

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 - August 6, 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, August 2, 2018.
(action required)

APPOINTMENTS

- 3. 10:10AM West Virginia Secretary of State's Office**
RE: The West Virginia Secretary of State's Office will provide information to the Lewis County Commission on funding through the Help America Vote Act that is available to assist counties with security, equipment and access for voting. *(action required)*
- 4. 10:20AM Dannie Gum**
RE: Mr. Gum will address the Commission on concerns of Dilapidated Structures within the county. *(information only)*

CORRESPONDENCE

- 5. Upshur County Commission Meeting Agenda:** Upshur County Commission Meeting Agenda for August 2, 2018. *(information only)*
- 6. Lewis County Parks and Recreation Meeting Agenda and Minutes:** Agenda for Monday, July 23, 2018 Lewis County Parks and Recreation Meeting and Minutes of the June 25, 2018 meeting. *(information only)*
- 7. Coal Severance Tax Distribution:** Lewis County has received the Coal Severance Tax distribution for the quarter including the months of April, May and June, 2018 in the amount of \$ 9,727.45. Last quarter (January, February, March 2018) the county received \$7,342.77. *(information only)*

8. **Shenandoah Cable Television Quarterly Franchise Fee:** Lewis County has received the Quarterly franchise remittance for April, May, and June 2018 from Shenandoah Cable in the amount of \$9,495.29. Last quarter (January, February, and March 2018) the county received \$9,846.62. *(information only)*
9. **Regional Jail Partial Reimbursement Fund Distribution:** Lewis County has received \$53,093.01 for payment of the regional jail partial reimbursement fund. Last year the county received \$57,578.00. This is based on the number of inmate days in the regional jail system that were charged to the county. *(information only)*

BUSINESS

10. **Board(s) and Committees Reports** by Commissioners on any board(s) or committee(s) attended including: County Commissioner's Association of West Virginia Annual Meeting; Region 7 Planning and Development Council; Unencumbered Budget Revision Meeting; Lewis County Economic Development Authority; Emergency Meeting for grant assistance for Lewis County Board of Education; Special Commission meeting with Larry Haddix.
11. **Approval of Legal Counsel for the Collection of Delinquent Personal Property Taxes:** (tabled from the July 23, 2018 meeting) The Lewis County Commission advertised for legal counsel to seek collection of delinquent personal property taxes. Requests for Proposals obtained will be presented for review and possible contract. *(action required)*
12. **Civil Service Commission Vacancy:** The Lewis County Commission is asked to consider the appointment of Joe Moran as the County Commission Representative on the Civil Service Commission. He would replace Cinda Shaver. If appointed, this 4(four) year term would expire June 30, 2022. *(action required)*
13. **Corridor H-Robert C Byrd Highway Authority Request for Funding:** The Robert C. Byrd Corridor H Highway Authority is requesting \$5,000.00 from each county along Corridor H to support goals and objectives for the highway during fiscal year 2019. *(action required)*
14. **Quote for Preparation of the County's Actuarial Study for Retiree Insurance Subsidy:** To be in compliance with Government Accounting Standards, the county must have an actuarial study done on the cost of the retiree insurance subsidy. Plan Benefits has quoted \$3,000.00 to prepare this mandated report. This is the same price the county paid three years ago. *(action required)*
15. **Resignation of Erin Renzelli, Lewis County Home Confinement Officer:** Erin Renzelli, Lewis County Home Confinement Officer has tendered her resignation from employment effective August 9, 2018. If accepted by the Commission, Sheriff Adam Gissy requests permission to advertise this position. *(action required)*
16. **Time Sheets and Leave Requests:** *(action required)*
 - a) David Reed August 2 and August 3, 2018 Annual Leave
 - b) Lucinda Whetsell July Monthly Time Sheet

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

- 17. 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, August 2, 2018. *(action required)*
- 18. 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, August 2, 2018. *(action required)*
- 19. 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, August 2, 2018. *(action required)*
- 20. Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request Thursday, August 2, 2018. *(action required)*

ADJOURNMENT:

- 21. 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 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: July 26, 2018

- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• July 19, 2018
- 9:05 a.m. Dr. Joseph Reed – Reading and signature of the Green Bean Weekend 2018 Proclamation declaring August 9-11, 2018 as the Third Annual Green Bean and Volunteerism Weekend; Announcement of the upcoming Green Bean Stroll to be held at the River Walk on Saturday, August 11th at 9:00 am.
- 9:15 a.m. Nathaniel Kyle, Governor of the WV Kiwanis – Discuss Upshur County Kiwanis’s Club
- 9:30 a.m. Brian Huffman with the Chapman Technical Group, on behalf of the Buckhannon Upshur Airport Authority – Presentation of an Application for Federal Assistance. This project is for the second phase in an overall project to construct a general aviation terminal building and the cost is estimated to be \$713,765. Discuss cash match from coal reallocation fund.
- 2:00 p.m. Terri Moxley, EBSO and Joe Stanton, Thornburg Insurance Agency – Review of FY18 medical insurance plan year *via* GoToMeeting at the Administrative Annex
Item may lead to Executive Session per WV Code §6-9A-4(6)

Items for Discussion / Action / Approval:

1. Approval and Signature of Order terminating the use of the Optical Scan Voting System effective July 24th, 2018 (WV Code §3-4A-4). The system will be replaced by the Express Vote Universal Voting System which will be utilized in the General Election of 2018.*
2. Review and approval of the Fiduciary Commissioner’s Recommendation to Deny a Portion of the Claim of WVU Medicine – United Hospital Center for the Estate of Donald S. Garvin, Jr., deceased.*
3. Review and approval of the Upshur County Emergency Operations Plan Functional Annex: City of Buckhannon.*
4. Correspondence from Gregory B. Harris, Upshur County Safe Structures and Sites Enforcement Board Permit / Ordinance Officer, requesting that the Commission order clean-up of case number 121417-01. This property is located in Union Tax District – Tax Map 9E -Parcel Number 22.8 and is owned by Clarence and Dorothy Rowan.*
5. Correspondence from Craig Presar, WVU Extension Agent, on behalf of the Upshur County Community Education Outreach Service (CEOS) requesting use of the Courthouse Plaza to hold their annual mini fair

on Friday, September 7, 2018 from 8:00 am to 3:00 pm. A copy of the Certificate of Liability Insurance will be provided to Carrie Wallace, County Administrator, prior to the event.*

6. Approval of Lewis - Upshur Animal Control Facility Volunteer Lisa Critchfield.*
7. 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 Wolf Run Mining LLC enclosing the legal advertisement for Wolf Run Mining LLC, Permit No. U-2016-98, in compliance with the surface mining laws of WV.
2. Upshur County Sheriff's Settlement and Commission – Fiscal Year Ending June 30, 2018
3. Upshur County Sheriff's Financial Statement For Period Ending: June 2018
4. Lewis-Upshur Animal Control Facility Cat Report for the month of June 2018
5. Appointments Needed or Upcoming:
 - Upshur County Public Library Board (unexpired term June 30, 2019) – Commission Appointment

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)

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. E-911 Center upgrade options at the Emergency Operations Center

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

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

LEWIS COUNTY PARKS AND RECREATION AGENDA

Monday July 23, 2018 @ 6:00 pm at the Park

- 1) Call to Order**
- 2) Reading of the Minutes**
- 3) Treasurer's Report**
- 4) Public Comment**
- 5) Director's Report**
- 6) Old and Unfinished Business**
- 7) New Business**
- 8) Adjourn**

If unable to attend, please contact Gene Edwards at 304-269-4836

MINUTES OF THE LEWIS COUNTY PARK BOARD OF DIRECTORS

Meeting Date of June 25, 2018

Present: Gene Edwards, President, Barbara Paugh, Vice President, Betty Hill, Treasurer, Josie Britton, Secretary, John Shaffer, Director, Tom Alkire, Maintenance, Andrea Clem, Member, Alyce Henry, Member, Shirley Taylor, Member, Glen Brown, Member, Agnes Queen, County Commissioner, and Rod Wyman, County Commissioner

The meeting was called to order by Gene Edwards. Minutes from the previous meeting were approved by Betty Hill, seconded by Shirley Taylor.

