Fund Fiscal Year 2018 Application:** Lewis County Assessor has completed his 2018 Fiscal Year Valuation application. He is requesting 2% of the previous years projected tax collection *(action required)*
13. **North Central Regional Emergency Medical Services Annual Contribution:** The North Central Regional Emergency Medical Services requests Lewis County consider the annual contribution to this agency. Lewis County has contributed in prior years. The requested contribution is \$818.60. This is based on a population of 16,372 X .05 per capita. The support for this agency provides continuing education for Emergency Medical Service Providers, National Emergency Medical Service Week Activities, and Scholarships for Emergency Medical trainees. *(action required)*
14. **Lewis County 2017 Mileage Rate:** The Lewis County Commission will set the county mileage reimbursement rate for 2017. The Internal Revenue Service has lowered the business travel rate from \$.54 in 2016 to \$.53.5 for 2017. In 2016, the Lewis County mileage rate was \$.54 per mile. *(action required)*
15. **Lewis County Fire Board Request for Fire Levy Special Election:** The Lewis County Fire Board requests approval from the Lewis County Commission to pose a fire levy by special election to the voters for consideration on March 18, 2017. The levy would be for a five year duration and generate \$100,000.00 annually to each of the county's six volunteer fire departments. *(action required)*
16. **Lewis County Economic Development Authority Report:** Report of activities of the Lewis County Economic Development Authority by Director Michael Herron. *(information only)*
17. **Timesheets and Leave Requests** *(action required)*
 - a) Lucinda A. Whetsell December, 2016 Monthly Time Sheet
 - b) Michael Herron December, 2016 Monthly Time Sheet

18. Request to Transfer Annual/Compensatory Leave to Sick Leave to Avoid Loss per Lewis County Personnel Policy Manual*(action required)*

- a) Lucinda A. Whetsell Transfer 2.5 hrs. Annual and 76.5 hrs. Compensatory
- b) Deputy ZM Lopez Transfer 42 hrs. Annual
- c) Tom Alkire Transfer 64 hrs. Annual
- d) Garry DeMoss Transfer 168 Hrs. Annual
- e) Randall Bush Transfer 16 hrs. Annual and 85 hrs. Compensatory

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

- 19. 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, December 29, 2016. *(action required)*
- 20. 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, December 29, 2016. *(action required)*
- 21. Presentation by County Clerk of the Orders of Prior Meeting(s) for consideration.** Draft copies will be available for review upon request Thursday, December 29, 2016. *(action required)*
- 22. Expenses for the current period presented for consideration of payment.** Draft copies will be available for review upon request Thursday, December 29, 2016. *(action required)*

ADJOURNMENT:

- 23. 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: December 22, 2016

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• December 15, 2016

Items for Discussion / Action / Approval:

1. Review Proclamation made by Governor Earl Ray Tomblin on December 16, 2016 permitting public employees of this State to be permitted to generally cease business on the afternoon of Friday, December 23, 2016, in acknowledgement of the holiday season. This proclamation further states the public employees of this State may be excused from their work duties on that afternoon for four hours without charge against accrued annual leave. In accordance with subsection (c), section one, article two, chapter two of the WV Code, County Commissions may treat the afternoon of Friday, December 23, 2016 as if it were a legal holiday, and the Courts may do the same.
2. Request from Ken Lieu, Real Estate Office Chief of the U.S. Army Corps of Engineers Pittsburgh District, requesting the spatial data for parcel mapping, including owner names, in which the county has established.
3. Discussion of monetary contribution to the booster station serving the Upshur County Regional Airport per Mayor McCauley's request during the December 8th Water Board Meeting. Review of Agreement dated September 22, 1998 between the Water Board of the City of Buckhannon and the Buckhannon-Upshur Regional Airport Authority and relative correspondence.
4. Correspondence from Lori B. Ulderich Harvey requesting reappointment to the James W. Curry Library Board for another 5 year term. Upon approval, her new term would end on December 31, 2022.
5. Approval and signature of correspondence to Larry Cogar expressing the Commission's appreciation of the corrective action taken to the property located in Meade Tax District – Tax Map 1 – Parcel Number 76.
6. Correspondence from Donald Rice, Upshur County Assessor, announcing his resignation effective December 31, 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
7. Memorandum from Carrie L. Wallace, County Administrator, on behalf of James T. Farrell, Office of Emergency Management Director, requesting the approval of an unpaid temporary leave of absence, effective December 15, 2016.
Item may lead to Executive Session per WV Code §6-9A-4 (A)

