

# COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue  
Weston, WV 26452  
Phone: (304)269-8200  
Fax: (304) 269-2416  
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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, April 10, 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, April 6, 2017 upon request. (*action required*)

## APPOINTMENTS

3. 10:15 AM Lewis County National Day of Prayer Task Force  
Proclamation for National Day of Prayer  
RE: The Lewis County National Day of Prayer requests the Lewis County Commission execute a proclamation observing National Day of Prayer in Lewis County.  
(*action required*)
4. 10:30 AM Louella Clem  
Lewis County Fire Board Member Oath of Office  
Re: Louella Clem was appointed as a member of the Lewis County Fire Board by the Lewis County Commission on March 27, 2017. This is an unexpired term that will expire June 30, 2019 The oath of office will be administered. (*action required*)
5. 10:40 AM Proclamation for 911 Telecommunicator's Week:  
RE: The Lewis County Commission is asked to execute a proclamation declaring the week of April 10-14, 2017 as Lewis County 911 Telecommunicator's week.  
(*action required*)
6. 10:45 AM Proclamation for Lewis County Animal Control Officers Appreciation Week  
RE: The Lewis County Commission is asked to execute a proclamation declaring the week of April 10-14, 2017 as Lewis County Animal Control Officers Appreciation week. (*action required*)
7. 11:00 AM Estate of Sylvia Washburn.  
Consideration of Admission of Copy of a Will  
Re: The Lewis County Commission is asked to consider the admission to probate a copy of the will of Sylvia Washburn. The family is not able to locate the original. Reference West Virginia Code §41-5-10. (*action required*)

8. 11:30 AM **Sergeant Michael D. Cayton, Lewis County Sheriff's Department  
Fiscal Year 2018 Justice Assistance Grant Funding**  
**Re:** Sergeant Cayton will present the Fiscal Year 2018 Justice Assistance Grant application. This grant will assist in funding the Prevention Resource Officer position at Lewis County High School. The grant is a collaborative project of the Lewis County Commission and Lewis County Board of Education. The Commission will be asked to approve and sign this application. (*action required*)

#### **CORRESPONDENCE**

9. **Upshur County Commission Meeting Agenda:** The Upshur County Commission Agenda for April 6, 2017 is received. (*information only*)
10. **Lewis County Animal Control Monthly Report:** Lewis County Animal Control Report for March 2017 including: number of animals picked up, dropped at facility, adopted, bounty collections and vehicle mileage (*information only*)
11. **Approval of Lewis County Fiscal Year 2018 Levy Estimate (Budget):** In accordance with the provisions of Chapter 11, Article 8, of the West Virginia Code, as amended, the State Auditor has approved the Lewis County Fiscal Year 2018 Levy Estimate(Budget). The Lewis County Commission will meet on the third Tuesday in April (April 18, 2017) to adopt the county levy rates. (*information only*)
12. **West Virginia Development Office Notification of Small Cities Block Grant Application Submission Date and Guidelines:** The West Virginia Development Office will be receiving Small Cities Block Grant Applications on or before June 30, 2017. Guidelines for the application process are included. (*information only*)
13. **Lewis Upshur Enhanced 911 Center Monthly Report:** March, 2017 monthly report of activities by the Lewis Gilmer Enhanced 911 Center including: number of calls, calls by agency, and disposition of calls. (*information only*)

#### **BUSINESS**

14. **Board(s) and Committee(s) Reports:** Reports by Commissioners of any board(s) or committee(s) attended including: Lewis County Convention and Visitor's Bureau; Lewis County Economic Development Authority; County Commissioner's Association of West Virginia Conference Call; Ribbon Cutting for new business. (*information only*)
15. **Consideration of Moving the County Human Resource and Budget Review to the Office of the Lewis County Commission:** The Lewis County Commission will consider moving the county's Human Resource and Budget Review from the County Clerk's Office to the office of County Commission. These services are currently provided by the County Commissioners Office in numerous counties and are the statutory requirement of the County Commission. (*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*)

#### **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, April 6, 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, April 6, 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, April 6, 2017. (*action required*)

**21. Expenses for the current period presented for consideration of payment.**

Draft copies will be available for review upon request Thursday,  
April 6, 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.*

**OATH OF OFFICE AND CERTIFICATE**

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**STATE OF WEST VIRGINIA**

**COUNTY OF LEWIS TO-WIT**

*I, Louella Clem, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of West Virginia and that I will faithfully discharge the duties of serving on the*

