

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
Weston WV 26452
Phone:(304)269-8200
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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 2, 2018

SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

1. 10:00 AM **Call Meeting to Order**
2. 10:05 AM **John Breen, Lewis County Assessor**
RE: Exonerations, Consolidations, Apportionments
Draft copies will be available for review Thursday, March 29, 2018
(*information only*)

APPOINTMENTS

3. 10:10 AM **Deanna Palmer, Family Resource Network**
RE: Proclamation and Flag Raising for Child Abuse Prevention Month
April 2018.
The Lewis County Commission is asked to execute a proclamation declaring the month of April 2018 as Child Abuse Prevention Month in Lewis County. Following execution of the proclamation, the membership will recess to raise a flag supporting awareness of this event on the courthouse plaza.
(*action required*)
4. 10:20 AM **National Day of Prayer Task Force**
RE: Proclamation for National Day of Prayer -May 3, 2018
The Lewis County Commission is asked to execute a proclamation declaring May 3, 2018 the National Day of Prayer in Lewis County. (*action required*)

CORRESPONDENCE

5. **Upshur County Commission Meeting Agenda:** Upshur County Commission Meeting Agenda for Thursday, March 29, 2018. (*information only*)
6. **WV State Tax Department Notification of October Board of Assessment Appeals Hearing**
Date: The West Virginia State Tax Department has scheduled the Board of Assessment Appeals to hear requested Board of Equalization and Review hearings on October 3, 2018 at 10:00 am in Lewis County. (*information only*)

7. **Stonewall Jackson Lake and Dam Safety/Inter-Agency Meeting Agenda:** Stonewall Jackson Lake and Dam Safety/Inter-agency Meeting Agenda for Wednesday, April 11, 2018. *(information only)*

BUSINESS

8. **Board(s) and Committee(s) Reports:** Reports by Commissioners of any board(s) or committee(s) including: Lewis Gilmer Solid Waste Authority; Ribbon Cutting Hillbilly Smokehouse; Lewis County Economic Development Authority; West Virginia University Extension Service Committee. *(information only)*
9. **West Virginia Division of Culture and History Grant Acceptance:** Approval and Signature on the agreement for and on behalf of the Records Management and Preservation Board and the Lewis County Commission to provide \$18,916.00, divided as follows: County Clerk \$13,916.00 for to purchase shelving and index records; Circuit Clerk \$2,500.00 for personnel to scan and index case files; Sheriff \$2,500.00 for personnel to scan and index case files. *(action required)*
10. **Fair Housing Resolution:** Approval and signature of a resolution declaring Lewis County will supports Federal Fair Housing rules in Lewis County. *(action required)*
11. **Time Sheets and Leave Requests:**
- | | | | | |
|---------------------|---------------|------------|----------------|-------------|
| a) Barb Winans | Annual Leave | 8 hours | April 2, 2018 | |
| | Annual Leave | 4 hours | April 12, 2018 | (afternoon) |
| | Annual Leave | 4 hours | April 13, 2018 | (afternoon) |
| b) Lucinda Whetsell | March Monthly | Time Sheet | | |

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

12. **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, March 29, 2018. *(action required)*
13. **Approval of Estates:** 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, March 29, 2018. *(action required)*
14. **Presentation by the County Clerk of the Orders of Prior Meeting(s):** The Lewis County Clerk presents the Orders (minutes) of previous Lewis County Commission meeting(s) for approval. Draft copies will be available for review upon request Thursday, March 29, 2018. *(action required)*
15. **Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request Thursday, March 29, 2018. *(action required)*

ADJOURNMENT:

16. **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.



