

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
Weston, WV 26452
Phone: (304)269-8200
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COMMISSIONERS:
AGNES G. QUEEN
President
PATRICK D. BOYLE
Commissioner
THOMAS V. FEALY
Commissioner

LEWIS COUNTY COMMISSION
110 CENTER AVENUE, 2nd FLOOR
WESTON, WV 26452
MEETING AGENDA
Monday, July 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, July 6, 2017 upon request. (*action required*)

APPOINTMENTS

- 3. 10:10 AM Public Comment**
RE: The Lewis County Commission will be considering a proposed increase to the Excise Tax on the Privilege of Transferring Property in Lewis County as provided by West Virginia Code §11-22-2 as amended. The Lewis County Commission proposes to increase the County's Excise Tax on the Privilege of Transferring Property \$1.10 per each \$500 of value to \$1.65 per each \$500 of value. (*action required*)

CORRESPONDENCE

- 4. Upshur County Commission Meeting Agenda:** Upshur County Commission Meeting Agenda for Thursday, July 6, 2017. (*information only*)
- 5. United States Department of Interior, PILT (Payment in Lieu of Taxes) Distribution:** Lewis County received \$54,191,000 in PILT (Payment in Lieu of Taxes) for Fiscal Year 2017. The United States Department of Interior compensates local eligible jurisdictions for Federal lands administered by agencies with the Department and on behalf of the US Forest Service and US Army Corps of Engineers. In Fiscal Year 2016, the county received \$52,984,000. (*information only*)
- 6. Lewis County Convention and Visitors Bureau Board of Directors Agenda and Meeting Minutes:** Agenda for July 6, 2017 Lewis County Convention and Visitors Bureau Board of Directors Meeting and minutes of the May 2, 2017 meeting. (*information only*)
- 7. Lewis County Animal Control Monthly Report:** Monthly animal control report for May 2017 including: bounty collected; number of complaints; animals picked up; and animals adopted. (*information only*)

8. **Lewis Upshur Animal Control Facility Monthly Report:** Facility report for May 2017 for both Lewis and Upshur Counties including: number of animals brought to facility by officer and resident; number animals adopted; number of animals rescued; and number of animals euthanized. This information is broken down by dogs and cats. *(information only)*
9. **Sheriff's Monthly Mileage Report:** Report of mileage at the end of June, 2017 for the Sheriff's Department fleet. *(information only)*
10. **West Virginia Department of Environmental Protection Notification of Appointment to the Lewis Gilmer Solid Waste Authority:** Correspondence for the West Virginia Department of Environment Protection notifying the Lewis County Commission that Jane Friedmann has been appointed as a member of the Lewis Gilmer Solid Waste Authority. Her term of office will expire June 30, 2021. *(information only)*
11. **Letter of Appreciation from Patti Hamilton, Executive Director for the West Virginia Association of Counties:** Patti Hamilton retired June 30, 2017 after nearly twenty years serving as the Executive Director for the West Virginia Association of Counties. She extends her appreciation to the Commission for the excellent working relationship that has been shared. *(information only)*
12. **Lewis County Commission Fiscal Year 2015 Audit:** The West Virginia State Auditor's Office has released the Lewis County Fiscal Year 2015 Audit Report. The only finding was segregation of duties. *(information only)*

BUSINESS

13. **Board(s) and Committee(s) Reports:** Reports by Commissioners of any board(s) or committee(s) attended including: Lewis County Convention and Visitors Bureau Board of Directors; Central West Virginia Community Action Agency. *(information only)*
14. **Consideration of Attaining Outside Legal Counsel for the Purpose of Filing a Law Suit Against Drug Manufacturers and Distributors:** Over the past three (3) months, the Lewis County Commission has met with several legal firms regarding representation for a law suit against Drug Manufacturers and Distributors for their liability in the opioid issues in the county. For the future protection and restitution of our citizens from the harm of opioids, the Lewis County Commission will consider attaining Legal Counsel to file suit against multiple drug manufacturers and distributors. *(action required)*
15. **Approval of Increase in County Transfer Tax:** Following the required publication and public comment, the Lewis County Commission will vote on increasing the Excise Tax on the Privilege of Transferring Property in Lewis County as provided by West Virginia Code §11-22-2 as amended. The Lewis County Commission will consider an increase in the County's Excise Tax on the Privilege of Transferring Property \$1.10 per each \$500 of value to \$1.65 per each \$500 of value effective July 15, 2017. *(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) Michael Herron June Monthly Time Sheet
 - b) Joe Frazier November 20, 21, 22, 2017 Annual Leave