***LEWIS COUNTY FIRE BOARD***

*to the best of my skill and judgment, SO HELP ME GOD.*

*Signature of affiant:*

\_\_\_\_\_  
***Louella Clem***

*Subscribed and sworn to before me, in said County and State, this 10th day of April, 2017.*

\_\_\_\_\_  
***Patrick D. Boyle President,  
Lewis County Commission***

***Attest:***\_\_\_\_\_  
***Cynthia S. Rowan  
Lewis County Clerk***

**Term Expires June 30, 2019**



## *National Telecommunicators Week*

*APRIL 10, 2017-APRIL 14, 2017*

**WHEREAS**, dedicated Telecommunicators and dispatchers daily serve the Citizens of Lewis County by answering emergency calls for police, fire, and medical services, and by dispatching the appropriate assistance as quickly as possible; and

**WHEREAS**, public safety Telecommunicators are the vital link between the citizen calling for help and the agencies which assist them; and

**WHEREAS**, public safety Telecommunicators are professionals whose behind-the-scenes and often unrecognized actions are responsible for helping protect people and property; and

**WHEREAS**, professional Telecommunicators work to improve the emergency response capabilities of these communications systems through their leadership and participation in training programs to improve their skills; and

**WHEREAS**, the Lewis County Commission wishes to join government and agencies across the nation in setting aside the second week of April, 2017, to recognize Telecommunicators for their crucial role in the protection of life and property:

**NOW, THEREFORE, BE IT RESOLVED** by the Lewis County Commission, on Monday, April 10, 2017 that this second week of April be designated as **NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK** in honor and recognition of our community's 9-1-1 Telecommunicators and the vital contribution they make in the safety and well-being of our citizens.

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\_\_\_\_\_  
**Patrick Boyle, President**

**Attested:** \_\_\_\_\_

**Cynthia S. Rowan, Lewis County Clerk**

\_\_\_\_\_  
**Agnes Queen, Commissioner**

\_\_\_\_\_  
**Rod Wyman, Commissioner**

# Proclamation

## NATIONAL ANIMAL CONTROL APPRECIATION WEEK

APRIL 10<sup>th</sup> -14th, 2017

*WHEREAS*, the National Animal Control Association has designated the second week of April as National Animal Control Appreciation Week; and

*WHEREAS*, the various Federal, State and Local Government Officials throughout our country take this time to recognize, thank, and commend all Animal Control Officers for the dedicated service they provide to our citizens and agencies throughout the county; and

*WHEREAS*, the Lewis County Commission would like to express its sincere thanks and appreciation for the outstanding service our Animal Control Officers, John Snyder and Dwight Senter, provide on a daily basis to our county's citizens; and

*WHEREAS*, the Lewis County Commission recognizes and commends the Animal Control Officers for the many dedicated and long hours of service performed in serving the community, and for fulfilling the Animal Control Officers commitment to providing the highest and most caring level of service; and

*WHEREAS*, the Lewis County Commission wishes to commend Mr. Snyder and Mr. Senter for their service; and

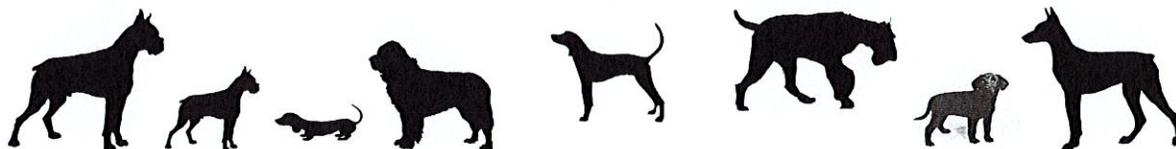
*NOW, THEREFORE, BE IT RESOLVED* that the Lewis County Commission does hereby officially recognize the week of April 10-14, 2017 as **Lewis County Animal Control Officers Week**, and respectfully asks all citizens to join in expressing their sincere appreciation for the many long hours of outstanding service these individuals provide throughout the year to assure the safety and welfare of all.

\_\_\_\_\_  
Patrick D. Boyle, President

\_\_\_\_\_  
Agnes Queen, Commissioner

Attested: \_\_\_\_\_  
Cynthia S. Rowan  
Lewis County Clerk

\_\_\_\_\_  
Rod Wyman, Commissioner



a guardian ad litem appointed by, the clerk of the court in the vacation of the court, and the proceeding may be matured and set down for hearing.

**§41-5-6. Hearing and decision.**

If no contest be made, the court may, on the return day of the summons on the petition, and, if contest be made, on the return day of the process upon notice of contest, or at any day thereafter fixed by the court, proceed to hear and determine the question of probate, and enter such order or judgment thereon as the law and the evidence in the case requires.