8. Memorandum from Carrie L. Wallace, County Administrator, recommending that Kenneth "Brian" Shreves be appointed as Interim Office of Emergency Management Director during the length of Mr. Farrell's absence. Upon approval, Mr. Shreves will remain at the same rate of pay and will temporarily increase his working hours to no more than 25 per week.
Item may lead to Executive Session per WV Code §6-9A-4 (A)
9. Correspondence from Michael E. Dean, part-time employee of the maintenance department, announcing his resignation effective December 14, 2016.
Item may lead to Executive Session per WV Code §6-9A-4 (A)
10. Correspondence from Beth A. Burkhart, Tri-County Child Exchange & Visitation Program Coordinator, announcing her resignation, effective December 24, 2016.
Item may lead to Executive Session per WV Code §6-9A-4 (A)
11. Correspondence from Beth A. Burkhart, Tri-County Child Exchange & Visitation Program Coordinator, announcing the resignation of Judith Piercy, Monitor, effective December 14, 2016.
Item may lead to Executive Session per WV Code §6-9A-4 (A)
12. Correspondence from Beth A. Burkhart, Tri-County Child Exchange & Visitation Program Coordinator, requesting the employment of Shannon Garrett as a Monitor, effective December 23, 2016, pending background check results. Upon approval, Ms. Garrett's rate of pay will be \$8.75 per hour and she will not work more than 19 hours per week.
13. Correspondence from Beth A. Burkhart, Tri-County Child Exchange & Visitation Program Coordinator, requesting the employment of Michelle Bleigh as a Monitor, effective December 23, 2016, pending background check results. Upon approval, Ms. Bleigh's rate of pay will be \$8.75 per hour and she will not work more than 19 hours per week.
14. Correspondence from Beth A. Burkhart, Tri-County Exchange & Visitation Program Coordinator, requesting the promotion of Chastity Watson from Monitor to Site Supervisor retroactive to December 11, 2016 to begin the pay period. Upon approval, Ms. Watson's rate of pay will be \$9.50 per hour and she will not work more than 19 hours per week.
15. 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 Governor Earl Ray Tomblin announcing the application to the Small Cities Block Grant program for the Elkins Road Public Service District, Phase III Water System Improvement Project has been approved in the amount of \$1,500,000. Of this amount, \$283,434 has been committed from the fiscal year 2016 Small Cities allocation and the remaining \$1,216,566 will be evaluated and committed in a future year's allocation, based upon the Upshur County Commission's ability to proceed and the availability of federal funds.

2. 2017 Standard Mileage Rates for Business, Medical and Moving Announced – December 13, 2016
3. Administrative Order –Supreme Court of Appeals of WV – 2016 Holiday Time Off for Court Employees
4. United States of America Federal Energy Regulatory Commission – Notice of Schedule for Environmental Review of the WB Xpress Project (December 9, 2016)
5. Correspondence from Melissa Garretson Smith, Executive Director of the WV Courthouse Facilities Improvement Authority approving the previously filed request for extension. The new grant deadline is now January 31, 2017.
6. Newsletters and/or Event Notifications:
 - James W. Curry Public Library Calendar of Events – January 2017
7. Agendas and/or Notice of Meetings:
 - City Council of Buckhannon – Special Session January 5, 2017
 - City Council of Buckhannon January 5, 2017
 - Elkins Road PSD January 10, 2017
8. Meeting Minutes:
 - Upshur County Family Resource Network October 3, 2016
 - Upshur Citizens Corps Council October 12, 2016
 - Adrian PSD November 10, 2016
 - Adrian PSD November 17, 2016
9. Meetings:
 - 01/03/17 5:30 p.m. Elkins Road PSD
 - 01/03/17 6:00 p.m. Hodgesville PSD
 - 01/05/17 7:00 p.m. Banks District VFD
 - 01/05/17 7:00 p.m. Selbyville VFD
 - 01/09/17 12:00 p.m. Upshur County Family Resource Network
 - 01/09/17 4:30 p.m. Upshur County Solid Waste Authority
 - 01/09/17 5:30 p.m. Buckhannon-Upshur Recreational Park Advisory Board
 - 02/13/17 6:00 p.m. Lewis-Upshur Community Corrections Board-Lewis County
 - 01/10/17 7:30 p.m. Adrian VFD
 - 01/05/17 6:00 p.m. Buckhannon-Upshur Board of Health
 - 01/18/17 7:00 a.m. Upshur County Development Authority
 - 01/11/17 12:00 p.m. Upshur County Senior Center Board
 - 01/12/17 3:00 p.m. Upshur County Conventions & Visitors Bureau – UCDA Office
 - 01/11/17 6:00 p.m. Upshur County Citizens Corp – CERT
 - 01/11/17 7:30 p.m. Warren District VFD
 - 01/12/17 1:00 p.m. Adrian PSD
 - 01/12/17 3:00 p.m. Tennerton PSD
 - 01/12/17 4:00 p.m. Upshur County Safe Sites & Structures Ordinance Board
 - 01/12/17 7:30 p.m. Buckhannon VFD
 - 01/12/17 4:00 p.m. Buckhannon Upshur Airport Authority

