

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

LEWIS COUNTY COMMISSION ORGANIZATIONAL MEETING AGENDA JANUARY 2, 2018

1. **Call to order 10:00 AM**
2. **Election of President for the 2018 Year (in accordance with WV Code Chapter 7, Article 1, Section 1) (action required)**
3. **Oath of Office for the Commission President (action required)**
4. **Hours of Operation (action required)**
 - Currently Monday-Friday 8:00 AM to 4:00 PM except on holidays as determined under item 10 of this agenda
5. **Notice and Schedule of County Commission Meeting for 2018 (action required) (list attached)**
6. **Agenda: Notice of Meetings and Meeting Management (action required)**
 - a. Regular Meeting Agendas will be posted and available to the public before closure two business days prior to the meeting date.
 - b. Agenda matters to be reviewed and/or considered during the meeting are at the discretion of the County Commission or as required by statute.
 - c. Appointment to speak with the County Commission must be scheduled before 10:00 AM three business days prior to the meeting. Appointments will be given a 10 minute time allowance.
 - d. Open discuss by the Commission unless executive session is motioned per WV Code §6-9A-4.
 - e. Input or recommendation from other constitutional officials, staff or public that are not listed specifically on the agenda will only be allowed if requested by the Commission or if required by statute.
 - f. If not scheduled on the agenda you must sign up for public comment 15 minutes at a minimum prior to the start of a meeting. No decisions can be made by the Commission. Public Comment is limited to 5 minutes per person.
 - g. Motion required for consideration of vote-no second required.
 - h. All votes unanimous unless otherwise stated.
 - i. Roberts Rules of Order are utilized as a guide only. The Commission controls meeting management, discussion and input.

- 7. Schedule Board of Equalization Meetings** *(action required)*
 - Designate February 1 (Minerals only as set by the WV State Tax Department), February 6, February 9, February 15, February 22, and February 28, 2018 for Board of Equalization and Review. All meetings will be held at 9:00 AM in the Lewis County Commission Meeting Room, Lewis County Courthouse, 110 Center Avenue, 2nd Floor, Weston, WV 26452 with the exception of the February 1, 2018 Mineral Hearing Date which will begin at 10:00 AM at the same location.
- 8. Date to Lay the Levy (as set by WV Code)** *(action required)*
 - Lewis County Commission will meet to lay the levy for the 2018-19 Fiscal Year the 3rd Tuesday in April (April 17, 2018) at 9:00 AM
- 9. Appointment of Lewis County Commission or a representative to boards/committees for 2018** *(action required) (list of boards and committees attached)*
- 10. Approval of 2018 Holiday Schedule** *(action required) (list attached)*

**The Lewis County Commission will now continue with the
January 2, 2018 Regular Meeting.**

OATH OF OFFICE AND CERTIFICATE

STATE OF WEST VIRGINIA

COUNTY OF LEWIS, TO-WIT:

I, _____ 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 **as the President of the Lewis
County Commission** to the best of my skill and judgment,
SO HELP ME GOD.

Signature _____

Subscribed and sworn to before the Lewis County Commission in said County
and State, this 2nd day of January, 2018

*President
Lewis County Commission*

Attest: _____
*Cynthia S. Rowan
Lewis County Clerk*

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Notice of Regular Meetings for 2018

The Commissioners of the County Commission of Lewis County hold regular meetings every Monday (unless a State or Federal Holiday) from 10:00a.m., prevailing time, until the close of business or adjournment sine die, at the Lewis County Commission Meeting Room located at the Lewis County Courthouse, 2nd Floor, 110 Center Avenue, Weston, West Virginia. This will be the location for all Commission Meetings, unless specified by special notice. All meetings are open to the press and public and any person interested in such are encouraged to attend.