**§41-5-7. Appeal from probate order -- When to be taken; procedure.**

Any person feeling himself aggrieved by any order or judgment of the county commission admitting or refusing to admit any will to probate may, within three months, or, if such a person be under any disability within three months after such disability ceases, file his petition in the circuit court of such county, or before the clerk thereof, appealing to the circuit court from such order or judgment, stating in the petition the grounds of appeal and the parties interested in the probate of the will; and, in case of appeal, it shall be the duty of the clerk of the county commission promptly to transmit to the clerk of the circuit court, the will and all original papers filed or used in the proceedings for probate, together with copies of all orders made therein. The clerk of the circuit court shall, upon the filing of such petition, issue process thereon, and the case shall be proceeded in, tried and determined in such court, regardless of the proceedings before the county commission, and in the same manner and in all respects as if the application for such probate had been originally made to the circuit court.

**§41-5-8. Appeal from probate order -- Other testamentary papers to be produced; jury trial if desired.**

If there be more than one testamentary paper in question in any such proceeding, the circuit court shall order them all to be produced. The circuit court shall order a trial by jury, if demanded by any person interested, to ascertain whether the will in question, or if there be more than one, which of them, or what part or parts of either or any of them, is the true will of the decedent; and, if trial by jury be not asked, the circuit court shall proceed to try and decide the question of probate, and shall make and enter in relation thereto such final judgment or order as the law and the evidence may require. A copy of such judgment or order shall be returned to, filed and recorded in, the office of the clerk of the county court, and also any will established in such proceedings and admitted to probate in the circuit court shall be returned to, filed, and recorded (if not already of record) in such office.

**§41-5-9. Order as bar to suit in equity.**

Every such order or judgment of a county court not appealed from in proceedings for probate in solemn form, or in an ex parte proceeding which has been converted into a proceeding in solemn form by a contest therein, and every such order or judgment of a circuit court on appeal, shall be a bar to a bill in equity to impeach or establish such will, unless upon grounds which would give to a court of equity jurisdiction over other judgments at law.

**§41-5-10. Ex parte procedure to probate; appeal.**

At, or at any time after, the production of a will, any person may move the county court having jurisdiction, or the clerk thereof in the vacation of the court, for the probate of such will, and the court or the clerk thereof, as the case may be, may, without notice to any party, proceed to hear and determine the motion and admit the will to probate, or reject the same. The probate of, or refusal to probate, any will, so made by the clerk, shall be reported by him to the court at its next regular session, and, if no objection be made thereto, and none appear to the court, the court shall confirm the same. If any person entitled to contest the probate of a will shall appear before the clerk of the court before a decision is made by him admitting or refusing to admit the will to probate, or before the county court at any time before it has made an order confirming the action of the clerk in admitting or refusing to admit such will to probate, or before such court in any ex parte proceeding to probate a will made in the court in the first instance before it has made an order admitting or refusing to admit the will to probate, and file a notice of contest of the probate of the will, stating distinctly the several grounds of objection, process on such notice shall be issued and the proceeding thereafter shall be heard before the county court only, and in all respects in the same manner as if the will had been offered for probate in solemn form; and any judgment entered by the county court on such proceeding shall have the same effect, and an appeal shall lie therefrom, as if the original proceeding to probate the will had been made in solemn form: **Provided**, That the only notice to the parties interested or process against them required in such case shall be upon the notice of contest. In all ex parte proceedings in which there is no contest, the action of the clerk in admitting the will to probate, when confirmed by the court, shall have the same effect in all respects as if the will had been admitted to probate and record by the county court in the first instance.

**§41-5-11. Impeachment or establishment of will -- By person who was not party to prior proceeding; trial by jury.**

FY 2017 West Virginia  
Justice Assistance Grant Program  
Application Forms

*\*\*The JAG application has adopted a format which bases all applications on specific program types/abstracts. All units of state or local government are eligible to apply, providing that their program/application falls under one of the Abstracts included in the application packet.*



