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Weston, WV 26452
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Email: lewiscountycommission@lewiscountywv.org
Website: lewiscountywv.org



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

**LEWIS COUNTY COMMISSION
110 CENTER AVENUE, 2nd FLOOR
WESTON, WV 26452
MEETING AGENDA
MONDAY, February 6, 2017**

SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

1. **10:00 AM Call Meeting to Order** (*action required*)
2. **10:05 AM John Breen, Lewis County Assessor**
RE: Exonerations, Consolidations, Apportionments
Draft copies will be available for review Thursday, February 2, 2017 upon request. (*action required*)

APPOINTMENTS

3. **NONE**

CORRESPONDENCE

4. **Upshur County Commission Meeting Agenda:** Upshur County Commission Meeting Agenda for February 2, 2017. (*information only*)
5. **State of West Virginia, Property Tax Division Statewide Computer Network Budget Estimate:** The West Virginia State Tax Department has submitted an estimate for Fiscal Year 2018 of \$43,942.00 for the annual Statewide Computer Network to be used for budgeting purposes. (*information only*)

BUSINESS

6. **Board(s) and Committee(s) Reports:** Reports by Commissioners of any board(s) or committee(s) attended including: Board of Review; Goal Work Session; County Commissioners Association of West Virginia Conference Call. (*information only*)
7. **Lewis County Ambulance Authority Board Reappointment Requests:** The Lewis County Ambulance Authority requests Mindy Hall and Reggie Hawver be reappointed to the Board. Both terms will expire December 31, 2018. (*action required*)
8. **United States Census Bureau Invitation to update Census Information:** In July, 2017 an invitation to participate in the 2020 Census Local Update of Census Addresses will be sent to the county. The Census Bureau offers the county an opportunity to complete information prior to that will help in accurate census data. Consideration of forwarding to the Address Office for completion is requested. (*action required*)

9. **Engagement Letter for External Counsel to Pursue Collection of Delinquent Personal Property Taxes:** The Lewis County Commission accepted the proposal of Stephen Sluss, Esquire to collect delinquent personal property taxes. Signature of the letter of engagement is requested. *(action required)*
10. **Records Management and Preservation Grant Reimbursement for the Lewis County Circuit and County Clerks Offices:** Approval and Signature on the Request for Reimbursement for the FY 2017 Records Management and Preservation Grant. This funding allowed the Lewis County Circuit Clerk to hire a part time person to scan documents and the Lewis County Clerk's Office employees to scan and index additional documents after normal business hours. *(action required)*
11. **Vehicle Fleet Maintenance Bids:** The Lewis County Commission accepted the bids from Pickens Automotive and Suttle's Well Service for vehicle maintenance for the Lewis County Sheriff's Department and Office of Emergency Service/E911 at the January 26, 2017 meeting. These bids were sent to the Sheriff and Office of Emergency Management/E911 Director for comparison and accuracy. Their report will be provided for consideration of bid award. *(action required)*
12. **Lewis County Building Commission Request for Member Reappointment:** The Lewis County Building Commission requests Charles Stalnaker be reappointed as a member of this Board. His term of office will expire February 1, 2021.*(action required)*
13. **Citizens Ride-Along Request:** Rebecca Young requests to do a Citizens Ride-Along with the Lewis County Sheriff's Department. Ms. Young is reporter for the *Weston Democrat*. This ride-a-long will assist with her work. *(action required)*
14. **Courthouse Security Grant Reimbursement:** Lewis County was awarded a Court Security Grant to assist with a microowave connection of the cameras at the Lewis County Judicial Annex and the E911 Center. This is for security after normal business hours at the Annex. *(action required)*
15. **Lewis County Economic Development Authority Report:** Report of activities of the Lewis County Economic Development Authority by Director Michael Herron. *(information only).*
16. **Request to Transfer Annual/Compensatory Leave to Sick Leave per Lewis County Personnel Policy Manual***(action required)*
 - a) Martha Tatman 4 Hours Annual Leave to Sick Leave
17. **Timesheets and Leave Requests** *(action required)*
 - a) Lucinda A. Whetsell January Monthly Time Sheet
 - b) Michael Herron January Monthly Time Sheet

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

18. **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 on Thursday, February 2, 2017. *(action required)*
19. **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, February 2, 2017. *(action required)*
20. **Presentation by County Clerk of the Orders of Prior Meeting(s) for consideration.** Draft copies will be available for review upon request Thursday, February 2, 2017. *(action required)*
21. **Expenses for the current period presented for consideration of payment.** Draft copies will be available for review upon request Thursday, February 2, 2017. *(action required)*

ADJOURNMENT:

22. 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: February 2, 2017

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• January 26, 2017

1:30 p.m. Terri Moxley, EBSO and Joe Stanton, Thornburg Insurance Agency – Mid-year review of EBSO Health Insurance Plan