President, Lewis County Commission

Date: January 2, 2018

An Equal Opportunity Employer

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LEWIS COUNTY COMMISSION MEETING DATES 2018

Tuesday, January 2, 2018	Monday, January 8, 2018	Tuesday, January 16, 2018
Monday, January 22, 2018	Monday, January 29, 2018	Monday, February 5, 2018
Monday, February 12, 2018	Tuesday, February 20, 2018	Monday, February 26, 2018
Monday, March 5, 2018	Monday, March 12, 2018	Monday, March 19, 2018
Monday, March 26, 2018	Monday, April 2, 2018	Monday, April 9, 2018
Monday, April 16, 2018	Monday, April 23, 2018	Monday, April 30, 2018
Monday, May 7, 2018	Monday, May 14, 2018	Monday, May 21, 2018
Tuesday, May 29, 2018	Monday, June 4, 2018	Monday, June 11, 2018
Monday, June 18, 2018	Monday, June 25, 2018	Monday, July 2, 2018
Monday, July 9, 2018	Monday, July 16, 2018	Monday, July 23, 2018
Monday, July 30, 2018	Monday, August 6, 2018	Monday, August 13, 2018
Monday, August 20, 2018	Monday, August 27, 2018	Tuesday, September 4, 2018
Monday, September 10, 2018	Monday, September 17, 2018	Monday, September 24, 2018
Monday, October 1, 2018	Tuesday, October 9, 2018	Monday, October 15, 2018
Monday, October 22, 2018	Monday, October 29, 2018	Monday, November 5, 2018
Tuesday, November 13, 2018	Monday, November 19, 2018	Monday, November 26, 2018
Monday, December 3, 2018	Monday, December 10, 2018	Monday, December 17, 2018
Monday, December 24, 2018	Monday, December 31, 2018	

APPROVED:

JANUARY 2, 2018

PRESIDENT



**LEWIS COUNTY COMMISSION
BOARD/COMMITTEE APPOINTMENTS
2018**

BOARD/COMMITTEE	2017 REPRESENTATIVE	2018 REPRESENTATIVE
Lewis County Ambulance Authority	Commissioner Wyman	
26 th Judicial Circuit Community Corrections	Commissioner Wyman	
Lewis County Convention & Visitors Bureau	Commissioner Boyle	
Lewis County 911 Advisory Board	Commissioner Boyle	
Lewis County Fire Board	Commissioner Wyman	
Lewis Upshur Local Emergency Planning Committee	Cindy Whetsell, County Administrator	
Lewis County Economic Development Authority	Commissioner Queen	
Lewis County Safe Sites and Structures	Commissioner Queen	
Lewis County Park Board	Commissioner Queen	
Region VII Planning & Development Council	Commissioner Queen	
WVU Extension Service	Commissioner Boyle	
Region VI Workforce Investment Board	Commissioner Wyman	
Lewis County Planning Commission	Cindy Whetsell, County Administrator	

Any Commissioner may attend the following:
 Lewis County Firefighters Association
 Lewis Gilmer Solid Waste
 Lewis County REAP

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LEWIS COUNTY HOLIDAY LIST 2018

Monday, January 1, 2018	New Year's Day
Monday, January 15, 2018	Martin Luther King Day
Monday, February 19, 2018	President's Day
Tuesday, May 8, 2018	Primary Election
Monday, May 28, 2018	Memorial Day
Wednesday, June 20, 2018	WV Day
Wednesday, July 4, 2018	Independence Day
Monday, September 3, 2018	Labor Day
Monday, October 8, 2018	Columbus Day
Tuesday, November 6, 2018	General Election
Monday, November 12, 2018	Veterans Day
Thursday, November 22, 2018	Thanksgiving
Friday, November 23, 2018	Thanksgiving
Monday, December 24, 2018	½ Day Christmas
Tuesday, December 25, 2018	Christmas
Monday, December 31, 2018	½ Day New Year's
Monday, January 1, 2019	New Year's

OR ANY OTHER LEGAL HOLIDAY DECLARED BY THE PRESIDENT OR GOVERNOR

APPROVED: JANUARY 2, 2018

PRESIDENT

2018 HOLIDAY / PAY DAY CALENDAR

 Holiday Pay day

Prepared by the West Virginia Division of Personnel

11.5 JANUARY 11.5							10 FEBRUARY 10							11.5 MARCH 10.5						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28				25	26	27	28	29	30	31