- 01/19/17 6:30 p.m. Upshur County Youth Camp Board – WVU Extension Office
- 01/15/17 6:00 p.m. Washington District VFD
- 01/16/17 12:00 p.m. Buckhannon-Upshur Chamber of Commerce
- 01/17/17 4:00 p.m. Upshur County Public Library Board
- 01/17/17 10:00 a.m. Wes-Mon-Ty Resource Conservation & Development
- 01/17/17 6:30 p.m. Upshur County Fire Board
- 01/17/17 5:00 p.m. UC Enhanced Emergency Telephone Advisory Board
- 01/11/17 7:00 p.m. Ellamore VFD
- 01/18/17 12:00 p.m. Lewis Upshur LEPC --- Lewis location
- 03/22/17 10:00 a.m. James W. Curry Advisory Board
- TBA 3:00 p.m. Upshur County Farmland Protection Board
- 01/30/17 6:00 p.m. Upshur County Fire Fighters Association
- 01/11/17 7:00 p.m. Buckhannon River Watershed Association - Board of Directors

10. Appointments Needed or Upcoming:

- Upshur County Building Commission (Joe Malcolm – 11-10-16) --- Commission
- Upshur County Civil Service Board (Dennis J. Willett, Esq. – 12-31-16) – Bar Association

Tabled Items

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

Next Regular Meeting of the Upshur County Commission
 January 5, 2017 --- 9:00 a.m.
 Upshur County Courthouse Annex

ATTENTION The Commission meeting on Thursday, December 29, 2016 has been cancelled



DTE Energy

DTE Energy
333 Technology Dr., Suite 255
Canonsburg, PA 15317-9513
Tel: 724-916-4937

December 14, 2016

Lewis County Commission
Commissioners Agnes Queen, Patrick Boyle and Rod Wyman
110 Center Avenue 2nd Floor
Weston, WV 26452

Dear Commissioners Agnes Queen, Patrick Boyle and Rod Wyman:

Recently, DTE Energy purchased the Appalachian Gathering System, located in Pennsylvania and West Virginia, and the controlling interest of Stonewall Gas Gathering, located in West Virginia. Stonewall Gas Gathering is also jointly owned by Antero Resources and WGL, Midstream, Inc. The combined system of pipelines and compressor stations travels roughly parallel to Interstate 79 starting in Washington County, Pennsylvania and ending in Braxton County, West Virginia.

DTE Energy Company (NYSE: DTE) is a diversified energy company involved in the development and management of energy-related businesses nationwide. Our electric and gas utility businesses have each been in operation for over a century. We have leveraged that wealth of experience to develop a network of natural gas gathering, transmission and storage facilities.

DTE Energy has offices and local employees in both West Virginia and Pennsylvania and we are working with local contractors. It is our goal to keep local leaders and stakeholders informed. For that reason, DTE Energy representatives are currently working to contact and schedule meetings with stakeholders like you, throughout the region, so we can answer any questions you may have face-to-face.

We look forward to talking with you in the very near future and working to be a good neighbor in your county. Should you have any questions in the meantime, please do not hesitate to contact me at: kenneth.magyar@dteenergy.com or by phone at 724-416-7263.

Very truly yours,

Kenneth D. Magyar
VP Project & Business Development

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

THIS AGREEMENT is made this 3rd day of January, 2017 by and between the West Virginia Conservation Agency, an agency of the State Conservation Committee, (WVCA), the West Fork Conservation District and the Lewis County Commission, political subdivisions of the State of West Virginia. Authority to enter into this Agreement is found in W.Va. Code §19-21A-4 and W.Va. Code §7-1-3u, *Authority of counties and municipalities to treat streams to prevent floods.*

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 West Virginia Conservation Agency (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 Lewis County Commission (LCC), the West Fork Conservation District (WFCD) and the West Virginia Conservation Agency, 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 Conversation 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, WFCD and LCC 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 COUNTY COMMISSION 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 temporary and permanent disposal sites in the county.

V. THE WEST VIRGINIA CONSERVATION AGENCY 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 CONSERVATION DISTRICT 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 LCC, WVCA and WFCD will meet to discuss LCC's potential site list to determine project suitability and funding availability, and prepare a recommendation.

2. LCC 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

Lewis County Commission

Attn: President and/or Cindy Whetsell County Administrator

110 Center Avenue

Weston, WV 26452

Phone: (304)269-8200 Email: lwhetsell@lewiscountywv.org

West Virginia Conservation Agency

Gene Saurborn

Director of Watershed Projects

201 Scott Avenue

Morgantown, WV 26508

Phone: (304) 285-3118

Email: gsaurborn@wvca.us

West Fork Conservation District

West Fork Conservation District

Attn: Chair

87 Ollie Lane, Suite 104

Mt. Claire, WV 26408

VIII. BILLING AND PAYMENT

1. WFCD 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. LCC 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.