<b>West Virginia Justice Assistance Grant Program Application</b>	<b>General Administrative Information Page 1</b>
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<p><u>Applicant Agency:</u> LEWIS COUNTY COMMISSION Address: 110 CENTER AVENUE WESTON, WV 26452</p> <p>Phone: 304-269-8200 Fax Number: 304-269-2416</p>	<p><u>Type of Agency:</u></p> <p><input type="checkbox"/> State <input checked="" type="checkbox"/> County</p> <p><input type="checkbox"/> Municipality</p>
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<p><u>Project Director:</u> PD Title: Sgt. Michael Cayton Address: 117 Center Avenue Weston, WV 26452</p> <p>Phone: 304-517-3272</p> <p>Fax: 304-269-2644 Email: mcayton@lewiscountywv.org</p>	<p><u>Fiscal Officer:</u> FO Title: Cindy Whetsell, County Administrator Address: 110 Center Avenue Weston, WV 26452</p> <p>Phone: 304-269-8200 Fax: 304-269-2416 Email: lwhetsell@lewiscountywv.org</p>
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Funds Requested: \$20,000.00                      Amount Awarded: (for DJCS use only)  
Match Proposed: \$6,667.00  
Project Period:                      July 1, 2017 – June 30, 2018

Number of years previously funded: 12                      Estimated Number to be Served: 756  
Geographic Area(s) Served: Lewis County  
Total Population: 16,327  
DUNS Number: 803418045  
FEIN Number: 556000338  
Project Title: Lewis County Prevention Resource Office

**Project Description:** This program will enable a Lewis County Deputy Sheriff to interact with students in a positive manner, including teaching non-traditional classes and providing resources to student, faculty and parent.

*Certification: To the best of my knowledge, the information contained in this application is true and correct. The submission thereof has been duly authorized by the governing body and the applicant will comply with the attached special conditions and assurances, if funding is provided.*

<p><u>Authorized Official:</u> Patrick D. Boyle</p> <p>Address: 110 Center Avenue Weston, WV 26452</p> <p>Signature:</p>	<p><u>AO Title:</u> President</p> <p>Phone: 304-269-8200 Fax: 304-269-2416 E-Mail: lwhetsell@lewiscountywv.org</p> <p>Date: April 10, 2017</p>
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Applicant: <b>Lewis County Commission</b>	FEIN Number: <b>556000338</b>
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Budget Category	WV JAG Requested Funds (A)	Local (Match) Funds (B)	Total Budget (A + B)
Personnel/Contractual	20,000	6,667	26,667
Travel/Training			
Equipment			
Other			
<b>Totals</b>	<b>20,000</b>	<b>6,667</b>	<b>26,667</b>

*\*All funds must be rounded to the nearest whole dollar amount*

#### Funding Strategy

Funding Source(s)	Amount	Status
JAG	20,000	R
<b>Lewis County Commission</b>	3,334	C
Lewis County Board of Education	3,333	C
<b>Total</b>	<b>26,667</b>	

Funding Source - Separately list each source of funds that will be used in the program.

Amount - Enter the amount received or anticipated for each

Status - Indicate the status of each funding source as follows:

P – Projected grant, loan or donation

A – Application submitted and under review

C – Funds Committed

R – Funds received, appropriated or on hand

Detailed Project Cost by Budget Category	Requested JAG Funds	Local Funds Utilized	Grant Funds Approved
<b><u>Personnel / Contractual:</u></b>			
PRO at Lewis County High School <b>Sgt. Michael Cayton</b> Salary Benefits <ul style="list-style-type: none"> <li>• FICA: 7.65%</li> <li>• W Comp: 2.84%</li> <li>• Insurance: \$10,396.80</li> <li>• Unemployment: .0151%</li> <li>• Retirement: 12%</li> </ul>	20,000	6,667	(DJCS Use Only) 20,000
<b><u>Travel / Training:</u></b>			
N/A			
<b><u>Equipment (\$1,000/unit):</u></b>			
N/A			
<b><u>Other:</u></b>			
N/A			
<b>Total Requested JAG Funds</b>	20,000		
<b>Total Local Matching Funds</b>		6,667	
<b>Total Funds APPROVED for Project</b>			26,667

**FISCAL YEAR 2018**  
**LEWIS COUNTY PREVENTION RESOURCE OFFICE**  
**FINANCIAL COSTS**

**LEWIS COUNTY HIGH SCHOOL PREVENTION RESOURCE OFFICER**

Salary	\$ 42,805.00
Fica/Med	\$ 3,275.00
Retirement	\$ 5,132.00
Insurance	\$ 10,605.00
WC/Unemp	\$ 1,455.37

Salary Total	\$ 63,272.37
Grant	\$ 20,000.00
Subtotal	\$ 43,272.37

Divide by 12	\$ 3,606.03
Multiply by 10	\$ 36,060.31
Divide by 2	\$ 18,030.15 <b>BOE SHARE</b>

County Share	\$ 25,242.22 <b>COUNTY SHARE</b>
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**ROBERT L. BLAND MIDDLE SCHOOL**  
**PREVENTION RESOURCE OFFICER**