1 - New Year's Day
15 - Martin Luther King Day

19 - President's Day

10 APRIL 11							11.5 MAY 11.5							11 JUNE 10						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7			1	2	3	4	5						1	2
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
29	30						27	28	29	30	31			24	25	26	27	28	29	30

13 - Good Friday
30 - Easter Sunday

8 - Primary Election Day
28 - Memorial Day

20 - West Virginia Day

10.5 JULY 11.5							11.5 AUGUST 11.5							10 SEPTEMBER 10						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7				1	2	3	4							1
8	9	10	11	12	13	14	5	6	7	8	9	10	11	2	3	4	5	6	7	8
15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15
22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22
29	30	31					26	27	28	29	30	31		23	24	25	26	27	28	29

4 - Independence Day

3 - Labor Day

11.5 OCTOBER 11.5							11 NOVEMBER 11							10 DECEMBER 11						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3							1
7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8
14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15
21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22
28	29	30	31				25	26	27	28	29	30		23	24	25	26	27	28	29

8 - Columbus Day

6 - General Election Day
12 Veterans Day (observed)
22-23 Thanksgiving and Day After

30 - 31 - 1/2 Day New Year's Eve
24 - 1/2 Day Christmas Eve
25 - Christmas Day

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LEWIS COUNTY COMMISSION
110 CENTER AVENUE, 2nd FLOOR
WESTON, WV 26452
MEETING AGENDA
TUESDAY, JANUARY 2, 2018

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 2018 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 28, 2017 upon request. (*action required*)

CORRESPONDENCE

- 4. Upshur County Commission Meeting Agenda:** The Upshur County Commission meeting agenda for December 21, 2017 is presented for review. (*information only*)
- 5. Jane Lew Public Service District Meeting Minutes:** November 9, 2017 Jane Lewis Public Service District Regular Meeting Minutes. (*information only*)

BUSINESS

- 6. Board(s) and Committee(s) Reports:** Reports from Commissioners from any board(s) or Committee(s) meetings attended including: Final Ceremony Honoring Lewis County's 200th Birthday; Fire Association Meeting; Lewis County Economic Development Authority. (*information only*)

7. **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)*
8. **Lewis County 2018 Mileage Rate:** The Lewis County Commission will set the county mileage reimbursement rate for 2018. The Internal Revenue Service has increased the business travel rate from \$.53.5 in 2017 to \$.54.5 for 2018. In 2017, the Lewis County mileage rate was \$.53 per mile. *(action required)*
9. **Lewis County Assessor, John Breen, Fiscal Year 2019 Assessor Valuation Budget Request:** The Lewis County Assessor, John Breen, has submitted his Fiscal Year 2019 Assessor Valuation Budget Request. The Assessor is requesting 2%. A copy of his proposed budget is attached for review. If disputed, the levying body must contact the West Virginia State Tax Department in writing no later than January 15, 2018. *(action required)*
10. **Resignation from the Lewis County Economic Development Authority:** Cline Craig submits his resignation from the Lewis County Economic Development Authority effective December 31, 2017. *(action required)*
11. **Requisition for Funding for the Northwest Water Project:** The Lewis County Commission is asked to sign a requisition for funding from the Small Cities Block Grant Program for the Northwest Water Project in the amount of \$648,745.35. *(action required)*
12. **Lewis County Economic Development Authority Report:** Report of activities of the Lewis County Economic Development Authority. *(information only)*
13. **Timesheets and Leave Requests** *(action required)*
 - a) Lucinda A. Whetsell December, 2017 Monthly Time Sheet
 - b) Michael Herron December, 2017 Monthly Time Sheet
14. **Request to Transfer Annual/Compensatory Leave to Sick Leave to Avoid Loss per Lewis County Personnel Policy Manual***(action required)*
 - a) Sgt. Michael Cayton Transfer 144 hrs. Annual
 - b) Eric Rogucki Transfer 12 hrs. Annual
 - c) Pat Moran Transfer 36 hrs. Annual
 - d) Martha Tatman Transfer 25 Hrs. Annual
 - e) Crystal Bragg Transfer 6.75 hrs. Annual
 - f) Richard Snyder Transfer 6 hrs. Annual