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 LCC, WVCA's Executive Director and the WFCD 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 Lewis County Commission at:

Lewis County Commission
Attn: Cindy Whetsell, County Administrator
110 Center Avenue, 2nd Floor
Weston, WV 26452

To West Fork Conservation District at
West Fork Conservation District
Attn: Chairman
87 Ollie Lane
Suite 104
Mt. Clare, WV 26408

To the WVCA at:
WV Conservation Agency
Attn: Brian Farkas, Executive Director
1900 Kanawha Blvd., East
Charleston WV 25305

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.

LEWIS COUNTY COMMISSION

By: _____
PRESIDENT

WEST FORK CONSERVATION DISTRICT

By: _____
CHAIRMAN

WEST VIRGINIA CONSERVATION AGENCY

By: _____
BRIAN FARKAS
EXECUTIVE DIRECTOR



December 16, 2016

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

Dear Agnes:

Please accept this letter as my formal notice of resignation as Deputy Assessor, Office of the Assessor, effective December 31, 2016.

It has been a pleasure working for the county and I am grateful to the Commission for the support afforded me during the past twelve months. I am especially thankful that you, Pat Boyle, and Tom Fealy know me well enough to have spoken on my behalf during the hiring process. In the very near future, I will make a concerted effort to meet with each of you and personally express my gratitude.

Please know my decision to resign was a difficult decision. I sincerely appreciate the experience and opportunities that the Commission and the county have provided me.

Thank you,

P. Wayne Ammons
Deputy Assessor



NORTH CENTRAL REGIONAL EMS, INC.

**1829 Pleasant Valley Road
Fairmont, WV 26554**

Phone: 304-366-8764

Fax: 304-366-5091

December 12, 2016

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

Ladies and Gentlemen:

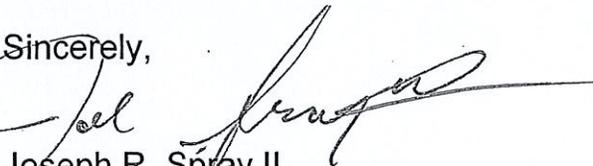
Attached you will find our invoice for the FY '17 Emergency Medical Services (EMS) assessment for your county. The annual assessment is utilized to fund projects in the Region VI/VII EMS System for which funding from other sources is inadequate or unavailable. Funds are administered and prioritized by the Board of Directors for **North Central Regional EMS, Inc.** Our Board is comprised of individuals from throughout our service area.

This source of funding continues to be utilized to benefit our entire thirteen county service area. Since January 1, 2016, funds have been expended for the following:

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

Thank you for your past and continued support of EMS and for your consideration of this request. If you have any questions regarding this information, please feel free to contact me at 304-871-6642.

Sincerely,



Joseph R. Spray II
Lewis County Representative.

GMD/laletter.wpd

Attachment

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

North Central Regional Emergency Medical Services, Inc.

1829 Pleasant Valley Road
Fairmont, WV 26554-2737

INVOICE #0299

Invoice Date: 12/12/2016
Salesperson: Shirley J. Morrison

(304) 366-8764

SOLD TO:

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

(304) 269-8200 (Commission)

Quantity	Description	Unit Price	Amount
	<p><u>Fiscal Year 2017 EMS Assessment: 07/01/2016 - 06/30/2017</u></p> <p>Population Base: 16,372</p> <p>NOTE: Based on 2010 Census figures obtained from the United States Census Bureau.</p> <p>PLEASE MAKE CHECK PAYABLE TO: NCREMS, Inc.</p>	<p>.05/capita</p>	<p><u>\$818.60</u></p>



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2017 Standard Mileage Rates for Business, Medical and Moving Announced

IR-2016-169, Dec.13, 2016

WASHINGTON — The Internal Revenue Service today issued the 2017 optional standard mileage rates used to calculate the deductible costs of operating an automobile for business, charitable, medical or moving purposes.

Beginning on Jan. 1, 2017, the standard mileage rates for the use of a car (also vans, pickups or panel trucks) will be:

- 53.5 cents per mile for business miles driven, down from 54 cents for 2016
- 17 cents per mile driven for medical or moving purposes, down from 19 cents for 2016
- 14 cents per mile driven in service of charitable organizations

The business mileage rate decreased half a cent per mile and the medical and moving expense rates each dropped 2 cents per mile from 2016. The charitable rate is set by statute and remains unchanged.

The standard mileage rate for business is based on an annual study of the fixed and variable costs of operating an automobile. The rate for medical and moving purposes is based on the variable costs.