Salary	\$ 40,045.00
Fica/Med	\$ 3,063.44
Retirement	\$ 4,805.40
Insurance	\$ 6,323.00
WC/Unemp	\$ 1,361.53

Salary Total	\$ 55,598.37
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Divide by 12	\$ 4,633.20
Multiply by 10	\$ 46,331.98
Divide by 2	\$ 23,165.99 <b>BOE SHARE</b>

County Share	\$ 32,432.38 <b>COUNTY SHARE</b>
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<b>GRAND TOTAL BOE</b>	<b>\$ 41,196.14</b>
<b>GRAND TOTAL COUNTY</b>	<b>\$ 57,674.60</b>

**Upshur County Commission  
Agenda**

Location of Meeting: Upshur County Courthouse Annex  
Date of Meeting: April 6, 2017

- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance  
Approval of Minutes:  
• March 30, 2017
- 9:15 a.m. Discuss property owned by Jessica Bennington located in Banks Tax District – Tax Map 2Q – Parcel Number 46 – Case Number 041212-01.
- 9:30 a.m. Bid Opening and Award for the expansion and relocation of a portion of the Upshur County Courthouse surveillance system
- 9:45 a.m. Doyle Cutright, II, E-911 Director – Proclamation and Certificate of Recognition in honor of National Public Safety Telecommunicators Week
- 10:00 a.m. Addie Helmick and Bobbi Cox on behalf of Women’s Aid in Crisis –Presentation of Sexual Assault Awareness Month Proclamation
- 10:15 a.m. Tim Higgins - letter addressed to Congressman Mooney regarding his distribution titled, "Supporting and Protecting West Virginia Jobs"

**Items for Discussion / Action / Approval:**

1. Approval of Upshur County Office of Emergency Management Emergency Notification and Alerting System advertisement.
2. Approval and signature of FY 18 PRO Grant Application, Agreement and Conditions and Assurances in the amount of \$28,000.00 for the Prevention Resource Officer (PRO) at the Buckhannon Upshur Middle School.
3. Approval of advertisement for Lifeguards, Admission Workers and a Concession Stand Worker for the 2017 season at the Buckhannon-Upshur Recreational Park Facility. The temporary positions will begin work in mid-May and continue through mid-August. Applications must be received on or before the close of business on Friday, April 21, 2017.
4. Correspondence from Renee Riggs, Head Coach for the USA Swimming Team Club Mountaineer Aquatics, requesting use of the Buckhannon-Upshur Recreational Park pool Saturday mornings from 8:30 a.m. until 11:00 a.m. beginning May 27<sup>th</sup> and ending July 29<sup>th</sup>.
5. Correspondence from Phillis Lemons on behalf of the Ellamore Recreation Center Inc. requesting a \$3,000 donation in an effort to keep the center open for utilization by local children.

6. Correspondence from Bethany Burkhart, Tri-County Child Exchange & Visitation Program Site Supervisor, announcing the resignation of Susan Thayer, Monitor, effective April 2, 2017.  
*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. Correspondence from Bethany Burkhart, Tri-County Child Exchange & Visitation Program Site Supervisor, requesting the employment of Misty Lattea as a Monitor, effective April 14, 2017, pending background check results. Upon approval, Ms. Lattea's rate of pay will be \$8.75 per hour and she will not work more than 19 hours per week.
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. Notice of Approval of the Levy Estimate (Budget) from the WV State Auditor
2. CCAWV 2017 County Government Essay Contest Packet – Applications due April 21, 2017
3. Upshur County Building Permits – March 2017
4. Newsletters and/or Event Notifications:
  - Wear Blue Flyer – April 7, 2017
  - 2017 WV Hillbilly Celebration on April 8<sup>th</sup> from 10 a.m. to 5 p.m. at Jawbone City Park
  - Free "Dining with Diabetes" Workshop Series to begin April 11<sup>th</sup> at the WVU Extension Office
  - 23<sup>rd</sup> Annual Ramp Benefit Dinner on April 21<sup>st</sup> from 5-8 p.m. at the Upshur County Public Library
5. Agendas and/or Notice of Meetings:
  - Elkins Road PSD April 4, 2017
  - City Council of Buckhannon April 6, 2017
  - James W. Curry Library and Park April 25, 2017
6. Meeting Minutes:
  - James W. Curry Library and Park October 26, 2016
7. Meetings:
  - 04/04/17      5:30 p.m.      Elkins Road PSD
  - 04/04/17      4:00 p.m.      Hodgesville PSD
  - 04/06/17      7:00 p.m.      Banks District VFD
  - 04/06/17      7:00 p.m.      Selbyville VFD