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

15. **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 28, 2017. *(action required)*
16. **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 28, 2017. *(action required)*
17. **Presentation by County Clerk of the Orders of Prior Meeting(s) for consideration.** Draft copies will be available for review upon request Thursday, December 28, 2017. *(action required)*
18. **Expenses for the current period presented for consideration of payment.** Draft copies will be available for review upon request Thursday, December 28, 2017. *(action required)*

ADJOURNMENT:

19. 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
Meeting Agenda**

Agenda packets are available electronically at http://www.upshurcounty.org/agenda_and_minutes/index.php or by request to the Upshur County Commission Office at 304-472-0535

Location of Meeting: Upshur County Courthouse Annex
Date of Meeting: December 21, 2017

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• December 14, 2017

Scheduled Appointments:

9:10 a.m. Tim Higgins – Discuss the Commission’s decision to submit a letter of support for the Stormwater Pollution Prevention Plan and General Pollution Control Permit for the Atlantic Coast Pipeline.

Items for Discussion / Action / Approval:

1. Review and signature of letter in support of the Stormwater Pollution Prevention Plan and General Pollution Control Permit for the Atlantic Coast Pipeline.
2. 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. Appointments Needed or Upcoming:

Newsletters and/or Event Notifications, Agendas and/or Notices of Meetings, Meeting Minutes and Scheduled Meetings can all be found by visiting: http://www.upshurcounty.org/agenda_and_minutes/index.php

Tabled Items

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

Next Regular Meeting of the Upshur County Commission
January 4, 2018 --- 9:00 a.m.
Upshur County Courthouse Annex

The regularly scheduled Commission Meeting on December 28, 2017 has been cancelled

Minutes of Jane Lew Public Service District

Regular Meeting November 09, 2017

Present: Elaine B. Flaxer (Chairman); Thomas E. Bailey (Secretary); Oscar R. Mills (Board); Nancy E. Gee (General Manager).

Guests:

Absent:

1. **Call to Order:** Meeting called to order by Chairman Flaxer at 4:00 p.m. at Jane Lew PSD Office, 70 Park Avenue, Jane Lew.

~ ROUTINE BUSINESS ~

2. **Minutes:** (Gee)

MOTION: (Bailey/Flaxer) to approve attached Minutes of 10/12/17 regular meeting. [Carried Unanimously]

3. **General Manager's October Reports:** (Gee)

A. **WATER:**

1. **Bills** (Attached)

MOTION: (Flaxer/Bailey) to ratify payment of attached list of water invoices for October 2017. [Carried Unanimously]

2. **Treasury Report** (Attached)

MOTION: (Bailey/Mills) to approve attached Water Treasury Report for October 2017. [Carried Unanimously]

3. **Water Adjustments Report** (Attached)

MOTION: (Flaxer/Bailey) to approve attached Water Adjustments Report for October 2017. [Carried Unanimously]

4. **Water Purchase, Sales & Loss Report** (Attached) – actual unaccounted October loss is 08%.

MOTION: (Mills/Flaxer) to approve attached Water Purchase & Sales Report for October 2017. [Carried Unanimously]

5. **Water Preventive Maintenance Report** -

- a) **Lines** - visual check
- b) **Fire hydrants** [57] – fall fire hydrant flushing completed
- c) **Flushing Hydrants** [25] – done 2 X year; last done in June
- d) **Valves** [148] –
 - ✓ located and marked two previously unmarked valves: 1)found one while brush hogging river bank across from Lively Healthcare, and 2) one at Windy Hills apartments under rock in road; installed riser to allow for blacktopping.
 - ✓ all valves exercised for year
- e) **Meters** [659] – 24 replacement touch-read meters changed out, leaving 93 more to go
- f) **Booster Stations** [3] - checked
- g) **Tanks** [2] – checked
- h) **Office Heating -Cooling Systems** – completed for winter season
- i) **Vehicles**-[1.5] -- replaced truck battery
- j) **Generators** [2 portable] – exercised
- k) **Critical Inventory** – now in good shape