Taxpayers always have the option of calculating the actual costs of using their vehicle rather than using the standard mileage rates.

A taxpayer may not use the business standard mileage rate for a vehicle after using any depreciation method under the Modified Accelerated Cost Recovery System (MACRS) or after claiming a Section 179 deduction for that vehicle. In addition, the business standard mileage rate cannot be used for more than four vehicles used simultaneously.

These and other requirements are described in [Rev. Proc. 2010-51](#), [Notice 2016-79](#), posted today on IRS.gov, contains the standard mileage rates, the amount a taxpayer must use in calculating reductions to basis for depreciation taken under the business standard mileage rate, and the maximum standard automobile cost that a taxpayer may use in computing the allowance under a fixed and variable rate plan.

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[Subscribe to IRS Newswire](#)

Page Last Reviewed or Updated: 13-Dec-2016

TIME SHEET

MONTH: December

YR: 2016

EMPLOYEE: Lucinda A Whetsell

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	TOTALS
				1	2	3	
				8	8	—	16
4	5	6	7	8	9	10	
—	CANVAS 9.5	8	8	8	8	—	41.5
11	12	13	14	15	16	17	
	8	-8A	-8A	-8A	-8A	—	40
18	19	20	21	22	23	24	
—	8	8	8	8	4W 44	—	40
25	26	27	28	29	30	31	
	H	-8A	-8A	-8A	-8A	—	40

15 x 15

LEGEND: H = HOLIDAY
 S = SICK DAY
 W = DAY WORKED
 V = VACATION
 X = DAY OFF

OVERTIME HOURS	15
REGULAR HOURS	176
TOTAL HOURS	191.5

x 15 = 225

	ANNUAL LEAVE	COMP TIME	SICK LEAVE
BOUGHT FORWARD	134.5	176.5	225.25
EARNED THIS MONTH	12	225	8
USED THIS MONTH	64	0	0
CARRIED FORWARD	82.5 *	1787.5 *	2259.25
EMPLOYEE: <u>Lucinda A Whetsell</u>	80	102.25	2338.25

* 25 AL, and 76.5 transferred to 2017

Lucinda A. Whetsell

24 Dogwood Lane, Weston, WV 26452

Phone: 304-269-8200

December 21, 2016

Honorable Lewis County Commissioners

110 Center Avenue

Weston, WV 26452

Dear Honorable Commissioners,

I request to transfer 2.5 hours of Annual Leave and 76.5 hours of Compensatory Time to Sick Leave.

Thank you ,

Lucinda A. Whetsell

Lucinda A. Whetsell



Lewis County Sheriff's Department



Deputy Z. M. Lopez

117 Court Ave, Weston, WV 26452
Phone: (304) 269-8251

Email: Zach.lopez80@aol.com
Fax: (304) 269-2644

DATE: December 20, 2016

TO: Whom it may concern

FROM: Deputy Z. M. Lopez

RE: Annual Time

I am requesting to move 42 Annual Hours to Sick Hours.

Respectfully,

Z. M. Lopez

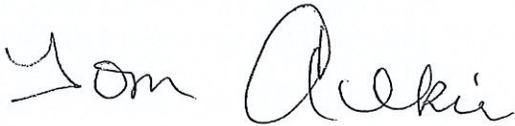
Lewis County Commission
110 Center Avenue
Weston, WV 26452

December 22, 2016

Dear Honorable Lewis County Commissioners:

I request the transfer of 64 hours of Annual Leave to Sick Leave.

Thank you,

A handwritten signature in cursive script that reads "Tom Alkire". The signature is written in black ink and is positioned to the right of the typed name "Tom Alkire".

Tom Alkire

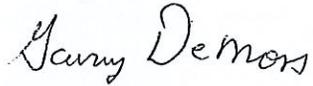
Lewis County Commission
110 Center Avenue
Weston, WV 26452

December 22, 2016

Dear Honorable Lewis County Commissioners:

I request the transfer of 168 hours of Annual Leave to Sick Leave.

Thank you,

A handwritten signature in cursive script that reads "Garry De Moss". The signature is written in black ink and is positioned above the printed name.

Garry De Moss

**LEWIS COUNTY SHERIFF'S OFFICE
PROCESS SERVER**

Randall Bush
117 Court St. Weston, WV 26452
Phone 304-269-8251 ext 115

⁻⁸⁵ ⁻¹⁶
I am requesting to move my comp time and annual leave to my sick time.