- 04/10/17 12:00 p.m. Upshur County Family Resource Network
- 04/10/17 4:30 p.m. Upshur County Solid Waste Authority
- 04/10/17 5:30 p.m. Buckhannon-Upshur Recreational Park Advisory Board
- 05/08/17 6:00 p.m. Lewis-Upshur Community Corrections Board-Lewis County
- 04/11/17 7:30 p.m. Adrian VFD
- 05/04/17 6:00 p.m. Buckhannon-Upshur Board of Health
- 04/19/17 7:00 a.m. Upshur County Development Authority – Executive Board
- 04/12/17 12:00 p.m. Upshur County Senior Center Board
- 04/13/17 3:00 p.m. Upshur County Conventions & Visitors Bureau – UCDA Office
- 04/12/17 6:00 p.m. Upshur County Citizens Corp – CERT
- 04/12/17 7:30 p.m. Warren District VFD
- 04/13/17 1:00 p.m. Adrian PSD
- 04/12/17 3:00 p.m. Tennerton PSD
- 04/13/17 4:00 p.m. Upshur County Safe Sites & Structures Ordinance Board
- 04/13/17 7:30 p.m. Buckhannon VFD
- 04/13/17 4:00 p.m. Buckhannon Upshur Airport Authority
- 04/20/17 6:30 p.m. Upshur County Youth Camp Board
- 04/16/17 6:00 p.m. Washington District VFD
- 04/17/17 12:00 p.m. Buckhannon-Upshur Chamber of Commerce
- 04/18/17 4:00 p.m. Upshur County Public Library Board
- 04/18/17 10:00 a.m. Wes-Mon-Ty Resource Conservation & Development
- 04/18/17 6:30 p.m. Upshur County Fire Board
- 04/18/17 5:00 p.m. UC Enhanced Emergency Telephone Advisory Board
- 04/12/17 7:00 p.m. Ellamore VFD
- 04/19/17 12:00 p.m. Lewis Upshur LEPC --- Upshur location
- 04/26/17 10:00 a.m. James W. Curry Advisory Board
- 04/20/17 3:00 p.m. Upshur County Farmland Protection Board – Farm Bureau Office
- 04/24/17 6:00 p.m. Upshur County Fire Fighters Association
- 04/12/17 7:00 p.m. Buckhannon River Watershed Association - Board of Directors
- 04/24/16 10:00 a.m. Mountain CAP of West Virginia, CDC – Annual Meeting

8. Appointments Needed or Upcoming:

- Upshur County Safe Structures and Sites Enforcement Board (unexpired term – 6-30-2018) – Community Member

Tabled Items

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

Next Regular Meeting of the Upshur County Commission  
 April 13, 2017 --- 9:00 a.m.  
 Upshur County Courthouse Annex

\*\*\*There will be a Special Commission Meeting on Tuesday, April 18, 2017 at 9:00 a.m.\*\*\*

LEWIS COUNTY

ANIMAL CONTROL MONTHLY REPORT

MONTH MARCH YEAR 2017

NUMBER OF COMPLAINTS 86

NUMBER DOGS PICKED UP 42

OTHER ANIMALS PICKED UP 0

CATS PICKED UP 20

TOTAL NUMBER ANIMALS PICKED UP 62

CATS DROPPED OFF AT POUND \_\_\_\_\_

NUMBER OF CATS ADOPTED \_\_\_\_\_

NUMBER CATS RECLAIMED \_\_\_\_\_

NUMBER OF CATS EUTHANIZED \_\_\_\_\_

NUMBER OF DOGS RECLAIMED \_\_\_\_\_

NUMBER OF DOGS EUTHANIZED \_\_\_\_\_

NUMBER DOGS ADOPTED \_\_\_\_\_

BOUNTY MONEY \$ 2100

MONEY FROM POUND CHECKS \_\_\_\_\_

MONEY FROM POUND CASH \_\_\_\_\_

TOTAL MONEY FROM POUND \_\_\_\_\_

*Mileage* Beginning 93,739  
Ending 95,234  
Monthly Mileage 1,495



**State of West Virginia**  
**John B. McCuskey**

Office of the State Auditor  
Local Government Services  
153 West Main Street, Suite C  
Clarksburg, West Virginia 26301

**State Auditor**

Toll Free: (877) 982-9148  
Telephone: (304) 627-2415  
Fax: (304) 627-2417  
[www.wvsao.gov](http://www.wvsao.gov)

March 30, 2017

**NOTICE OF APPROVAL OF THE LEVY ESTIMATE (BUDGET)**

TO: Lewis County Commission

In accordance with the provisions of Chapter 11, Article 8, of the West Virginia Code, as amended, the State Auditor of West Virginia hereby approves your Levy Estimate (Budget) for the fiscal year beginning July 1, 2017.