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

(6) To discuss any material the disclosure of which would constitute an unwarranted invasion of an individual's privacy such as any records, data, reports, recommendations or other personal material of any educational, training, social service, rehabilitation, welfare, housing, relocation, insurance and similar program or institution operated by a public agency pertaining to any specific individual admitted to or served by the institution or program, the individual's personal and family circumstances;

Items for Discussion / Action / Approval:

1. Approval and signature of NewTech Systems, Inc. Fire Alarm Testing and Inspection Agreement, effective from 1/1/2018 to 2/1/2019. Upon approval, the annual fee will be \$900 for one inspection per year.
2. Correspondence from Kenna Leonard, on behalf of the Union Elementary School Parent Teacher Organization, requesting donated items or monetary contributions for Union Elementary School's annual auction to be held March 11, 2017.
3. Discussion and approval of the Buckhannon-Upshur Recreational Park Hours of Operation & Fee Schedule for the 2017 season.
4. Correspondence from John Sencindiver, Chairman of the WesMonTy RC&D, requesting the Commission to reappoint JC Raffety to the Board. Mr. Raffety's membership terminated as of January 1, 2017. The County Commission member may be a Commissioner or someone else appointed by the Commission.
5. Correspondence from David E. Godwin, Prosecuting Attorney, announcing the retirement of Laura Queen, Victim Services Coordinator, effective March 24, 2017. Mr. Godwin is also requesting permission to advertise the vacancy and interview candidates for the position now, to be in a position to offer the job to a candidate as soon after Ms. Queen's departure as possible, with the salary being an amount up to the current salary being paid to Ms. Queen under the grant.
6. 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 Jeff Amburgey, Director of the Property Tax Division, State of WV Department of Revenue State Tax Department, providing a budget amount estimate in the sum of \$38,466 to assist in the task of preparing a FY 2017-2018 budget for the Statewide Computer Network, Account 408. Decreased activities by the Assessor's office, such as printing, mailing of notices, postage, reports, etc., that are charged to the Statewide Computer Network Account #408, may have contributed to the decrease.

2. Atlantic Coast Pipeline Project Update – January 2017

3. Newsletters and/or Event Notifications:

- Buckhannon-Upshur Chamber of Commerce-- January 30, 2017
- Curry Courier – January 25, 2017
- James. W. Curry Public Library Calendar of Events – February 2017

4. Agendas and/or Notice of Meetings:

- City Council of Buckhannon February 2, 2017

5. Meeting Minutes:

- Upshur County Safe Structures and Sites Enforcement Board October 13, 2016
- Buckhannon-Upshur Parks & Recreation Advisory Board 0December 12, 2016

6. Meetings:

- 02/07/17 5:30 p.m. Elkins Road PSD
- 02/07/17 4:00 p.m. Hodgesville PSD
- 02/02/17 7:00 p.m. Banks District VFD
- 02/02/17 7:00 p.m. Selbyville VFD
- 02/13/17 12:00 p.m. Upshur County Family Resource Network
- 02/13/17 4:30 p.m. Upshur County Solid Waste Authority
- 02/13/17 5:30 p.m. Buckhannon-Upshur Recreational Park Advisory Board
- 02/13/17 6:00 p.m. Lewis-Upshur Community Corrections Board-Lewis County
- 02/14/17 7:30 p.m. Adrian VFD
- 03/02/17 6:00 p.m. Buckhannon-Upshur Board of Health
- 02/15/17 7:00 a.m. Upshur County Development Authority – Executive Board
- 02/08/17 12:00 p.m. Upshur County Senior Center Board
- 02/09/17 3:00 p.m. Upshur County Conventions & Visitors Bureau – UCDA Office
- 02/08/17 6:00 p.m. Upshur County Citizens Corp – CERT
- 02/08/17 7:30 p.m. Warren District VFD
- 02/09/17 1:00 p.m. Adrian PSD
- 02/08/17 3:00 p.m. Tennerton PSD
- 02/09/17 4:00 p.m. Upshur County Safe Sites & Structures Ordinance Board
- 02/09/17 7:30 p.m. Buckhannon VFD
- 02/09/17 4:00 p.m. Buckhannon Upshur Airport Authority