- l) Other –
6. Water System Repairs Report (*fixing breakdowns*) – changed register on meter at Windy Hills apartments
 7. Water Leak Detection Report – Visual check
 8. Cross-Connections/Backflow Report – Ongoing
 9. New Non-Project Water Taps – new tap at Jane Lew Truck Stop, and new tap at Shelly Neeson residence on Jesse Run
 10. Other –

Assignments

- ✓ Weather permitting, to continue installing replacement touch-read water meters.

B. WASTEWATER:

1. Wastewater Bills (Attached)

MOTION: (Bailey/Flaxer) to ratify payment of list of Sewer invoices for October 2017. [Carried Unanimously]
NOTE: 2 backup pumps for lift stations purchased (unbudgeted)

2. Wastewater Treasury Report (Attached)

MOTION: (Bailey/Mills) to approve Sewer Treasury Report for October 2017. [Carried Unanimously]

3. Wastewater Adjustments Report (Attached)

MOTION: (Flaxer/Bailey) to approve Sewer Adjustments Report for October 2017. [Carried Unanimously]

4. Wastewater Volume & Cost Report (Attached) -

MOTION: (Bailey/Mills) to approve Sewer Volume & Cost Report for October 2017. [Carried Unanimously]
NOTE: only 1.09 inches rainfall; therefore, 0 inches I&I noted

5. Wastewater Preventive Maintenance Report (attached)

- a) Lines– at customer request, ran camera through lines at 797 Wymer Run Rd. (Baumgardner & Williams property) and verified no breaks in line.
- b) Manholes [594] – still waiting for Atlas Inc. to come repair the 5 manholes @ \$500 per each. Designated manholes are: 1 in Bailey field on new system; 4 in McWhorter area.
- c) Grinder Pumps [46] rebuilt one E1 grinder pump
- d) Lift Stations [16 total] –
 - ✓ Cleaned Lift Station 2 (Mayre St.) and replaced check valve
 - ✓ Installed new backup pump at Lift 4 (C.D. Cole)
 - ✓ Initiated new enzyme program for all lift stations to help keep lines and stations clean (men call it “Feeding the Gators” program)
- e) Bar Screen [1] – cleaned weekly
- f) Vehicles – [1.5] –
- g) Generators [5 total] – exercised; general preventative winter maintenance already completed for season
- h) Classroom Heating & Cooling – general preventative winter maintenance already completed for season
- i) Critical Inventory – nothing needed

6. Wastewater Repairs Report (attached) –

- ✓ took mower to John Deere for maintenance and repairs
- ✓ unblocked plugged E1 pump at Mick Goodwin residence (5028 Old Mill Road)
- ✓ replaced wires on E1 from panel to pump at Baumgardner-Williams residence (Wymer Run Rd)
- ✓ replaced block heater on generator at Lift Station 10. Also found that sensor that controls coolant temperature had been missing from time of installation. Palco is ordering and should pay, since it was their screw up.

7. I&I Loss & Prevention Report – rainfall 1.9 inches. No I &I loss noted presumably due to lack of rain.
8. New Non-Project Sewer Taps – none
9. Other –

Assignments

- ✓ Keep searching for I&I sources;
- ✓ Goe to keep on top of project-related lift station problems

4. Announcements:

- ✓ Happy Birthday to Elaine on November 4th.
- ✓ Happy 50th Anniversary to Elaine and Joel on October 22nd
- ✓ Thank you to all of our Veterans
- ✓ Happy Thanksgiving to all!