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, July 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, July 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, July 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, July 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.*



THE SECRETARY OF THE INTERIOR
WASHINGTON

June 26, 2017

Lewis, County Of
Lewis County Commission
110 Center Avenue
Weston, West Virginia 26452-1964

Dear County Official:

I am pleased to notify you that on June 27, 2017, the Department of the Interior (Department) issued payments under the Payments in Lieu of Taxes (PILT) program. The PILT program compensates eligible local jurisdictions for Federal lands administered by agencies within the Department and on behalf of the U.S. Forest Service and the U.S. Army Corps of Engineers. Local governments may use the PILT payments for any governmental purpose, including emergency response, public schools, and roads. Since local governments cannot tax Federal lands, annual PILT payments help to defray costs associated with maintaining important community services.

The Payments in Lieu of Taxes Act, 31 U.S.C. 6901-6907, as amended, authorized the program. The PILT Act prescribes the formula used to compute the annual payments based on annually adjusted per-acre and population variables. Prior year Federal payments under certain revenue sharing programs, as reported annually by states, are deducted in formulating the payment amounts. A provision in the PILT Act provides temporary compensation for recent additions to the National Park System and National Forest Wilderness Areas.

The President signed the Consolidated Appropriations Act, 2017 (P.L. 115-31) on May 5, 2017, providing funding for the 2017 PILT program. Approximately 1,900 local jurisdictions received a total of \$464.6 million in PILT payments this year.

For 2017, your county is receiving a PILT payment of \$54,191. If you provided current bank routing and account numbers to our Interior Business Center office or to the System of Awards Management (SAM), an electronic funds transfer was posted to your account on or about June 27, 2017. If you did not receive a payment or require further information, please refer to www.doi.gov/pilt. The website includes information on how to register in SAM to expedite receipt of future PILT payments. If you have any questions, please contact the PILT Program Manager, Ms. Dionna Kiernan, at (202) 513-7783.

Sincerely,

Ryan K. Zinke
Secretary of the Interior



July 6, 2017 Agenda

1. Call to Order- establish quorum
2. Minutes
3. Financial Report
4. Executive Directors Report
5. Old Business:
 - a. Board Retreat.
6. New Business:
 - a. State Travel Guide changes.
 - b. September meeting date?
 - c. Chris's comment spot.
7. Adjournment.

The next CVB Board of Directors meeting will be on Tuesday
August 8, 2017 @ 5:30 p.m. at the LCCVB Office.

Lewis County Convention and Visitors Bureau

A Certified West Virginia CVB

499 US Highway 33 East Weston, WV 26452

304-269-7328

304-269-3271 fax

1-800-296-7329

www.lewiscountycvb.com

www.stonewallcountry.com

Lewis County Convention & Visitors Bureau Minutes

May 2, 2017 @ 5:30 p.m. at LCCVB Office

In Attendance: Dean Hardman, Rebecca Jordan Gleason, Chip Turner, Jim Lambert, Sharon Pickens, Julia Spelsberg, Susan Bentley, Kim Geer and Chris Richards.

Absent: Steve Ludwig, Ron McVaney, Glenn Haan and Pat Boyle.