With this written approval, the levying body shall meet on the third Tuesday in April (April 18) to hear and consider any objections and to officially adopt the levy rates for property taxation. The clerk/recording officer, within three days of such meeting, shall prepare and forward to the State Auditor the officially adopted levy rates and levy order.

If you have any questions, please do not hesitate to contact me at 304-627-2415 or 1-877-982-9148 extension 5114, Shellie Humphrey extension 5119, Tiffany Hess extension 5118 or Karen Drain extension 5101.

Sincerely,  
John B. McCuskey  
WV State Auditor

A handwritten signature in blue ink that reads "Ora L. Ash".

By: Ora L. Ash  
Deputy State Auditor  
Local Government Services



## MEMORANDUM

**TO:** Regional Planning and Development Councils  
Mayors, County Commissioners

**FROM:** Kelly Workman, CDBG Program Manager  
West Virginia Development Office 

**DATE:** March 9, 2017

**RE:** Fiscal Year 2017 CDBG Application and Guidelines

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Application forms for the CDBG-Small Cities Block Grant program are posted to the WVDO website and distributed to the State's 11 Regional Planning and Development Councils. Applications forms are available at [www.wvdo.org/downloads](http://www.wvdo.org/downloads), or by calling 304-558-2234.

**Public Infrastructure and General Community Development applications are due on or before June 30, 2017. Economic Development, Self-Help Water Projects, and Community Development-Broadband applications are due on or before October 30, 2017.**

Each project must meet one of the following National Objectives, specified by the U.S. Department of Housing and Urban Development (HUD), as follows: (1) Benefit low- and moderate-income persons; (2) Eliminate slums or blight; or (3) Address urgent community development needs.

The complete FY 2017 action plan for the use of program funding will be posted to [www.wvdo.org/downloads](http://www.wvdo.org/downloads). Previous categories will remain, and in FY 2017, the Community Development category will be expanded to include broadband.

Building upon the 2014 Broadband Strategic Plan, in which each Regional Planning and Development Council facilitated the development of a regional broadband strategic plan, the State intends to dedicate 5 percent of its FY 2017 CDBG allocation to broadband development. Broadband projects will be coordinated with the Broadband Enhancement Council and the West Virginia Geological and Economic Survey, Office of GIS Coordination. The following activities are proposed:

- Assisting with updates to the State Broadband Strategic Plan and mapping initiatives;
- Matching CDBG funds to eligible projects also funded by the Broadband Enhancement Council, U.S. Department of Agriculture, U.S. Economic Development Administration, Appalachian Regional Commission and/or other State and Federal sources;
- Providing funds for a pilot project through which additional program criteria will be developed.

### **IJDC Technical Review for Infrastructure Projects**

All water and sewer infrastructure projects must be reviewed by the West Virginia Infrastructure and Jobs Development Council (IJDC), and be found technically feasible. All IJDC applications must be submitted to the IJDC by **April 10, 2017**. Note following details:

- Projects submitted to IJDC prior to April 10 will have a complete review. The IJDC determination letter must be submitted with the application. WVDO strongly advises that projects be submitted to IJDC prior to April 10 for a complete review.

- Projects submitted to IJDC prior to May 10 will not have a complete review. Projects submitted to IJDC prior to May 10 will be reviewed at the June 27 Funding Committee meeting. These applications will be accepted, but will not be eligible for funding unless and until the IJDC determination letter is submitted to WVDO. The determination letter and technical review memo must be submitted to WVDO by July 31, 2017.
- Project numbers issued by IJDC in 2015 and 2016 will be accepted with a proper cost estimate update. IJDC Project Numbers dated 2014 or earlier will diminish the competitiveness of the application due to the age of project data. Applications must include rates based upon the 2010 MHI and 3,400 average gallon usage data, regardless of when the application was reviewed by the IJDC.
- **Projects submitted to IJDC after May 10 will not be considered for FY 2017 funding.**

### Engineering Cost Estimates

Engineering cost estimates must be dated within 12 months of the application date and must be certified by the project engineer. Applications accompanied by cost estimates more than 12 months old will not be considered for funding. Estimates can be updated by submitting a memo to the WVDO and to IJDC, accompanied by current cost estimates, as certified by the project engineer. The memo should address any material changes in cost and scope, and be included in the application submitted to the WVDO. Substantial changes in either cost or scope will require IJDC review.