Thank You



Randall Bush



STATE OF WEST VIRGINIA

Department of Revenue
State Tax Department

Earl Ray Tomblin
Governor

Mark W. Matkovich
State Tax Commissioner

December 21, 2016

ALL COUNTY COMMISSIONS
ALL MUNICIPALITIES
ALL COUNTY BOARDS OF EDUCATION
STATE OF WEST VIRGINIA

West Virginia Code § 11-1C-8, as amended in 1998, authorizes the assessor to receive up to 2% of the previous year's projected tax collections. This money is to be used for the purpose of maintaining current valuations and performing periodic reevaluation of property.

In order to receive these funds, the assessor is required to prepare a budget detailing the proposed use of the money and submit the budget to the Property Valuation Training and Procedures Commission (PVC) by December 15th of each year. In addition, West Virginia Code § 11-1C-8 requires that a copy of the projected budget and justification is to be sent to the county commission, board of education, and all municipalities in the county. The PVC has directed the Property Tax Division to provide each entity with a copy of their assessor's proposed budget and justification. As of the date of this letter, neither the Property Tax Division nor the State Auditor's Office has reviewed the enclosed budget request. The levying body may present written evidence showing that a lesser amount than the amount requested by the assessor would be adequate. Written evidence to this effect should be submitted to the Property Tax Division on or before January 15, 2017. This information may be faxed to our office at 304-558-1843.

The PVC will meet January 19, 2017, and during that time will review the Proposed Budget Document. Prior to January 31, 2017, the PVC must approve a percent that the assessor will receive from your property tax levies for the upcoming fiscal year.

After the PVC has approved a percent for each county assessor, the percent will be certified to the State Auditor's Office. Each county sheriff and levying body will be notified of the amount due from his or her property tax levies for the 2017-2018 Fiscal Year. The percent so certified should be used to calculate the property tax levy rate and to complete the levy page of the entity's budget.

If you have any questions or need clarification regarding the enclosed budget request, you may contact your county assessor or me at 304-558-0792.

Sincerely,

Jeff Amburgey, Chairman
Property Valuation Training and Procedures Commission

JA/aj
Enclosure

PROPERTY VALUATION TRAINING
AND PROCEDURES COMMISSION

Pursuant to West Virginia Code § 11-1C-8 (b)

Budget Documentation in Support
of Request for Valuation Funds

PROPOSED VALUATION FUND BUDGET

Lewis COUNTY, WEST VIRGINIA

Fiscal Year 2017 - 2018

SUMMARY OF CONTENTS

Declaration of Need - Submission Page.....	Page 1
Projected Revenue - Valuation Fund.....	Page 2
Projected Expenditure Schedule - Valuation Fund.....	Pages 3 - 6
Summary.....	Page 7
Justification.....	Pages 8 - 9
Staffing / Funding.....	Pages 10 - 11

RECEIVED

DEC 14 2016

State Tax Department
Property Tax Division

DECLARATION OF NEED

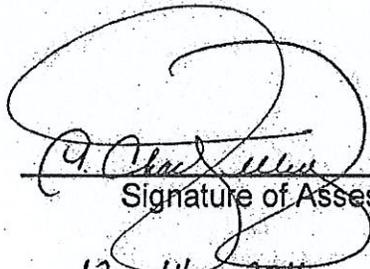
SUBMISSION PAGE

I, T. Chad Kelley Assessor of Lewis County, West Virginia, hereby declare that my valuation fund needs for the Fiscal Year 2017 - 2018 will be 2.00% (enter percent) of the total proceeds from the regular levies of the county commission, county school board, and municipalities within the county.

This document and the attached written justification represents my projected expenditure budget for my valuation fund for the ensuing fiscal year as required to be submitted no later than December 15 each year by Section 8(b), Article 1C, Chapter 11 of the West Virginia Code. The following represents the number of real estate accounts and personal property accounts within Lewis County.

<u>Real Property</u>	<u>Personal Property</u>	<u>Grand Total</u>
Total Accounts: <u>35,272</u> (Real Property)	Total Accounts: <u>11,955</u> (Per. Property)	Accounts: <u>47,227</u> (Real & Per. Property)

Respectfully Submitted:



Signature of Assessor
12-14-2016

Date

PROJECTED REVENUE - VALUATION FUND
FISCAL YEAR 2017 - 2018

I. FUND BALANCES PROJECTED TO BE CARRIED FORWARD ON JULY 1 OF THE FISCAL

A. PROJECTED FUND BALANCE AS OF July 1, 2017

(299)	Checking Account Balance June 30, 2017	<u>\$100,000</u>
(299)	Money Market Account	<u>\$0</u>
(299)	Certificates of Deposit	<u>\$0</u>

B. OTHER AMOUNTS OWED VALUATION FUND

(336)	Projected Map Sales Revenue July 1, 2017 to June 30, 2018	<u>\$1,000</u>
(365)	Projected Interest Earned July 1, 2017 to June 30, 2018	<u>\$100</u>