Child Abuse Prevention Month 2018



WHEREAS, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

WHEREAS, child maltreatment occurs when people find themselves in stressful situations without community resources, and don't know how to cope; and

WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, child abuse and neglect not only directly harms children, but also increase the likelihood of criminal behavior, substance abuse, health problems such as heart disease and obesity, and risky behavior such as smoking; and

WHEREAS, the citizens of Lewis County should become involved in supporting families in raising their children in a safe, nurturing environment; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social services agencies, schools, faith communities, civic organizations, law enforcement agencies and the business community; and

WHEREAS, child maltreatment knows no social or economic boundaries and occurs in every neighborhood in America;

NOW, THEREFORE, the Lewis County Commission proclaims the month of April 2018, as "**CHILD ABUSE PREVENTION MONTH**" in Lewis County and encourage the citizens of this great community to show that they care by committing themselves to fighting child abuse and neglect.

Patrick D. Boyle, President

Agnes G. Queen, Commissioner

Attest: _____

Cynthia Rowan

Lewis County Clerk

Rod Wyman, Commissioner

Upshur County Commission 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: March 29, 2018

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance

Approval of Minutes:

- March 15, 2018
- March 22, 2018

9:05 a.m. Burl Smith with the Upshur County Solid Waste Authority, presenting a Proclamation for approval and signature declaring April 2018 as "Make it Shine Month"

9:30 a.m. Ham giveaway drawing for the "Through with Chew" and "Kick Butts" program provided by the Upshur County Tobacco Prevention Coalition

Items for Discussion / Action / Approval:

1. Approval and signature of welcome letter for the annual Strawberry Festival Souvenir Program Book and local newspapers.*
2. Approval and signature of FY 18 Court Security Grant Application, Resolution and Assurances requesting the amount of \$13,088 to upgrade 10 surveillance cameras, install an additional 5 surveillance cameras, purchase a metal detector wand and two additional duress alarm buttons.*
3. Approval and signature of the FY 2018 Victim of Crime Act (VOCA) Victim Assistance Grant Application, Standard Conditions and Assurances, requesting the amount of \$34,555 for victim advocate services. *
4. Correspondence from Roy H. Wager, Superintendent of Upshur County Schools, revising Katie Loudin's term on the Buckhannon-Upshur Parks and Recreation Advisory Board to end on June 30, 2019 in order to accurately reflect the unexpired term she will be filling. *
5. Correspondence from Abigail Jeffries, Treasurer for the Rock Cave PTO, requesting the donation of pool passes for their annual bingo fundraiser to be held May 5th.*
6. Approve Invoices for Payment, Purchase Card Invoices for Payment, Budget Revisions / Financial Reports or Information, Correction of Erroneous Assessments, Exonerations/Refunds, Grant Updates / Requests for Reimbursements, Final Settlements, Vacation Orders, Consolidation of Land Tracts, Facility Maintenance Concerns or Updates, Road Name Requests, Project Reports / Updates, Request to Attend Meetings, Request for Day(s) Off.

For Your Information:

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

1. Correspondence from Kris A. Pinkerman, Tax & Revenue Manager for the Property Tax Division of the WV State Tax Department, scheduling for staff of the Property Tax Division to appear at Upshur County's Board of Assessment Appeals hearings on October 4th at 10:00 a.m.
2. Mountain Lakes Preservation Alliance "Knowledge is Power" pamphlet regarding the pipeline
3. 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

April 5, 2018 --- 9:00 a.m.

Upshur County Courthouse Annex

***There will be a Special Commission Meeting held at the Upshur County Administrative Annex on Tuesday, April 17, 2018 at 9:00 a.m. ***



Dave Hardy
Secretary of Revenue

Dale W. Steager
State Tax Commissioner

STATE TAX DEPARTMENT

March 19, 2018

Lewis County Commissioners
110 Center Ave
Weston, West Virginia 26452-1964

Re: October BOAA

Dear Commissioners:

As you are aware, under provisions of West Virginia Code §11-3-23a, a taxpayer may elect to have their protest heard in the fall when the county commission convenes as a board of assessment appeals. They must have filed a written protest with the Clerk of the County Commission no later than February 20th of the tax year that identifies the account to be protested and states generally the taxpayers reason or reasons for filing the protest. A copy is to be served on the assessor and the Tax Commissioner in the case of industrial and natural resources property.