The treasurer's report was given by Betty Hill. There was a question as to who Jose's Auto Glass was and why we paid them \$201.40. Apparently a patron's car window was broken from a rock or debris from either a mower or weed eater. The report was approved by Andrea Clem, seconded by Barbara Paugh.

There were no public comments or concerns.

Tom Alkire gave his maintenance report. He informed us that the recent flash flood has again destroyed the park's walking trail. He has not had time to assess the total damage but will report it to the office of emergency management as soon as possible. A patron broke the low diving board. It has been removed until it can be replaced. The pool deck has been pressure washed. The oil tank has been drained. It was completely full. Tom says it is taking longer than expected to get the new water line in around the camping area due to the campers being parked in the way. The hillside behind the tennis courts has been mowed/weedeated.

John Shaffer gave the director's report. A boy recently cut his toe when the grates around the dumping buckets area shifted. John was able to fix the problem. The pool was also the scene of a near fatal drowning incident. A 9 year old out of county girl was revived during a church outing at the park. John gave each of the board members a very detailed incident report. Thankfully, due to John, Jordan Stafford and many others on staff that day the little girl was successfully revived by the time EMS arrived. To date, the girl seems to be doing well. We commend John and his staff on their quick response and well trained abilities to save this little girl. John also stated that after this incident, the pool needs a new BVM (Bag Valve Mask) and has made requests to EMS for a replacement to no avail. Agnes says she will check into it for him. This discussion also brought up the need for new cameras. John says we have two options: either upgrade our current system for \$7500.00 or purchase a new 32 channel digital system, which includes 14 new cameras (also covering tennis court area), for \$9853.00. Josie Britton made a motion to go with option #2, Barbara Paugh seconded. John also informed our group that the tiles are coming up along with the rubber on the beach entry end of the pool. Dave Robinson, who has fixed some of the tiles in other pool areas, has agreed to work on the current problem. Glen Brown made a motion to pay Mr. Robinson for the materials and \$500 for his labor. Barbara Paugh seconded the motion. The park also needs to lower one urinal for wheelchair bound men to use per the handicapped code.

Under old and unfinished business, Agnes let the board know that she has checked on additional hours for maintenance. She is still waiting for approval from the auditors, but has been told if job titles are changed to "seasonal" there is a chance to increase the hours.

John Shaffer had two new items to add for the board's consideration. He said he had an incident involving a woman wearing a thong bikini at the pool one day. It created some commotion with other patrons and

John asked if it would be okay to post signs saying NO THONGS OR PASTIES ALLOWED. Shirley Taylor also had a concern with younger children wearing the mermaid outfits that actually fit over their legs. She witnessed someone wearing this at the pool and said they had difficulty getting around. She feels these outfits are a safety hazard and is afraid someone will get hurt wearing them in the pool area. The only motion made was by Glen Brown to post the NO THONGS OR PASTIES ALLOWED signs, seconded by Andrea Clem. John also said that the requests for pool parties exceed the amount of days the park has available and is considering having 2 pool parties per night, one from 6-8 and the other from 8:30-10:30. He will attempt to book these possibly as early as next week to see how it goes.

The next meeting will be Monday July 23, 2018 @ 6:00 pm. We will meet at the Park.

Respectfully submitted by Josie Britton, Secretary

Subject: Coal Severance Tax

From: afarnsworth@lewiscountywv.org (afarnsworth@lewiscountywv.org)

To: lwhetsell@lewiscountywv.org;

Date: Wednesday, July 18, 2018 10:34 AM

Hi, I have received the notice of the coal severance tax for 4/1/18 - 6/30/18. We will receive \$9727.45 on July 24, 2018. The last one we received for 1/1/18 - 3/30/18 was for \$7342.77.

Thanks!

Amanda J. Farnsworth

Assistant Chief Tax Deputy
Lewis County Sheriff's Tax Office
110 Center Avenue
Weston, WV 26452
Phone: (304) 269-8222
Fax: (304) 269-8698

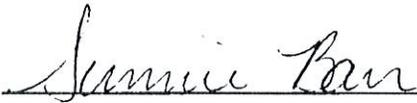
Shenandoah Cable Television, LLC
FRANCHISE FEE PAYMENT SUMMARY
Lewis Co, WV

July 20, 2018

Enclosed please find payment in accordance with our franchise agreement.