SUBTOTAL: PROJECTED FUND BALANCE AND OTHER REVENUES	<u>\$101,100</u>
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II. PROJECTED PROCEEDS FROM THE REGULAR LEVY

	PROJECTED TAX PROCEEDS FY 2017 - 2018	PERCENT* OF LEVY REQUESTED: <u>2.00%</u> (PERCENT)
(380) COUNTY COMMISSION	<u>\$4,290,993</u>	<u>\$85,820</u>
(380) SCHOOL BOARD	<u>\$5,821,347</u>	<u>\$116,427</u>
(380) COUNTY MUNICIPALITIES	<u>\$432,147</u>	<u>\$8,643</u>

TOTAL	<u>\$10,544,487</u>	
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(380) SUBTOTAL: REVENUE PROJECTED FROM LEVY		<u>\$210,890</u>
---	--	------------------

GRAND TOTAL OF REVENUES "I" & "II"	<u>\$311,990</u>
------------------------------------	------------------

* Percent of levy requested may not exceed two percent (2%).

PROJECTED EXPENDITURE SCHEDULE - VALUATION FUND
FISCAL YEAR 2017 - 2018

Object No.	No. of Employees	Personal Services Personnel - Salaries & Wages	Valuation Fund	
			Projected FY17-18	Budgeted FY16-17
(103)	0	Chief Deputy @	\$0	\$0
(103)	3	Appraisers @	\$70,400	\$70,400
(103)	0	Mappers @	\$0	\$0
(103)	0	Field/Data Asst. @	\$0	\$0
(103)	6	Office Staff @	\$62,720	\$62,720
(103)	0	Computer Clerks @	\$0	\$0
(103)	0	Other (Describe): @	\$0	\$0
		@		
		@		
(103)	SUBTOTAL		\$133,120	\$133,120
BENEFITS				
(104)	FICA		\$10,567	\$10,184
(105)	GROUP INSURANCE		\$43,753	\$39,775
(106)	RETIREMENT		\$18,647	\$18,636
(108)	OVERTIME		\$5,000	\$5,000
(109)	EXTRA HELP		\$0	\$0
	OTHER: (DESCRIBE AND INDICATE OBJECT NO.)		\$0	\$0

\$77,967 \$73,595

SUBTOTAL: PERSONAL SERVICES

\$211,087 \$206,715

PROJECTED EXPENDITURE SCHEDULE - VALUATION FUND (cont.)
FISCAL YEAR 2017 - 2018

Object No.	Contractual Services	Valuation Fund	
		Projected FY17-18	Budgeted FY16-17
(211)	TELEPHONE	\$3,000	\$3,000
(212)	PRINTING (INCLUDING COMPUTER RUNS) DESCRIBE:		
(213)	UTILITIES		
(214)	TRAVEL EXPENSES	\$3,500	\$3,500
(216)	MAINTENANCE & REPAIR - EQUIPMENT		
(217)	MAINTENANCE & REPAIR - AUTO & TRUCKS	\$3,500	\$2,500
(218)	POSTAGE	\$500	\$500
(219)	BUILDING/EQUIPMENT RENTS		
(220)	ADVERTISING/LEGAL PUBLICATIONS	\$8,000	\$8,000
(221)	TRAINING AND EDUCATION	\$3,500	\$3,500
(222)	DUES AND SUBSCRIPTIONS		
(223)	PROFESSIONAL SERVICES		
(224)	AUDIT COSTS		
(226)	INSURANCE AND BONDS (INCLUDING WORKERS COMPENSATION AND UNEMPLOYMENT COMPENSATION)	\$20,000	\$10,000
(230)	CONTRACTED SERVICES	\$12,000	\$12,000
	OTHER: (DESCRIBE AND INDICATE OBJECT NO.)		

SUBTOTAL: CONTRACTUAL SERVICES \$54,000 \$43,000

PROJECTED EXPENDITURE SCHEDULE - VALUATION FUND (cont.)
FISCAL YEAR 2017 - 2018

Object No.	Commodities	Valuation Fund	
		Projected FY17-18	Budgeted FY16-17
(341)	MAPPING AND APPRAISAL SUPPLIES/MATERIALS	\$12,000	\$12,000
(343)	AUTOMOBILE SUPPLIES	\$4,000	\$4,000
(345)	UNIFORMS		
(353)	COMPUTER SOFTWARE	\$12,000	\$12,000
SUBTOTAL: COMMODITIES		\$28,000	\$28,000

Object No.	Capital Outlay	Valuation Fund	
		Projected FY17-18	Budgeted FY16-17
(459)	EQUIPMENT FOR PURCHASE THIS FISCAL YEAR (2017-18) DESCRIBE: New Computers/ Printers Office Furniture	\$9,903	\$37,177
	MONIES SET ASIDE FOR CAPITAL PURCHASE OF EQUIPMENT IN FUTURE YEARS (DESCRIBE) FOR PURCHASE OF:		
	TOTAL PROJECT COST \$		
(459)	AMOUNT TO BE SET ASIDE FY2017-18		
(459)	AMOUNT SET ASIDE IN PAST YEARS		
SUBTOTAL: CAPITAL OUTLAY		\$9,903	\$37,177