Meeting:

- I. **Meeting called to order** by Rebecca. A quorum was present.
- II. **Minutes:** April minutes were approved as written. (Chip/Dean)
- III. **Financial Report:** Reports were written given to members for review. (Dean/Jim)
- IV. **Executive Directors Report:** Report was approved. (Dean/Chip)

Old Business:

- I. The board discussed ideas for the Broad Retreat and decided to meet at the mill in May or June then research an option for later in the year at an out of county site. (Chip/Jim)

New Business:

- I. The Board reviewed the 2017 – 2018 budgets and after discussion and modifications the board approved both budgets for the next fiscal year. The modifications were made to the budget then the approved copies were emailed to the members for final review and their records. (Dean/Jim)
- II. The Board discussed the purposed request from Fishing University to return to our area for half price to do another episode. The board was also informed of the fat they dropped all fees for the first show due to the mistakes made in the episode. After discussion, the board voted that they are more than welcome to return but it would have to be free of charge as no moneys will be allocated to this show again. (Dean/Jim)
- III. The board reviewed partnership request from the 10th Annual Stonewall Jackson Triathlon, the LC Chamber (for the Christmas lights) and the Almost Heaven BBQ Bash. The Triathlon requested a partnership for targeted digital marketing to assist in boosting the entries for the race. The request was approved for up to \$1000.00 with a loop to our page. The Christmas lights request was approved to up to \$2500.00 matching dollars for the continued expansion to the light in the county. The BBQ Bash requested \$1500.00 in internet advertising including Facebook. All were approved as requested. (Dean/Chip)
- IV. Chris's comment spot...Thank you all for attending and see you next month!

Meeting adjourned at approximately 6:38 p.m.

The next meeting will be on June 6, 2017 at 5:30 at the LCCVB Office.

Lewis County CVB/Stonewallcountry
A Certified West Virginia CVB
499 US Highway 33 East Weston, WV 26452
304-269-7328 304-269-3271 fax 1-800-296-7329
lewiscountycvb.com or www.stonewallcountry.com

LEWIS COUNTY

ANIMAL CONTROL MONTHLY REPORT

MONTH MAY YEAR 2017

NUMBER OF COMPLAINTS 78

NUMBER DOGS PICKED UP 11

OTHER ANIMALS PICKED UP 0

CATS PICKED UP 0

TOTAL NUMBER ANIMALS PICKED UP 11

CATS DROPPED OFF AT POUND 13

NUMBER OF CATS ADOPTED 10

NUMBER CATS RECLAIMED 0

NUMBER OF CATS EUTHANIZED 1

NUMBER OF DOGS RECLAIMED 3

NUMBER OF DOGS EUTHANIZED 1

NUMBER DOGS ADOPTED 12

BOUNTY MONEY \$ 5.50

MONEY FROM POUND CHECKS ~~~~~

MONEY FROM POUND CASH \$ 200.00

TOTAL MONEY FROM POUND \$ 200.00

To: Upshur County Commission
From: Janella Cochran Supervisor of Animal Services
Subject: Report of Cats

The Following Is an Account of Cats in the Lewis-Upshur Animal Control Facility During
The Month of May 2017

Number of Cats brought in by Buckhannon City Trapper	_2_
Number of Cats brought in by Weston City Trapper	_0_
Number of Cats Brought in By John for Lewis County	_0_
Number of Cats Brought in By Dustin for Upshur County	_0_
Number of Cats Brought in By Law Enforcement	_0_
Number of Cats Brought in By Lewis County Residence	_13_
Number of Cats Dropped Off by Upshur County Residence	_8_
Number of Cats Quarantined	_0_ (0) Upshur (0) Lewis
Number of Cats in Holding Box	_21_
Number of Cats Adopted(Upshur)	12_ (12)Upshur(0)Lewis
Number of Cats Returned to Owner	_0_ (0)_ Upshur (0) Lewis
Number of Cats/Kittens Rescued	18_(9)Upshur (9) was Lewis
No Charge	_18_
Number of Cats Euthanized	_2_ (1) Upshur (1) of these were Lewis
Number of Euthanized Cats Picked up by Lab	_0_

Dog Report June 5, 2017

The Following is an account of Dogs housed at Lewis-Upshur Animal Control

For the May 2017

Number of Dogs Adopted _15_(9)Upshur (4) Lewis

Number of Dogs Adopted N/C _0_

Number of Dogs Returned to owner _7_(4)Upsur(3)Lewis_

Number of Dogs Quarantined _(1)Upshur(1)Lewis

Number of Dogs Brought In 17_(9)Upshur (8) Lewis_

Number of Dogs in Drop Box _(11)