5. Correspondence:

- A. Letter (10-06-17) from Tetrick & Bartlett, CPA to Board of Directors, JLPSPD, RE: Audited Financial Statements F/Y ending June 30, 2016. Attachment, Water & Sewer Audit
- B. Letter (10-10-17) from J. Burton Hunter, III to Beth Burkhart, LC Circuit Clerk, RE: John H. Brooks v. Oscar Mills, Dinah Mills, Skylar Bryce Mills, Christy Malena-Marie Mills, and Jane Lew Water Commission - PSD L.C. Civil Action No: 16-C-74, Enclosure: Supplement To Findings Of Fact And Conclusions Of Law
- C. Letter (10-27-17) from James Kelsh, Bowles Rice, RE Order denying second motion to amend., Attachment: Order denying plaintiff's motion for leave to file second amended complaint.
- D. Letter - emailed (10-31-17) from James Kelsh, Bowles Rice, RE: Burton Hunter's offer, Attachments Re; Same from Monica N. Haddad, Esq mediator, Richard R. Marsh, McMunn & Varner, L.C., Shawn Morgan, Steptoe & Johnson, Steve Prunty, Bowles Rice.
- E. Letter - emailed (11-02-17) from James Kelsh, Bowles Rice, RE: Brooks v. Mills, PSD, et al, motions
- F. Letter (11-03-17) from Shawn A. Morgan, Steptoe & Johnson, to Beth Burkhart, L.C. Clerk, RE: Brooks v. Mills, et al., Civil Action No. 16-C-74, Enclosures:
 1. "Defendants Oscar Mills and Dinah Mills' Motion for Summary Judgement".
 2. "Defendants Oscar Mills and Dinah Mills' Motion In Limine Regarding Confidential Mediation"
 3. "Defendants Oscar Mills and Dinah Mills' Motion In Limine Regarding the Public Portion of Cherry Street";
 4. "Defendants Oscar Mills and Dinah Mills' Moton In Limine Regarding Notice, Consent and "Good Neighbor/Bad Neighbor" Claims"; and
 5. "Defendants Oscar Mills and Dinah Mills' Moton In Limine to Exclude Plaintiff's Photographs, Invoices and Estimates Relating to the Public Portion of Cherry Street".
- G. Letter (11-03-17) from Richard R. Marsh, McNeer, Highland, McMunn & Varner, L.C. to Beth Burkhart, L.C. Clerk, RE: John H. Brooks v. Oscar Mills, et al. Civil Action No. 16-C-74, Enclosures:
 1. Skylar Bryce Mills and Christy Malena-Marie Mills's Motion for Summary Judgement;
 2. Memorandum in Support of Skylar Bryce Mills and Christy Malena-Marie Mills's Motion for Summary Judgement;
 3. Memorandum in Support of Skylar Bryce Mills and Christy Malena-Marie Mills's Motions in Limine;
 4. Memorandum in Support of Skylar Bryce Mills and Christy Malena-Marie Mills's Motions in Limine No. 8 to Exclude Estimate of Custome Paving & Sealing, Inc. and KSN Clearing, LLC;
 5. Memorandum in Support of Skylar Bryce Mills and Christy Malena-Marie Mills's Motions in Limine No. 9 Regarding Neighborly Relations Between the Parties;
 6. Memorandum in Support of Skylar Bryce Mills and Christy Malena-Marie Mills's Motions in Limine No. 10 Regarding any Duty to Use the Subject Easement in a Certain Way; and
 7. Memorandum in Support of Skylar Bryce Mills and Christy Malena-Marie Mills's Motions in Limine No. 11 to Exclude Witness Testimony Regarding Heavy Equipment on the Subject Easement,

- H. Letter (11-03-17) from James Kelsh, Bowles Rice LLP, to Beth Burkhart, L.C. Clerk, RE: Civil Action No 16-C-74
John H. Brooks v. Oscar Mills, et al. Enclosure: Motion Of The Jane Lew Public Service District For Summary Judgement.
I. Letter(11-08-17) emailed from James Kelsh to Nancy Gee, RE: Brooks v. Mills.