- 02/16/17 6:30 p.m. Upshur County Youth Camp Board – WVU Extension Office
- 02/19/17 6:00 p.m. Washington District VFD
- 02/20/17 12:00 p.m. Buckhannon-Upshur Chamber of Commerce
- 02/21/17 4:00 p.m. Upshur County Public Library Board
- 02/28/17 10:00 a.m. Wes-Mon-Ty Resource Conservation & Development
- 02/21/17 6:30 p.m. Upshur County Fire Board
- 02/21/17 5:00 p.m. UC Enhanced Emergency Telephone Advisory Board
- 02/08/17 7:00 p.m. Ellamore VFD
- 02/15/17 12:00 p.m. Lewis Upshur LEPC --- Upshur location
- 03/22/17 10:00 a.m. James W. Curry Advisory Board
- 02/16/17 3:00 p.m. Upshur County Farmland Protection Board – Farm Bureau Office
- 01/30/17 6:00 p.m. Upshur County Fire Fighters Association
- 02/08/17 7:00 p.m. Buckhannon River Watershed Association - Board of Directors
- 02/27/17 10:00 a.m. Mountain CAP of West Virginia, CDC

7. Appointments Needed or Upcoming:

- Upshur County Building Commission (Joe Malcolm – 11-10-16) --- Commission
- Upshur County Farmland Protection Board (unexpired term – 6-30-2019) – Farmer
- Upshur County Safe Structures and Sites Enforcement Board (unexpired term – 6-30-2018) – Community Member

8. Board of Review & Equalization Meeting Schedule

- 02/01/2017 1:00 p.m. No appointments ---Review Property Books
- 02/03/2017 9:00 a.m.
- 02/06/2017 1:00 p.m. Coal, Oil & Gas and Industrial Appointments (3:00 p.m.)
- 02/09/2017 1:00 p.m.
- 02/14/2017 9:00 a.m.
- 02/16/2017 9:00 a.m. Adjournment

Tabled Items

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

1. Discussion regarding the Upshur County Youth Baseball Association lease for property known as the Wellness Complex located on Brushy Fork Road.

The County Commission will sit as the Board of Review & Equalization beginning at 1:00 p.m. on the 1st day of February, 2017, and shall continue until the work is complete but will adjourn no later than the close of business on the 16th day of February, 2017.

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



STATE OF WEST VIRGINIA

Department of Revenue
State Tax Department

Jim Justice
Governor

Dale W. Steager
State Tax Commissioner

January 24, 2017

Honorable Members of the
Lewis County Commission
Lewis County Courthouse
110 Center Ave
Weston, West Virginia 26452-1964

Dear Commissioners:

The following budget amount estimate is provided to assist you in your task of preparing a FY2017-2018 budget for the Statewide Computer Network, Account #408.

Lewis County	\$43,942
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Your FY2017-2018 estimated budget amount has a decrease in the budgeted amount. Decreased activities by your assessor's office, such as printing, mailing of notices, postage, reports, etc., that are charged to the Statewide Computer Network Account #408, may have contributed to the decrease.

You should also consult with your county assessor to determine if he or she plans a higher level than usual of data processing activity for the coming year. If a higher level of activity is anticipated, you should revise the above figure upward to account for that activity. Our staff can help you to determine an appropriate dollar amount for such a revision.

As always, you can be assured that the staff of our Property Tax Division will continue to do all in its power to ensure that costs concerning the administration of the network are held to a minimum. Our efforts during the upcoming fiscal year will be focused on ensuring that actual costs come under budget amounts as much as possible.

Honorable Members of the
Lewis County Commission
January 24, 2017
Page Two

Should you have questions regarding this information, please feel free to contact Kris Pinkerman at 304-558-8507.

Sincerely,



Jeff Amburgey
Director
Property Tax Division

JA/kpj

cc: Assessor of Lewis County



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

December 31, 2015

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

Dear Sirs and Madam:

The term for Mindy Hall has ended on December 2015. The Authority Board request the Commission to continue her services for another term as a Weston Lewis Co Ambulance Authority Member.

Thank you,

James C Taylor
Coordinator
Weston Lewis County EMS



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

December 31, 2015

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

Dear Sirs and Madam:

The term for Reggie Hawver has ended on December 2015. The Authority Board request the Commission to continue his services for another term as a Weston Lewis Co Ambulance Authority Member.

Thank you,


James C Taylor
Coordinator
Weston Lewis County EMS



CO54041
Lewis County
322659

January 20, 2017

Agnes G Queen
President
Board of Commissioners
110 Center Ave 2nd Fl
Weston WV 26452

**FROM THE DIRECTOR
U.S. CENSUS BUREAU**

In July 2017, your government will receive a formal invitation to participate in the 2020 Census Local Update of Census Addresses Operation (LUCA), as mandated by the Census Address List Improvement Act of 1994 (Public Law 103-430). This is the only opportunity offered to tribal, state, and local governments to review the U.S. Census Bureau's residential address list prior to the 2020 Census. The Census Bureau relies on a complete and accurate address list to reach every living quarters and associated population for inclusion in the census. Your LUCA participation can help ensure an accurate count for your jurisdiction.