Number of Dogs Euthanized _ 2_ (1) for Upshur(1) for Lewis

Euthanized by Owner request (0)for Upshur(0) Lewis

Number of Dogs Rescued _23_(14) Upshur (9)Lewis_

Number of Dogs Rescued N/C __16_(11) Upshur (5)Lewis

Number of Dogs Brought in by Lewis County Animal Control (11)_

Number of Other animals brought in by Lewis County Animal Control (0)

Number of Dogs released to shelter by Lewis County Resident_(8)

Number of Dogs brought in by Lewis County Police ___(0)_

Number of Dogs from Upshur County Animal Control __ (9)_

Number of Dogs brought in by State Police ___(0)___

JUNE 2017 MILEAGE REQUEST

UNIT LIC.

150 Gissy 6LB698 / 14 CHARGER 22,175

151 Hyre Temp / 14 EXPLORER 41,622

152 Money Penny 3170 / 13 POLICE INTERCEPTOR 59,116

153 Carpenter 3169 / 13 POLICE INTERCEPTOR 67,610

154 Moran 1643 / 11 TAHOE 63,005

155 Lopez 1910 / 13 POLICE INTERCEPTOR 56,320

156 Tonkin 1234 / 13 POLICE INTERCEPTOR 38,350

157 Clark 2824 / 11 TAHOE 88,008

158 Hendershot 2829 / 11 TAHOE 77,167

159 Carey 2726 / 11 TAHOE 149,541

160 Hummel 2966 / 12 CAPRICE 76,697

161 VanMeter 2868 / 10 TAHOE 120,685

162 Turner 1232 / 07 CROWN VIC 94,974

170 Cayton 3184 / 09 RAM TRK 120,642

171 Kirkpatrick 2727 / 10 TAHOE 98,945

Spare 2511 / 07 CROWN VIC 115,660

174 Bush 1233 / 10 DODGE NITRO 35,337

1500 Deputy Reserves 1696 / 03 DURANGO 122,907

Spare 2001 JEEP SAME

2007 Chevy Sub. 76,935

1995 JEEP CHEROKEE SAME

There have been a number of vehicle reassignments. Need actual mileage from each unit.

Thank You



west virginia department of environmental protection

Executive Office
601 57th Street SE
Charleston, WV 25304
Phone: (304) 926-0440
Fax: (304) 926-0447

Jim Justice, Governor
Austin Caperton, Cabinet Secretary
dep.wv.gov

June 8, 2017

Ms. Jane Friedmann
2673 Walnut Fork Road
Alum Bridge, WV 26321

Re: Appointment to Lewis/Gilmer County Solid Waste Authority

Dear Ms. Friedmann:

I am pleased to inform you that, pursuant to W. Va. Code § 22C-4-3(b), you are hereby appointed to the Board of Directors of the Lewis/Gilmer County Solid Waste Authority, effective July 1, 2017. Unless sooner rescinded, your appointment will expire on June 30, 2021. All appointees to county and regional solid waste authorities should be aware of Section 3(b)'s conflict of interest provision, which states:

No member who has any financial interest in the collection, transportation, processing, recycling or the disposal of refuse, garbage, solid waste or hazardous waste shall vote or act on any matter which directly affects the member's personal interests.

I congratulate you on your appointment, and I appreciate your personal dedication in proving willing to serve your community. Your commitment to public service will enable West Virginia to continue to move forward in a responsible manner to preserve the environment and to protect human health and safety.

Sincerely,

Austin Caperton
Cabinet Secretary

cc: The Honorable Jim Justice, Governor
Mark Holstine, Executive Director, West Virginia Solid Waste Management Board
Michael A. Albert, Chairman, West Virginia Public Service Commission
Brian Farkas, Executive Director, West Virginia Conservation Agency
Gilmer County Commission
Lewis County Commission
Lewis/Gilmer County Solid Waste Authority

Promoting a healthy environment.



