

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, President
Agnes Queen, Commissioner
Rod Wyman, Commissioner

**LEWIS COUNTY COMMISSION
110 CENTER AVENUE, 2ND FLOOR
WESTON, WV 26452
MEETING AGENDA
Monday - July 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, June 28, 2018.
(action required)

APPOINTMENTS

- 3. 11:30 AM Larry Haddix**
RE: Mr. Haddix has requested to speak with the County Commission regarding fill along Berlin Road and it's reference to the Lewis County Floodplain Ordinance. *(action required)*

CORRESPONDENCE

- 4. Upshur County Commission Meeting Agenda:** Upshur County Commission Meeting Agenda for June 28, 2018. *(information only)*
- 5. WV Division of Justice and Community Services Victim of Crimes Act On-Site Monitoring:** The West Virginia Division of Justice and Community Services will be conducting an on-site review of the Victims of Crime Act Grant #15-VA-139 on July 18, 2018. *(information only)*

BUSINESS

- 6. Board(s) and Committees:** Reports by Commissioners on any board(s) or committee(s) attended including: Lewis County Economic Development Authority.
(information only)
- 7. Region VII Planning and Development Council Hazard Mitigation Plan:** The Lewis County Commission is asked to execute a Resolution adopting the Region VII Planning and Development Council Multi-Jurisdictional Hazard Mitigation Plan. This plan has been approved by FEMA.
(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.



Department of Military Affairs & Public Safety

MEMORANDUM

TO: Ms. Christina Flanigan
Project Director
Lewis County Prosecuting Attorney's Office

FROM: Garrett J. Rinehart GJR
Justice Programs Monitor

DATE: June 18, 2018

RE: On-site Visit – Grant # 15-VA-139

Please be advised that a member of the Division of Justice and Community Services staff will be visiting your agency on **July 18, 2018 at 9:30 a.m.**

Staff will need to meet with the **project director, fiscal officer/financial staff, and all staff funded by VOCA.** Please inform these individuals of the scheduled monitoring visit. If there is an issue with the date and/or time of the scheduled visit please contact me and we will re-schedule. Also, if any of above mentioned parties is unable to be present at the visit as scheduled and concessions must be made to ensure proper information is obtained, it is the responsibility of the grantee to contact the monitor so that arrangements may be made.

According to VOCA program guidelines, at least one program site visit should take place during the project period to monitor the performance of grant-supported activities. **Please review the included blank copy of questions that we will be asking during the visit and have answers prepared/necessary documentation gathered so that the process is completed as expeditiously as possible.** Site visits will:

1. Determine progress made toward achieving project objectives. **Programs should be prepared to provide statistical information on the status of each objective;**
2. Determine compliance with terms, conditions, and purpose of grant;
3. Identify technical assistance needs; and



Ms. Christina Flanigan
Project Director
Lewis County Prosecuting Attorney's Office
June 18, 2018
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4. Provide guidance of future design or funding of similar projects;
5. Demonstrate compliance with Civil Rights policies and procedures

We will also be requesting copies of the following:

1. Blank confidentiality forms
2. Evaluations/survey forms
3. Blank staff evaluation form
4. Financial Policies
5. Intake Form
6. Signed Volunteer Timesheet
7. SAM Registration information

The grantee is to also have the program's current grant file on hand at the visit and available for review. The file should include the current grant application, all correspondence, and all fiscal documents for the current grant cycle.

If you have any questions or concerns, please do not hesitate to contact me at (304) 558-8814, extension 53351, or Garrett.J.Rinehart@wv.gov

GJR/amw

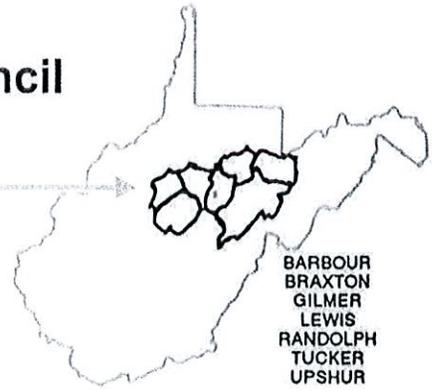
C: Ms. Crystal Haught
The Honorable Patrick Boyle

Attachment

Q:\Tdrive\Garrett Rinehart\Monitoring Letters\15-VA-139 Lewis County Commission .doc

Region VII Planning and Development Council

99 EDMISTON WAY • SUITE 225 • BUCKHANNON, WV 26201
PHONE: (304) 472-6564 • FAX (304) 472-6590



June 21, 2018

Lewis County Commission
110 Center Avenue
Weston, WV 26452

RE: Region VII Multi-Jurisdictional Hazard Mitigation Plan

Dear Mr. Boyle:

As you probably know, Region VII PDC has been updating its Multi-Jurisdictional Hazard Mitigation Plan over the last year. We recently completed the plan and provided a copy to FEMA for their review and approval. This week, we received approval from FEMA, pending adoption of the plan by each of our local governments.