Historically, the staff of the Property Tax Division has worked with the county offices in determining when our personnel will be available to appear at county hearings. However, due to ongoing budget constraints and shortage of Tax Department personnel, this practice has changed. It has become necessary to schedule hearings within the same proximity within a closer time-period.

On February 22, 2018, we contacted your office for a list of hearings requested. Using the information received at that time, we have scheduled your county as follows:

October 3, 2018 at 10:00 a.m.

Should you have questions, please feel free to contact me at 304-558-8507.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kris A. Pinkerman".

Kris A Pinkerman
Tax & Revenue Manager
Assessment Standards / User Services
Property Tax Division

KP/chj

cc: All County Assessors

Stonewall Jackson Lake and Dam Safety/Inter-Agency Meeting
Agenda – 11 April 2018 (Wednesday)

Dam Safety Review:

9:30 - Jeff Toler, Stonewall Resource Manager – Welcome, Introductions, and agenda review

9:40 - Kit Tressler, Stonewall Maintenance Mechanic – Review Flood Emergency Plan

9:55 – Delbert Shriver, WV DEP – Dam Safety Section, Small Dam failure, emergency response, and real time experiences.

10:15 – CJ Infantino, Chief, Emergency Management, Pittsburgh, Civil Assistance

10:30 – Joe Premozic, Dam Safety, Pittsburgh District-Overview of Dam Safety and Table Top Exercise-Dam Failure in progress/possible Dam Failure in progress

NOTE: GROUP PARTICAPTION EXERCISE

CJ Infantino, Chief of the Pittsburgh District, Office Emergency Management, will be in available/participate during the Table Top Scenarios to answer specific Emergency Management questions.)

12:00 – Jeff Toler, Stonewall Resource Manager - Round Table discussion/questions on Dam Safety Review

12:00-12:10 – WRAP UP ON DAM SAFETY/PREP FOR INTER-AGENCY MEETING

Inter-Agency Session:

12:10 – Transition to Inter-Agency Session – Jeff Toler

12:15 – Seth Cooley, Industrial Hygienist, Pittsburgh District – Occupational Safety & Health brief, focusing on OSH during an emergency.

12:35 – Steve Davidson, Security & Law Enforcement Chief, Pittsburgh District - Active Shooter review and Discussion/Power point, includes six minute video

WORKING LUNCH - LUNCH (PIZZA), SNACKS (COOKIES AND CHIPS) AND DRINKS (SOFT DRINKS AND BOTTLED WATER) WILL BE PROVIDED AT NO COST.

12:55 - Steve Davidson, Security & Law Enforcement Chief, Pittsburgh District – Active Shooter review, conceal carry on federal property (CFR Title 36 Changes for this year).

1:10– Josh Parsons, West Virginia DNR – Law Enforcement – 2017 in review and a 2018 look ahead.

1:25 - Scott Hannah, Park Ranger – Discussion/Informative - Security upgrades around USACE footprint, annual review of Corps policies such as towing, water rescue, and boat patrol.

2:00 – Jeff Toler, Resource Manager & Scott Hannah, Park Ranger– Recreation Season 2017 in review. A look ahead at 2018. Sharing of ideas, policy changes, news, and project hot spots to watch in 2018.

GROUP DISCUSSION ON ALL TOPICS AND OPPORTUNITY TO DISCUSS ADDITIONAL ACTIONS – SAFETY, SECURITY, COMMUNICATION, TECHNOLOGY, AND MANY MORE.....

-Communication in an emergency

-Trail Head signs – What is working, additions, replacement signs, and public response to initiative.

-Safety initiatives – project interior directional signs and lake navigation signs.

-GPS – Improve, share, and initiate additional visual maps.