The primary purpose of the decennial census is to apportion the seats in the U.S. House of Representatives. However, over 1,000 federal programs utilize census data to allocate monies to tribal, state, and local governments. Census data support grant applications for funding community and regional development programs and projects, and can also help your community plan for future needs.

Enclosed with this letter are:

**1) 2020 Census Local Update of Census Addresses Operation (LUCA)
Information Guide**

Use this guide to answer questions about LUCA and help your government prepare to participate. For further information, refer to the suggestions contained in the "Preparing to Participate" section to ensure your government is ready when LUCA materials become available. There is a time limit for the LUCA review.

2) Contact Information Update Form

This form lists the contact person currently on file for your jurisdiction. Please review the preprinted information and provide updates and/or corrections. Return the completed form in the enclosed preaddressed, postage-paid envelope within two weeks of receipt. We will use the information to update our contact database for the formal LUCA invitation letter. We will provide a courtesy copy of this letter to many contacts in your jurisdiction to ensure we convey timely information regarding the opportunity to participate in LUCA.



We will offer LUCA promotional workshops, both as classroom training and via online webinars, to provide more information and answer participant questions. If you are interested in attending a workshop, check our LUCA Web site listed below. We will update the site continuously as classes are scheduled.

If you have any questions regarding LUCA, please contact us via email at GEO.2020.LUCA@census.gov, by phone at 1-844-344-0169, or you can visit us on the Web site at www.census.gov/geo/partnerships/luca.html.

Sincerely,

A handwritten signature in black ink, appearing to read "John H. Thompson". The signature is fluid and cursive, with a long horizontal stroke at the end.

John H. Thompson
Director

Enclosures

cc: Steven M Money Penny
Agnes G Queen

STEPHEN C. SLUSS
ATTORNEY AT LAW
421 MIDLAND TRAIL
HURRICANE, WV 25526
681/235-7121
FAX: 681/235-7143
E-MAIL: ATTORNEY@SCSLUSS.COM

January 24, 2017

The Honorable Patrick D. Boyle, President
The Honorable Agnes G. Queen, Commissioner
The Honorable Roderick B. Wyman, Commissioner
Lewis County Commission
Lewis County Courthouse
110 Center Avenue, 2nd Floor
Weston, WV 26452

RE: ENGAGEMENT LETTER AND FEE ARRANGEMENT

Dear Commissioners:

Pursuant to our recent discussion and based on your request for proposals, I have agreed to represent the Lewis County in connection with the collection of ad valorem personal property taxes.

At this time, I want to thank you for selecting my law firm to represent you in this matter. I also wish to set forth our agreement as to payment of my fees. My fees for legal services are generally \$200 per hour, billed in 1/10th of an hour increments, plus any expenses that may be incurred, such as filing fees, deposition charges, copying costs, postage, and related expenses. However, pursuant to my bid, I have agreed to pursue collection of ad valorem personal property as follows:

Ten percent (10%) of the total amount of taxes collected prior to the filing of a law suit

Fifteen percent (15%) of the total amount of taxes collected after filing suit but prior to trial.

Twenty percent (20%) of the total amount of taxes collected as the result of litigation that goes to trial

Twenty-five percent (25%) of the total amount of taxes collected as the result of an appeal to the West Virginia Supreme Court.

In addition, any other fees and costs associated with the collection attempts will be the responsibility of Lewis County. Per W.Va. Code §11A-2-2, these fees and costs will be paid out of the amount collected prior to distribution to the various levying bodies. As per the statute, filing and service of processed are assessed to the taxpayer and collected along with the taxes owed.

I may send you pleadings, documents, correspondence, and other information throughout the case. These copies will be your file copies. Please retain them. I will also keep the information in a file in my office, which will be my file. Please bring your copy of the file to all our meetings so that we both have all the necessary information in front of us. When I have completed all the legal work necessary for your case, I will close my file and return original documents to you. I will then store the file for approximately three years. I will destroy the file after that period of time, unless you instruct me in writing now to keep your file longer.

I have included a copy of this letter for your review, and signature. If any of the information in this letter is not consistent with your understanding of our agreement, please contact me before signing the letter. Otherwise, please sign the enclosed copy of this letter and return it to me. On behalf of the firm, we are happy to represent you in this matter. If you have any questions, please contact me at your convenience.

Sincerely,



Stephen C. Sluss

At a regular meeting of the Lewis County Commission held on the ____ day of _____, 2017, the foregoing AGREEMENT was adopted.

ENTERED this _____ day of _____, 2017

Patrick D. Boyle, President

Agnes G. Queen, Commissioner

Roderick B. Wyman, Commissioner

To: Bill Rowan
From: Martha Tatman
Ref: Vacation conversion

January 26, 2017

I am requesting to convert an additional 4 hours of vacation time to sick time for a total of 24 hours.

Thank You,

Martha Tatman

Martha Tatman

APP.
William F. Rowan