### Project/Service Area

Each application must provide information for the Census Tract(s) and Block Group(s) most closely approximating the project area. Income survey results must be compared to the most recent LMISD percentage for the census geography that most closely matches the service area. The difference between the LMISD and the Income Survey data must be explained in the application.

### Income Eligibility: Area-Wide Benefit to Low and Moderate Income Individuals

The Area-Wide Benefit to Low and Moderate Income Individuals category includes activities that benefit all residents in a specific area or neighborhood, where at least **51 percent** of the residents are LMI persons. LMI determination is based upon the income of a family, household, or individual living in the project area whose household income does not exceed **80 percent** of the median income for the area, with adjustments for smaller and larger households or families (HUD generated LMISD data).

Eligibility must be verified by one of the following methods:

1. **ACS/Census: 2016 HUD Income Summary Data/LMISD in compliance with HUD CPD Notice 14-10:**

To qualify by Census, the census blocks/areas must closely align with the service area and have a 51 percent or greater LMI population, according to HUD generated census data.

The 2016 HUD Income Summary Data/LMISD data, based upon the American Community Survey (ACS), is available at [www.hudexchange.info/manage-a-program/acs-low-mod-summary-data-block-groups-places](http://www.hudexchange.info/manage-a-program/acs-low-mod-summary-data-block-groups-places). If the project area is a census tract(s), select ALL BLOCK GROUPS. If the project area is a whole town or county, select LOCAL GOVERNMENT SUMMARIES.

2. **2016 Income Survey: In compliance with HUD CPD Notice 14-013:**

To qualify by Income Survey, review HUD CPD Notice 14-013 available at [www.hudexchange.info/resource/4103/notice-cpd-14-013](http://www.hudexchange.info/resource/4103/notice-cpd-14-013), and the **WVDO Income Survey Guide** available at [www.wvcommerce.org](http://www.wvcommerce.org).

The 2016 HUD Income Limits are available at <http://www.huduser.org/portal/datasets/il/il16/index.html>. Choose West Virginia at this link, and identify the proper County or Metropolitan Statistical Area. The **most current HUD Income Limits** must be used for an income survey.

Review the WVDO Income Survey Guide and contact the WVDO prior to conducting an Income Survey. The Income Survey should include detailed descriptions of the project area, sample, methodology, tabulations and results. Verify that income surveys are conducted using true **random** sample. Previously completed income surveys should be no more than **three** years old. Applicants with surveys exceeding three years may request a waiver.

# State of West Virginia

## Demographic Data Guide

HUD has adopted the ACS as the primary data source for Census information. ACS data may be more readily available for towns and counties than smaller geographic areas and rural locations.

Use the ACS Five-Year Estimates (2011-2015). If data is not available, use the 2010 Census data. If this data is not available in either the ACS or the 2010 Census, the applicant may cite the 2000 Census.

- **Note:** The 2000 Census should only be cited as a source if data is not contained in the ACS or the 2010 Census.
- Disability data was recently added to the ACS Five-Year Estimates, but may not be available for all project areas.

### Section 4: Fair Housing/Equal Opportunity

Use "the most recent ACS/Census data (Census.gov or factfinder2.census.gov) to complete Section 4 of the 2017 application, for Section 4: Fair Housing/Equal Opportunity Items 1 and 2:

- Item 1: Total population, minority population, percentage of minority population of the applicant; and
- Item 2: The defined minority composition of the census area most closely related to the project area.

The 2010 Decennial Census did not capture data regarding incomes, disability status, poverty status, education, occupation and other demographic data. As a result, multiple demographic data sources may be used as part of the application, as follows:

- 2011-2015 ACS Data
- 2010 Decennial Census (*Use only if data is not available in ACS*)
- 2000 Decennial Census (*Use only if data is not available in ACS or 2010 Census*)

ACS data may be more readily available for towns and counties than smaller geographic areas and rural locations. These estimates encompass the smallest county, place or block groups and can be retrieved on an annual basis by accessing the U.S. Census Bureau main page ([www.census.gov](http://www.census.gov)) and/or the U.S. Census Bureau's American FactFinder (<https://catalog.data.gov/dataset/american-factfinder-ii>.)

### Additional Resources

1. The **WV State Data Center Guide to Demographic Data** is available at [www.wvcommerce.org](http://www.wvcommerce.org)
2. The **2017 CDBG-Small Cities Application Forms and Instructions** are available at [www.wvcommerce.org](http://www.wvcommerce.org).

We appreciate your assistance in the administration of the CDBG program in the State of West Virginia. For additional information, contact Kelly Workman, Todd Goddard, or Tony O'Leary at 304-558-2234.