Object No.	Contingencies	Valuation Fund	
		Projected FY17-18	Budgeted FY16-17
(699)	THE PROPERTY VALUATION TRAINING AND PROCEDURES COMMISSION HAS APPROVED AN AMOUNT, IF NECESSARY, OF UP TO 3% OF YOUR TOTAL EXPENDITURE BUDGET	\$9,000	\$0
SUBTOTAL: RESERVED FOR CONTINGENCIES		\$9,000	\$0

PROJECTED EXPENDITURE SCHEDULE - VALUATION FUND (cont.)
FISCAL YEAR 2017 - 2018

Object No.	ASSESSOR CAPITAL PROJECTS	Valuation Fund	
		Projected FY 17-18	Budgeted FY 16-17
(966)	GIS CAPITAL PROJECT		
(977)	OTHER CAPITAL PROJECTS		
	PLEASE DESCRIBE:		
1	\$ _____ for _____		
2	\$ _____ for _____		
3	\$ _____ for _____		

SUBTOTAL: CAPITAL PROJECTS \$0 \$0

SUMMARY

SUMMARY OF PROJECTED EXPENDITURES

(101 - 110)	PERSONAL SERVICES (SUBTOTAL PAGE 3)	<u>\$211,087</u>
(211 - 240)	CONTRACTUAL SERVICES (SUBTOTAL PAGE 4)	<u>\$54,000</u>
(341 - 353)	COMMODITIES (SUBTOTAL PAGE 5)	<u>\$28,000</u>
(459)	CAPITAL OUTLAY (SUBTOTAL PAGE 5)	<u>\$9,903</u>
(699)	CONTINGENCIES (SUBTOTAL PAGE 5)	<u>\$9,000</u>
(966 - 977)	CAPITAL PROJECTS (SUBTOTAL PAGE 6)	<u>\$0</u>
		\$311,990
GRAND TOTAL: TOTAL OF PROJECTED EXPENDITURES TO BE MADE FROM VALUATION FUND FOR THE ENSUING FISCAL YEAR 2017 - 2018		<u><u>\$311,990</u></u>

NOTE: PROJECTED REVENUES (PAGE 2) AND EXPENDITURES MUST BALANCE

_____ APPROVED _____% _____ APPROVED WITH ADJUSTMENTS _____%

SIGNATURE

PROPERTY VALUATION TRAINING
AND PROCEDURES COMMISSION

DATE

JUSTIFICATION

I am respectfully submitting my 2017-2018 Valuation Fund Budget. We have completed our new offices from the past Assessor Val Budget and we are still in the process of furnishing our new offices. There are still many office items that are in need to make the transition complete.

With the increase office space it has given us the capability of expanding personnel in our office. We still have to fill two positions from personnel who have retired or left to other employment. This has been a slow process due to the relocation and Assessment time. Our first priority is to the public and serving their needs and one way we can do this is with a receptionist. Due to the new layout of our office this position is in dire need to direct the public to offices where employees can help them in a private setting. This was a main concern of the public in our old offices with no privacy to communicate their concerns. Also a Data Collector is in need since that position is open at this time. The numbers of parcels that have to be picked up and data entered are too much for one person to complete in a county such as ours.

Salaries have been adjusted to match each person to where they should be. Multipliers for FICA and Retirement were also calculated along with the correct method to cover Group Insurance along with Dental and Vision.

Thank you for your consideration on the 2017-2018 Budget requests.

Employees Paid From Both General Fund and Valuation Fund

Percentage of salary paid
from the valuation fund
(% only - not salary figure)

Employee Name:	<u>Total Salary:</u>	<u>Valuation Fund</u>
<u>Joyce Helmick</u>	\$ <u>44725</u>	<u>23</u> %
<u>Paula Mace</u>	\$ <u>43584</u>	<u>19</u> %
<u>Gary Foster</u>	\$ <u>43584</u>	<u>23</u> %
<u>Timothy Riffle</u>	\$ <u>42080</u>	<u>22</u> %
<u>Richard Snyder</u>	\$ <u>42080</u>	<u>22</u> %
<u>P. Wayne Ammons</u>	\$ <u>36700</u>	<u>11</u> %
<u>New Employee</u>	\$ <u>30000</u>	<u>100</u> %
<u>New Employee</u>	\$ <u>22000</u>	<u>100</u> %
<u>New Employee</u>	\$ <u>30000</u>	<u>100</u> %
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