~ OLD BUSINESS ~

6. Update: **Phase II Sewer Upgrade [09-1043-PSD-42T-PC-PW-CN]** (Gee)

- A. New Customer Hookups – none
- B. Lift Pump Issues – ongoing
- C. Odor Issue – no complaints
- D. Other -

Assignment

- ✓ Gee to keep eye on two promised agreements regarding fix of lift 10.

7. Update: **Pending Non-Project Extensions and Road Bores** (Gee) – PSC determined that we would need to do road mole to install sewer tap for Nathan King on Westfield Rd. Our mole not big enough so Greater Harrison PSD has agreed to let us use theirs.

8. Update: **Board Review of PSD Policies and Job Descriptions** (Flaxer) – no progress

- A. Private Fire Protection Policy
- B. Professional Incentives Policy
- C. Revise Water Job Description to be consistent with a water PURCHASE entity
- D. Asset Management Policy

9. Update: **Personnel Matters** (Gee) – nothing new

- A. Office Staff
- B. Field Staff –

10. Update: **Civil Action No. 16-C-74 John H. Brooks v Jane Lew PSD, Oscar R. Mills, et alia** (Gee) – [see Jarndyce and Jarndyce, Charles Dickens' *Bleak House*].

Discussion: Oscar Mills recused self and left building at 4:40 p.m.. Board tasked Nancy Gee with assignment of conveying to Attorney Kelsh our adamant refusal to spend any more money on this case. Jane Lew PSD has already spent over \$21,000 in legal fees over a case which should not apply to us.

Assignments

- ✓ Stay in touch and cooperate with Attorney Kelsh.

~ NEW BUSINESS ~

11. Late Received Agenda Items (Gee) - none.

12. Adjournment: The meeting was adjourned by Chairman Flaxer at 4:58 p.m.


Elaine B. Flaxer, Chairman


Thomas E. Bailey, Secretary

Attachments:

- October '17 Bills Paid (Water/Wastewater)
- October '17 Treasury Reports (Water/Wastewater)
- October '17 Adjustments Reports (Water/Wastewater)
- October '17 Water Purchase/Sales Report
- October '17 Wastewater Volume/Treatment Cost Report
- All correspondence listed on pages 3-4.

E-Copies of Unapproved Minutes Sent to:

- James V. Kelsh, Attorney
- Dan Ferrell, Phase II Sewer Project Engineer, Thrasher Engineering
- Doug Forni, Thrasher Engineering
- PSD Office
- Board Members

NORTH CENTRAL REGIONAL EMS, INC.

PO BOX 493
Sutton, WV 26601



December 15, 2017

Board President Glenn Satterfield
304-694-0915
Board Vice President Steve McIntire
304-838-0911
Board Secretary Shirley Morrison
304-841-3381

Lewis County Commission

110 Center Ave

Weston, WV 26452

Ladies and Gentlemen:

Attached you will find our invoice for the FY '18 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 are 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 appointed to represent your county in our service area.

This source of funding continues to be utilized to benefit our entire thirteen county service area. Since January 1, 2017 funds have been expended for the following:

1. \$2,200 - Glenice Q. Cather Scholarship for EMS at Pierpont Community & Technical College.
2. \$1,500 - Paramedic 48 hour refresher course which is required to renew their certification and continuing education conference scholarships.
3. \$2,500 – Contractual and Equipment purchases for EMS education.

The NCREMS, Inc would like to be able consider EMT courses and increases for the Paramedic refresher courses for the upcoming budget year.

Thank you for your past and continued financial support of your local EMS providers' educational requirements and for your consideration of this request. If you have any questions regarding this information, please feel free to contact our President.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shirley Morrison', written over a printed name.

Shirley Morrison

Secretary/Treasurer-NCREMS, Inc.

North Central Regional Emergency Medical Services, Inc

PO Box 493

Sutton, WV 26601

Invoice #0618

County Representative: Joseph Spray II

Lewis County Commission

PO Box 466

Weston, WV 26452

Fiscal Year 2018 EMS Assessment: 7/1/2017 - 6/30/2018		
Description	Unit Price	Amount
Population Base	16372	
	0.5/capita	\$818.60

NOTE: Based on 2010 Census figures obtained from the United States Census Bureau.