2026 Kanawha Blvd., East
Charleston, WV 25311-2118
Phone: (304) 346.0591
Fax: (304) 346.0592

Patricia L. Hamilton
Executive Director

*Thanks to the
Lewis County
Commission + to Cindy
for your friendship +
support!*

Pat, Agnes + Red

June 26, 2017

Dear County Commissions,

As I begin my last week as the Executive Director of the WV Association of Counties, I've had an opportunity to look back over the highlights of my nearly twenty year tenure. Cleaning out an office and desk drawers is full of trips down memory lane!

I'm very proud of the accomplishments for and with Commissioners and for county government as a whole. Our work on creating the WV Records Management and Preservation Board, the WV Courthouse Facilities Improvement Authority, and the WV Counties Risk Pool exemplifies that county officials working together can achieve great results that benefit all counties. All three of these entities were created after initially contacting and working with the West Virginia Association of Counties and I'm very proud of these achievements, among many others.

Thank you for the retirement apron, beautiful necklace, and wine glass that says "Hello Pension, Goodbye Tension!" These will remind of the support and friendship I've valued from commissioners over the years.

I know all of you will welcome the incoming director, Jonathan Adler. He has a lot of great ideas going forward and we can take all take pride here at the office that we have provided a good foundation for him.

My retirement is more of a reinvention, as I have been asked to work for Senator Manchin's campaign as his in-state event organizer. The challenge of working on a national campaign that will be one of the most-watched in 2018 was exciting to me and, although I wasn't anticipating the opportunity, I jumped right in. I am literally starting work the evening of June 30th, the day I retire!

Please keep my husband in your thoughts and prayers as he starts down the road of bladder cancer treatment in July. While none of this was my plan last year when I made the decision to retire, "Life is what happens when you're busy making other plans!"

"And in the end, the love you take is equal to the love you make." I will look back with fondness and pride as I look forward to new adventures.

With Warmest Regards,

Patricia

**LEWIS COUNTY, WEST VIRGINIA
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE FISCAL YEAR ENDED JUNE 30, 2015**

**Segregation of Duties
2015-001**

CONDITION:

We noted during our audit that there is an insufficient segregation of duties in the offices of the Lewis County courthouse. Specifically, we noted that the same employees can many times prepare checks, reconcile bank accounts, prepare and make deposits, collect fees and other revenues and prepare the monthly reports for the respective offices.

CRITERIA:

Proper internal control procedures require that various duties be segregated among different employees, to make the likelihood of an improper use of monies less possible. The duties of collecting, recording, depositing, reconciling and disbursing of monies should be separated. A proper segregation of duties can also make it more likely that errors made can be discovered and corrected in a timely fashion.

CAUSE:

The entity has not implemented proper control procedures to sufficiently segregate duties.

EFFECT:

By not being able to have a sufficient segregation of duties between different employees in each office, the possibility of discrepancies occurring without being detected, or of an improper use of funds, is greatly increased.

RECOMMENDATION:

The duties of writing receipts, preparing and making deposits, issuing checks, reconciling bank accounts, and preparing the monthly statements for the various offices in the Lewis County courthouse should be segregated among different employees.

VIEWS OF RESPONSIBLE OFFICIALS AND PLANNED CORRECTIVE ACTIONS:

The West Virginia State Auditor's Office concluded the Fiscal Year 2015 Lewis County audit of accounts. At the exit interview, the county commission was informed of one audit finding: segregation of duties. The field auditor provided the county administrator with some information that will allow the county to implement more diversity in our official's daily operations. This valuable material will be printed and shared by the county administrator individually with each office/department head.

Lewis County Commission
Commission Employee Vacation/Sick Leave Request Form

I, JOSEPH C FRAZIER, hereby request the following day(s) off:

List day and date (Ex: Monday, May 2, 2005) for each day off. Please indicate if leave involves any Courthouse holidays.

Mon Nov 20 2017
TUE Nov 21 2017
WED Nov 22 2017

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

Joseph C. Frazier 7/05/2017 Betsy E. Street
Employee Signature Date Supervisor Signature Date

07/10/2017
Commission Approval Date