Payment Frequency:	Quarterly
Month(s) Covered:	Apr - Jun
Year(s) Covered:	2018
Percent of Revenue:	3%
Applicable Revenue:	\$316,509.67
Fee (%):	3%
Fee Due to Franchisor:	\$9,495.29

I certify that this information is true and correct to the best of my knowledge.



Sunnie Barr, Sr Income Tax Accountant
540-941-4220 ext (3043)

*last quarter
\$ 9846.62*



Shenandoah Telecommunications Company

P.O. Box 459
EDINBURG, VA 22824
(540) 984-5865

Shentel.AccountsPayable@emp.shentel.com

Vendor Name: Lewis County Clerk

CHECK #	387271
CHECK DATE	07/20/2018
VENDOR #	051556
PAGE	1 of 1

INVOICE #	DATE	Description	PAYMENT AMOUNT
ShenCableQ218	19-Jul-2018	Q2 18 Franchise Fees	\$9495.29
Total			\$9495.29

▼ REMOVE DOCUMENT ALONG THIS PERFORATION ▼



Shenandoah Telecommunications Company
P.O. Box 459
EDINBURG, VA 22824



DATE	CHECK NO.
07/20/2018	387271

68-426
514

PAY *** Nine Thousand Four Hundred Ninety Five and 29/100

\$9,495.29****

To the order of: LEWIS COUNTY CLERK
110 CENTER AVE, FL2
WESTON, WV 26452-1964

President

DOCUMENT CONTAINS BLUE PANTOGRAPH & MICROPRINTING. BACK HAS THERMOCHROMIC INK & A WATERMARK. HOLD AT AN ANGLE TO VIEW. VOID IF NOT PRESENT.

⑈00387271⑈ ⑆051404260⑆ 0150101999⑈

Subject: Regional Jail Fund Tax

From: afarnsworth@lewiscountywv.org (afarnsworth@lewiscountywv.org)

To: lwhetsell@lewiscountywv.org;

Date: Thursday, July 19, 2018 3:10 PM

Hi, Just wanted to let you know that we will be receiving the regional jail operations fund tax on 7/24/18 and we will be receiving \$53,093.01. Last year we received ~~\$10,867.37~~.

Thanks!

\$70,950 but only \$57,578 was for FY '18

Amanda J. Farnsworth

Assistant Chief Tax Deputy
Lewis County Sheriff's Tax Office
110 Center Avenue
Weston, WV 26452
Phone: (304) 269-8222
Fax: (304) 269-8698

*Budgeted \$50,000
For FY '19*



TOM O'NEILL & ASSOCIATES
ATTORNEYS AT LAW

July 16, 2018

County Commission of Lewis County, West Virginia
110 Center Avenue
Weston, West Virginia 26452

RE: Request for Proposal for Legal Services
Personal Property Tax – Delinquent Collections

Dear Commissioners:

In response to your posted Request for Proposal, I offer to you my legal services for the limited scope of prosecuting civil actions on behalf of the Lewis County Commission for the collection of delinquent personal property taxes. I have previous experience in this area, having prosecuted a number of actions on behalf of the Taylor County Commission while employed with the Taylor County Prosecuting Attorney in 2006-2007.

I propose the following fee schedule, exclusive of actual out-of-pocket expenses incurred in the course of representation:

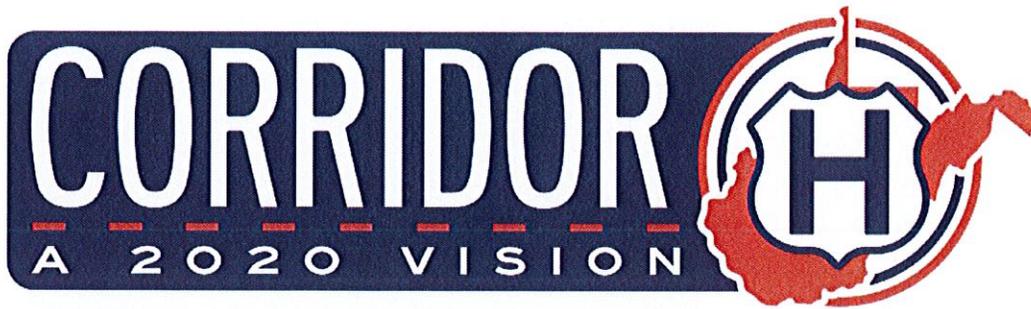
- 1) For amounts collected as a consequence of my services prior to the filing of a civil action, 15% of any amount recovered.
- 2) For amounts collected through my efforts after the filing of a civil action but prior to any adjudicatory Order entered in an action, one-third of any amount recovered.
- 3) For amounts collected through my efforts requiring a filing with or an appearance before the Supreme Court of Appeals, 40% of any amount recovered.

I would propose regular monthly meetings with the Commission to update you on the status of any pending collection efforts.

Please be in touch with any questions about this proposal or with any request for additional information.

With best wishes,

Thomas J. O'Neill



ROBERT C. BYRD CORRIDOR H HIGHWAY AUTHORITY

July 23, 2018

Lewis County Commission
110 Center Avenue, 2nd Floor
Weston, West Virginia 26452

Re: FY 2019 Funding Request

Dear County Commissioners:

On behalf of the Robert C. Byrd Corridor H Highway Authority I kindly request that the Lewis County Commission consider making a financial contribution to the Corridor H Authority during FY 2019.

As you may recall, the annual appropriation given to the Corridor H Authority for our operations ceased during FY 2017 and has not been restored to date. This same cut was made to all of the highway authorities across the state. The ongoing state budget concerns were given as the reason for the cut in funding. Through the generous support of the counties along the Corridor H route, the Authority has continued doing the important work we are charged by code to do.

The authority has a lot of important work ahead of us, including, but not limited to the following:

- Continued advocacy for the prioritization and completion of Corridor H to state and federal officials
- Support and promotion of the Governor's bond election
- Continued promotion of the use/importance of Corridor H to a variety of groups/organizations

The Corridor H Authority has been very successful over the past several years working with both the private and public sector to support the completion of Corridor H. However, without the proper funding, these efforts are much more difficult to continue. We are requesting a contribution of \$5,000 from each county along Corridor H to support our goals and objectives during FY 2019.

We appreciate all of the support Lewis County has given the Corridor H Authority over the years. We know you share our desire to see this important piece of economic development infrastructure completed as quickly as possible. In order to achieve this goal it will take a team effort from everyone. I trust we can count on your support of the Corridor H Authority.

If you have any questions or need additional information, please do not hesitate to contact me.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Robert L. Morris, Jr.", with a long horizontal flourish extending to the right.

Robert L. Morris, Jr.
Chairman



I reviewed the Lewis County valuations files last evening. Because of the additional complexity and reporting requirements under GASB 75 our valuation fees will be \$3,000 for a full valuation and \$1,500 for the interim year report. Under GASB 75 a full valuation must be completed every two years and an interim report must be issued for the year between each full valuation. The three year valuation cycle under GASB 45 is no longer available. Unfortunately, smaller clients are required to have a valuation report every year instead of every three years. I am not sure if Cindy is aware of the new requirements. Please let me know if you would like to have a call to discuss.

Thanks,

Mark

Morgan Armstrong

CEO

Plan Benefit Services, Inc.

Employee Benefits Consulting

P.O. Box 2307 | Columbia, SC 29202-2307

Office: 803-791-6030 | Cell: 803.960-1157

morgan@planbenefits.net | www.planbenefits.net

Aug 1, 2018

Sheriff Gissy and Chief Hyre

I am writing to inform you that as of the 9th day of August 2018 I will be resigning my position as home confinement officer. I have accepted another job.

I want to thank you for giving me the opportunity to work for your department and it's been a pleasure doing so!

Sincerely,

A handwritten signature in cursive script that reads "Erin Renzelli". The signature is written in black ink and is positioned above the printed name.

Erin Renzelli