-Boundary – New monuments and surveying on hot spots

-Natural Gas activity in 2018

-Water Safety

2:40 – FINAL ROUND TABLE DISCUSSION ON DAM SAFETY AND INTER-AGENCY AND WRAP UP

2:50 – 3:00 - Adjourn

IMPORTANT NOTICE: Ranger Scott Hannah will be presenting the idea of forming a Water Safety Council with all Partners and Stakeholders that would like to become a part of a team that promotes and enhances public safety on our lake.

NOTE: NO SCHEDULED BREAKS. TAKE AS NEEDED

STATE OF WEST VIRGINIA
Agreement between the
Division of Culture and History
For and on behalf of Archives and History
For and on behalf of the Records Management and Preservation Board
and the Lewis County Commission

This AGREEMENT is made and entered into this the **1st day of July 2018** by and between the State of West Virginia, the Division of Culture and History and the Records Management and Preservation Board, hereinafter referred to as WVDCH, and the County Commission, hereinafter referred to as GRANTEE.

WHEREAS, the WVDCH is expressly authorized by Article 1, Chapter 29 of the *Code* of West Virginia, One Thousand Nine Hundred Thirty-One, as amended, on behalf of the Records Management and Preservation Board, in the exercise of its lawful duties, to administer state funds appropriated through the West Virginia Legislature from the public records and preservation revenue account to be granted by the Records Management and Preservation Board to county government entities participating in the County Records Management and Preservation Grant Program, Title 100 CSR1; and

WHEREAS, the GRANTEE submitted a request for funds to support a records project under the County Records Management and Preservation Grant Program, which the Records Management and Preservation Board approved on January 8, 2018 to provide **\$18,916** to the GRANTEE, as per Number 3 of this Agreement, and/or any provisos thereto stipulated by the Records Management and Preservation Board and agreed to by the GRANTEE.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. The WVDCH and the GRANTEE agree to cooperate in the implementation of the records management and preservation project referenced above and in compliance with Records Management and Preservation Board rules, regulations and policies.
2. The term of this project shall be for fiscal year **July 1, 2018 through June 30, 2019**, or through completion of the project, whichever comes first.
3. The WVDCH agrees to grant to the GRANTEE the sum of \$18,916, the county must provide a cash match of at least ten percent (10%) of all grant funds expended. The Records Management and Preservation Board award must be expended as follows:

County Clerk: \$13,916, \$11,416 to purchase rollers shelving for deed, trust deed, and release books, and \$2,500 for personnel costs to index deed and fiduciary books using the county's records management program.

Circuit Clerk: \$2,500 for personnel costs to scan and index criminal case files (2000-2009) using the county's records management program.

Sheriff: \$2,500 for personnel costs to scan and index criminal case files using the county's records management program.

4. The GRANTEE certifies that it has the required cash-matching capabilities as submitted in its referenced grant application.
5. The WVDCH only agrees to transfer funds to reimburse the grantee on a quarterly basis for eligible expenditures in the referenced grant as provided in the Grant Management Packet (Invoice and supporting documentation).
6. The GRANTEE agrees to comply with all applicable federal, state and county laws, rules, regulations and policies, including but not restricted to purchasing and competitive bidding rules and procedures for purchases of equipment, services, and hiring or employing staff or contract workers, promulgated thereunder.
7. The GRANTEE hereby represents that it possesses the legal authority to contract for this Agreement, as per copy of the resolution, motion or similar action which was clearly adopted by the County Commission; and further, that it has directed and authorized the official representative to act in connection with this Agreement.
8. The GRANTEE agrees to submit quarterly Project Status Reports, Project Financial Expenditure Status Reports, supporting documentation and forms. The Final Report is due within 90 days of completion of the grant project.
9. The GRANTEE agrees to provide Government Pricing for goods and services and to maintain accurate records in accordance with generally accepted accounting principles and procedures, and to comply with requirements of the Single Audit Act of 1984 and OMB Circular A-128, in connection with referenced grant.
10. The GRANTEE agrees to obtain prior approval from the director of Archives and History, as staff to the Records Management and Preservation Board, for any amendment to the scope of work, products, budget, or reporting requirements.
11. It is the understanding of all parties to this Agreement that the WVDCH, by joining in this Agreement, does not pledge, or promise to pledge, the assets of the State of West Virginia, and does not promise to pay any part of the contract sum provided in this agreement from the monies of the Treasury of the State of West Virginia, except such monies as shall be appropriated by the West Virginia Legislature.
12. The GRANTEE shall hold and save the WVDCH and its officers, agents and employees harmless from liability of any nature, including cost and expense, for or on account of any suits or damages of any character whatsoever resulting from injuries or damages sustained by any persons or property resulting in whole or in part from the negligent performance or omission of any employee, agent or representative of the GRANTEE.