In order to finalize the review and approval of the multi-jurisdictional hazard mitigation plan, we need the (City Council/County Commission) to formally adopt the plan at their next regularly scheduled meeting. To make it easier, we have attached a draft of a resolution for your use. Please approve and sign the resolution and provide us with an executed copy as soon as you possibly can.

If you should have any questions or comments regarding this matter, please feel free to contact us.

Thanks

Shane Whitehair
Executive Director

Enclosure

RESOLUTION – LEWIS COUNTY COMMISSION

WHEREAS natural, technological, and man-made hazards can affect Lewis County; and

WHEREAS significant structural, historical, and economic losses could result from an occurrence of a natural, technological, or man-made hazard events; and

WHEREAS undertaking mitigation projects during pre-disaster periods could decrease the total losses Lewis County incurs as a result of said hazard occurrences.

THEREFORE the Lewis County Commission has undertaken a project to update the existing *Region VII Multi-Jurisdictional Hazard Mitigation Plan*, adopted in 2012, in an effort to further identify, define, and characterize the hazards affecting Lewis County as well as to continue identifying and prioritizing projects that could lessen hazard vulnerability.

WHEREAS the Lewis County Commission has a strong interest in reducing losses from future hazard occurrences; and

WHEREAS the hazard mitigation plan is a federal and state requirement to maintain eligibility for hazard mitigation funding, and, by that requirement, must be updated a minimum of every five (5) years; and

WHEREAS a cooperative, joint effort is a proven, efficient way to plan for and reduce hazard susceptibility in all government jurisdictions Served by the Region VII Planning and Development Council.

THEREFORE the Lewis County Commission joined the Region VII Planning and Development Council in the completion of this plan update.

NOW BE IT RESOLVED THAT the Lewis County Commission does hereby adopt the updated *Region VII County Multi-Jurisdictional Hazard Mitigation Plan* this 2nd day of July, 2018.

SIGNED: _____
President, Lewis County Commission

Witness

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: June 28, 2018

- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• June 21, 2018
- 9:05 a.m. Susan Foster – Discuss concerns relative to the Buckhannon-Upshur Health Department/Milan Puskar Health Right’s Harm Reduction/Syringe Access Program
- 9:15 a.m. Pastor J. Edward McDaniels – Discuss concerns relative to the Buckhannon-Upshur Health Department/Milan Puskar Health Right’s Harm Reduction/Syringe Access Program
- 9:30 a.m. Daisy Hunt and Lori Harris --- Relay for Life Event Leads --- Reading, approval and signature of 2018 Relay for Life Proclamation
- 9:45 a.m. Kevin Hoover – Discuss concerns relative to the Buckhannon-Upshur Health Department/Milan Puskar Health Right’s Harm Reduction/Syringe Access Program
- 10:00 a.m. Skip Gjolberg, St. Joseph’s Hospital Administrator – Presentation and request for signature of agreement to provide health care services to low income individuals

Items for Discussion / Action / Approval:

1. Approval and signature of FY 19 Court Security Grant Contract Agreement, Resolution, Certifications and Standard Conditions and Assurances. The grant award is in the sum of \$12,888 to be used for the purpose of enhancing the county’s court security.*
2. Approval and signature of Upshur County Basic Ordering Agreement for Courthouse Network Support, Administration & Consulting with Global Science and Technology, effective July 1, 2018. These services will be billed on a monthly basis in the sum of \$1,198.*
3. Approval and signature of Resolution adopting the updated Region VII County Multi-Jurisdictional Hazard Mitigation Plan. This plan has been approved by FEMA, pending adoption by local government. The hazard mitigation plan is a federal and state requirement to maintain eligibility for hazard mitigation funding and, by that requirement, must be updated a minimum of every five (5) years.*
4. Approval and signature of revised Gerber Life Insurance Company Stop-Loss Proposal for proposed policy term 7/1/18 to 6/30/19, Plan Sponsor Disclosure Statement and Contract Addenda.*
5. Correspondence from Stephanie Brown, Member Services Manager with WV Counties Risk Pool, enclosing the WVCoRP Self-Insurance Renewal Package. Review and Signature of WV Association of Counties Group Self Insurance Risk Pool Coversheet to Member Agreement.*

Tabled Items

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

1. Discuss property owned by Thomas Moates located in Warren Tax District – Tax Map 6C – Parcel Number 41 (last extension was approved during April 5th meeting)
2. Approve County Financial Institutions as Depositories as Required by WV Code §7-6-1 --- Freedom Bank, First Community Bank, JP Morgan-Chase Bank, Premier Bank, Community Bank and Citizens Bank of WV.*

Next Regular Meeting of the Upshur County Commission

July 12, 2018 --- 9:00 a.m.