PLEASE REMIT TO NCREMS, Inc.

e-News Subscriptions

IRS Guidance

Media Contacts

IRS Future State

IRS Statements and Announcements

IR-2017-204, Dec. 14, 2017

WASHINGTON — The Internal Revenue Service today issued the 2018 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, 2018, the standard mileage rates for the use of a car (also vans, pickups or panel trucks) will be:

- 54.5 cents for every mile of business travel driven, up 1 cent from the rate for 2017.
- 18 cents per mile driven for medical or moving purposes, up 1 cent from the rate for 2017.
- 14 cents per mile driven in service of charitable organizations.

The business mileage rate and the medical and moving expense rates each increased 1 cent per mile from the rates for 2017. 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.



STATE OF WEST VIRGINIA

Department of Revenue
State Tax Department

Jim Justice
Governor

Dale W. Steager
State Tax Commissioner

December 2017

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. 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, 2018. This information may be faxed to our office at 304-558-1843.

The PVC will meet after January 15, 2018 (date not yet determined) to review the Proposed Budget Document. Prior to January 31, 2018, 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 2018-2019 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

12-20-17

Lewis County Commission
110 Center Ave.
Weston WV

Thank you for appointing me to serve on the Economic Development Board. I feel that we have accomplished as much as our resources has let us. However with the things that has gone on this year, I cannot be of much help.

I feel that it is time for me to step down and let someone else have all the fun.

It is like Pat Boyle told me one time, "A person should not hold a position longer than 5 or 6 years, because they become lacked of the job."

This my notice that I hereby resign my position on the Economic Development Board as of 12/31/2017.

Sincerely,

Cline Craig

**LEWIS COUNTY ECONOMIC DEVELOPMENT AUTHORITY
2014W-1499
RESOLUTION #4**

**RESOLUTION OF THE LEWIS COUNTY ECONOMIC DEVELOPMENT AUTHORITY APPROVING INVOICES
RELATING TO CONSTRUCTION AND OTHER SERVICES FOR THE NORTHWEST LEWIS WATER LINE EXTENSION
PROJECT AND AUTHORIZING PAYMENT THEREOF.**

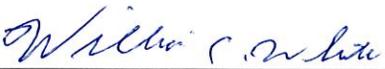
WHEREAS, the Lewis County Economic Development Authority has reviewed the invoices attached hereto and incorporated herein by reference relation to the construction of the Water Construction Project funded by the Infrastructure & Jobs Development Council (IJDC); West Virginia American Water Company (WVAWC); and Small Cities Block Grant (SCBG), and find as follows:

- a.) That none of the items for which payment is proposed to be made has been requested from another funding source.
- b.) That each item for which the payment is proposed to be paid is or was necessary in connection with the Project and constitutes a Cost of the project.
- c.) That each of such costs has been otherwise properly incurred.
- d.) That the payment for each of the items proposed is due and owing.

NOW, THEREFOR, BE IT RESOLVED by the Lewis County Economic Development Authority as follows: There is hereby authorized and directed the payment of the attached invoices as follows:

VENDOR	IJDC Loan	IJDC Grant	WVAWC	SCBG	TOTAL
The Thrasher Group, Inc.	\$ 41,617.25	\$ -	\$ -	\$ -	\$ 41,617.25
Chojnacki Construction Company, Inc.	\$ -	\$ -	\$ -	\$ 198,917.49	\$ 198,917.49
Dan's Marine Service, Inc.	\$ -	\$ 57,377.08	\$ 18,863.34	\$ -	\$ 76,240.42
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 41,617.25	\$ 57,377.08	\$ 18,863.34	\$ 198,917.49	\$ 316,775.16

ADOPTED BY the Lewis County Economic Development Authority, at a meeting held on the 20th day of December, 2017.

By: 
Its: President