13. This Agreement may be terminated with the consent of both parties or by either party because of non-performance by the other. Such termination must be in writing and GRANTEE must submit a final report, on the form provided in the Grant Management Packet, documenting work performed and expenditures incurred during the term of the Agreement. GRANTEE must request grant extensions in writing to the Director on or before April 1st of the grant year. The request must demonstrate a good faith effort to conduct and make progress on the project for which the RMPB funds were made available; include a statement explaining and providing justification for failure to complete the project and provide a written schedule and explanation for completion of the project within the period of time requested, this being no later than December 31 of the calendar year the grant was to have been completed. A county which receives a grant for the forthcoming fiscal year may not request an extension on the current fiscal year's grant.

IN WITNESS WHEREOF, the parties hereto attach their signatures representing that each is acting with full authority.

President of the County Commission

April 2, 2018
Date

Director, Archives and History

Date

Records Management and Preservation Board Certification

I certify that I reviewed the Agreement for the County Records Management and Preservation Grant Program. I acknowledge that the grant requirements and county obligations were explained to me, and that I was given the opportunity to ask questions, and that I understand and will comply with these requirements.

I agree to have the grant Agreement signed by the President of the County Commission, and return it to Denise Ferguson, Archives and History, The Culture Center, Building 9, 1900 Kanawha Boulevard, East, Charleston, WV 25305-0300 within five working days.


County Project Director: Lucinda A. Whetsell, Administrator

Phone Number: 304-269-8200

E-mail: lwhetsell@lewiscountywv.org

Date: April 2, 2018

COUNTY COMMISSION OF LEWIS COUNTY

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

FAIR HOUSING RESOLUTION

Whereas, the **Lewis County Commission** desires to give meaning to the guarantees of equal rights contained in the Constitution and laws of this State and the United States, and to encourage and bring about mutual self-respect and understanding among all citizens and groups in the **County**; and,

Whereas, under the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968, it is illegal to deny housing to any person because of race, color, religion, sex, or national origin; and,

Whereas, under the West Virginia State Fair Housing Law, Title 49-2-305, MCA, it is illegal to deny housing to any person because of race, sex, religion, color, age, physical or mental handicap or national origin;

Therefore, be it resolved the **Lewis County Commission**, West Virginia makes a firm commitment to do all within its power to eliminate prejudice, intolerance, disorder and discrimination in housing.

Therefore, be it also resolved that a Fair Housing Law poster, which has the "Equal Housing Opportunity" logo, will be displayed at **County Courthouse**.

Therefore, be it also resolved that the following procedures will be used to accomplish the purpose of the aforementioned resolution:

1. The **County Commissioners** shall inform all **County** employees of the **County's** commitment to fair housing.
2. The **County Commissioners** will post this resolution in **County** buildings and other public places and publicize it.
3. The **County Commissioners** shall direct all employees to forward immediately to the **Commission President** any reports they receive of housing discrimination.
4. The **Commission President** shall forward such complaints to the West Virginia Human Rights Commission, 1321 Plaza East, Room 108A, Charleston, West Virginia, 25301-1400, within 10 days of receipt of said complaint.

Signature: _____

Title: _____

Date: _____