Upshur County Courthouse Annex

****The Commission meeting on Thursday, July 5, 2018 has been cancelled ****

****The Commission meeting on Thursday, August 2, 2018 has been cancelled ****



WEST VIRGINIA SOLID WASTE MANAGEMENT BOARD

601 57th St. SE
Charleston, WV 25304
Phone: (304)926-0448

Mark D. Holstine, PE, Executive Director
www.state.wv.us/swmb

June 6, 2018

The Honorable Agnes Queen, President
Lewis County Commission
Lewis County Courthouse
110 Center Avenue, 2nd Floor
Weston, WV 26452

Commissioner Queen:

In accordance with W. Va. Code §22C-4-3, every four years each county commission within the State is required to appoint one individual to each county or regional solid waste authority in its jurisdiction. **This letter does not serve as a recommendation but merely as a reminder of term expirations.**

According to the current records of the West Virginia Solid Waste Management Board, the following appointee's term will expire on June 30, 2018:

- Mr. Rick Gould

The Lewis County Commission has the option to either reappoint this individual or appoint someone new to replace them effective July 1, 2018. Please note that whichever you choose, the appointment will be for a full, four-year term ending on June 30, 2022, as determined in W. Va. Code §22C-4.3(b).

Once an individual has been appointed to a four-year term, the appointing agencies do not have the authority to remove that member at any point during their term. In the event an appointee resigns or pass away, the vacancy shall be filled within 60 days, but only for the remaining term.

The West Virginia Solid Waste Management Board requests that copies of these appointments be forwarded to our office at the address above to try to keep the State's records as accurate as possible.

Sincerely,

Mark D. Holstine, P.E.
Executive Director

CC: Lewis/Gilmer Solid Waste Authority



WEST VIRGINIA SOLID WASTE MANAGEMENT BOARD

601 57th St. SE
Charleston, WV 25304
(304)926-0448

Mark D. Holstine, PE, Executive Director
www.state.wv.us/swmb

W. Va. Code §22C-4-3. Creation of county solid waste authority; appointment to board of directors; vacancies.

(a) Each and every county solid waste authority authorized and created by the county commission of any county pursuant to former article sixteen, chapter seven of this code is hereby abolished on and after the first day of January, one thousand nine hundred eighty-nine. On and after the first day of January, one thousand nine hundred eighty-nine, a new county solid waste authority is hereby created and established as a public agency in every county of the state and is the successor to each county solid waste authority which may have been created by the county commission: Provided, That such county solid waste authorities shall not be established or shall cease to exist, as the case may be, in those counties which establish a regional solid waste authority pursuant to section four of this article. The solid waste management board may require a county solid waste authority to cooperate and participate in programs with other authorities if the need arises.

(b) The authority board of directors is comprised of five members who are appointed as follows: One by the director of the division of environmental protection, two by the county commission, one by the board of supervisors for the soil conservation district in which the county is situated and one by the chairman of the public service commission. The members of the board are appointed for terms of four years for which the initial shall start on the first day of July, one thousand nine hundred eighty-eight: Provided, That the first two members appointed by the county commission shall be appointed to initial terms of two and four years, respectively, and for terms of four years for each appointment thereafter. The members of the board shall receive no compensation for their service thereon but shall be reimbursed for their actual expenses incurred in the discharge of their duties. Vacancies in the office of member of the board of directors shall be filled for the balance of the remaining term by the appropriate appointing authority within sixty days after such vacancy occurs. 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 interest.

COUNTY SWA TERM CHART

Appointing Agency	1998	1999	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
DEP				2001			2005				2009				2013				2017
Co. Commission	1999			2002				2006				2010				2014			2018
PSC		2000			2003				2007				2011				2015		
Co. Commission		2000				2004				2008				2012				2016	
Conservation District		2000				2004				2008				2012				2016	

Upcoming Agency Term Expirations

DEP	Co. Comm.	PSC	Co. Comm.	Cons. Dist.
6/30/2021	6/30/2018	6/30/2019	6/30/2020	6/30/2020
6/30/2025	6/30/2022	6/30/2023	6/30/2024	6/30/2024
6/30/2029	6/30/2026	6/30/2027	6/30/2028	6/30/2028
6/30/2033	6/30/2030	6/30/2031	6/30/2032	6/30/2032



2000 Green River Drive • Suite 100 • Fairmont, West Virginia 26554
June 14, 2018

Lewis County Commission
Attn: Cindy Whetsell
110 Center Avenue
Weston, WV

Subject: Lewis County Support Contract Renewal

Dear Cindy,

I am writing to inform you about the renewal of our Support Contract for your computer systems.

Our staff is committed to providing you with the highest level of Support Services available at the lowest possible cost.

Please help us by taking a moment to fill out the attached questionnaire regarding our services. Your feedback helps us provide better service.

Please return the survey with two signed copies of the enclosed contract to the attention of Sandra Stewart, Director of Contracts, Global Science & Technology Inc., 2000 Green River Drive, Suite 100, Fairmont, WV 26554. A self-addressed manila envelope is included in this package for your convenience. One copy of the fully executed contract will be returned for your records.

Please feel free to call me if you have questions or comments at 304.368.6124.

Sincerely,

Cannon Wadsworth
Director State Programs

Enc: 2 copies 2018-2019 Support Contract
2017/18 Performance Survey

§7-6-2. Bond of depositories.

No designation is binding on any county, nor shall any public money be deposited thereunder in excess of the amount insured by an agency of the federal government, until the banking institution designated executes a bond with good and sufficient sureties, to be accepted and approved by the county commission, payable to the State of West Virginia, in a sum as the county commission shall direct, and which may not be less than the amount of the deposit that exceeds the amount insured by an agency of the federal government in the depository at any one time. The bond shall be executed by at least four resident freeholders as sureties owning in the aggregate unencumbered real estate having an assessed valuation thereon equal to the penalty of the bond, or by a fidelity or indemnity company authorized to do business within the state, satisfactory to, and acceptable by the county commission, and having not less than \$600,000 capital; and the bond shall be conditioned for the receipt, safekeeping and payment over of all money which may be deposited in or come under the custody of the banking institution designated a county depository under the provisions hereof, together with the interest thereon at the rate specified by this article; and the bond shall be further conditioned for the faithful performance, by the banking institution so designated, of all the duties imposed by this article upon a depository of public moneys: *Provided*, That the clerk of the county commission shall keep a record of each surety on all personal bonds given as hereinbefore provided and the clerk shall notify the county commission of every recorded conveyance of real estate made by any surety on said personal bond.

An action shall lie on the bond at the instance of the county commission, or the sheriff, for the recovery of any money deposited in the depository, upon failure or default of the depository to fully and faithfully account for and pay over any and all public moneys deposited by the sheriff and of all interests earned and accrued thereon as required by this article. A bond may not be accepted by the county commission until it has been submitted to the prosecuting attorney, and certified by him or her to be in due and legal form, and conformable to the provisions of this article, which certificate shall be endorsed thereon: *Provided*, That the county commission may, in lieu of the bond provided hereinbefore, accept as security for money deposited as aforesaid, interest-bearing securities of the United States, or of a state, county, district or municipal corporation, or of the federal land banks, or

endorsed county and district warrants of the county in which the depository is located, or letters of credit of the federal land banks, or federal home loan banks, or any other letters of credit approved by the treasurer; the face value of which securities may not be less than the sum hereinbefore specified as the amount to be named in the bond in lieu of which the securities are accepted; or the county commission may accept the securities as partial security to the extent of their face value for the money so deposited, and require bond for the remainder of the full amount hereinbefore specified, to be named in the bond, and in the bond so required, the acceptance of securities as partial security, and the extent thereof, shall be set forth: *Provided, however,* That a banking institution is not required to provide a bond or security in lieu of bond if the deposits accepted are placed in certificates of deposit meeting the following requirements: (1) The funds are invested through a designated state depository selected by the county; (2) the selected depository arranges for the deposit of the funds in certificates of deposit in one or more banks or savings and loan associations wherever located in the United States, for the account of the county; (3) the full amount of principal and accrued interest of each certificate of deposit is insured by the Federal Deposit Insurance Corporation; (4) the selected depository acts as custodian for the county with respect to such certificates of deposit issued for the county's account; and (5) at the same time that the county's funds are deposited and the certificates of deposit are issued, the selected depository receives an amount of deposits from customers of other financial institutions wherever located in the United States equal to or greater than the amount of the funds invested by the county through the selected depository. The hypothecation of the securities shall be by proper legal transfer as collateral security to protect and indemnify by trust any and all loss in case of any default on the part of the banking institution in its capacity as depository as aforesaid. All the securities shall be delivered to or deposited for the account of the county commission, and withdrawal or substitution thereof may be permitted from time to time upon approval by the county commission by order of record, but the collateral security shall be released only by order of record of the county commission when satisfied that full and faithful accounting and payment of all the moneys has been made under the provisions hereof. In the event actual possession of the hypothecated securities are delivered to the county commission, it shall make ample provision for the safekeeping thereof and the interest

thereon when paid shall be turned over to the banking institution, so long as it is not in default as aforesaid. The county commission may permit the deposit under proper receipt of the securities with one or more banking institutions within or without the State of West Virginia and may contract with any institution for safekeeping and exchange of any hypothecated securities, and may prescribe the rules for handling and protecting the same.