

COUNTY COMMISSION OF LEWIS COUNTY

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Weston WV 26452
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COMMISSIONERS:
Agnes Queen, President
Patrick Boyle, Commissioner
Rod Wyman, Commissioner

**LEWIS COUNTY COMMISSION
110 CENTER AVENUE, 2ND FLOOR
WESTON, WV 26452**

**Tuesday, April 9, 2019
10:00AM**

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 on Friday, April 5, 2019.
(*action required*)

APPOINTMENTS

- 3. 10:10 AM** **Sandy Findley and Sara Weaver**
RE: Proclamation for National Day of Prayer -May 2nd, 2019
The Lewis County Commission will be asked to execute a proclamation declaring May 2, 2019 as the National Day of Prayer observance in Lewis County.
(*action required*)
- 4. 10:15 AM** **Gary Morris, Fiduciary Commissioner**
RE: Estate of Patty Williams
Report from Gary Morris, Lewis County Fiduciary Commissioner regarding the status of the Estate of Patty Williams. (*action required*)

CORRESPONDENCE

- 5. Upshur County Commission Meeting Agenda:** Upshur County Commission Agenda for Thursday, April 5, 2019 is presented for review. (*information only*)
- 6. Corridor H Update:** Robbie Morris, Chairman of Corridor H Highway Authority, provides an update on the project. (*information only*)
- 7. Sheriff's Vehicle Report:** March 2019 report of mileages for the Sheriff's Department vehicle fleet. (*information only*)

BUSINESS

8. **Boards and Committees Reports:** Commissioners will give report(s) on any board(s) or committee(s) meeting attended including: Work Session with United Bank.
9. **WV Department of Transportation (DOH) Invitation to District Meeting:** Invitation to District 7 Central Office on April 10, 2019, 9AM to 11AM to discuss current the current status of Lewis County Projects.. *(action required)*
10. **Order of Publication for Public Hearing on Annexation:** The Lewis County Commission will be asked to enter an order of publication for a public hearing on the City of Weston's Application of Annexation. *(action required)*
11. **Resolution in Support of Lewis County's Application to be a Blueprint Community;** The Lewis County Commission will be asked to consider execution of a resolution in support in support of the County's application to be considered as a Blueprint Community. *(action required)*
12. **Resignation of Part Time Animal Control Officer:** Dwight Senter part-time Animal Control officer tenders his resignation effective April 30, 2019. *(action required)*
13. **Timesheet and Leave Requests:** *(action required)*

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

14. **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 Friday, April 5, 2019 *(action required)*
15. **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 Friday, April 5, 2019 *(action required)*
16. **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 Friday, April 5, 2019 *(action required)*
17. **Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request Friday, April 5, 2019 *(action required)*

ADJOURNMENT:

18. **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: April 4, 2019

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

Approval of Minutes:

- March 28, 2019

9:05 a.m. Brian Farkas, WV Conservation Agency Executive Director – Discuss changes in the agreement used to provide financial support for the Pecks Run Watershed

9:30 a.m. Lori Ulderich Harvey, Upshur County Family Resource Network Director and team leader for Upshur County Partners in Prevention

- Requesting for the Month of April 2019 to be proclaimed as Child Abuse Prevention and Awareness Month; and,
- Presentation of Children’s Memorial Flag Proclamation

(Recess for raising of flag)

Items for Discussion / Action / Approval:

1. Approval and signature of Agreement between the Department of Arts, Culture and History for and on behalf of Archives and History for and on behalf of the Records Management and Preservation Board and the Upshur County Commission for fiscal year July 1, 2019 through June 30, 2020. The award amount is \$10,737 with a ten percent cash match to be provided by the County.*
2. Approval and signature of a Software Programming Contract with Avenu Insights and Analytics, LLC in the amount of \$3,000. Services to be provided under this agreement include providing a new function for Payroll.400 for WV Consolidated Public Retirement Board reporting.*
3. Correspondence from Nathan Spencer, owner and operator of Fishers of Men Generator Repair, requesting permission to host an Easter egg hunt at Pringle Tree Park the weekend of April 12, 2019. A Certificate of Insurance has been provided.*
4. Discuss Buckhannon-Upshur Recreational Park 2019 Hours of Operation and Fee Schedule.*
5. Approval of the Rental Contract for use at the Buckhannon-Upshur Recreational Park for the 2019 season. *
6. Correspondence from Greg Harris, Facilities Director, requesting the seasonal employment of Larry Farnsworth at the Buckhannon-Upshur Recreational Park from April 28, 2019 through May 18, 2019, to assist with the preparation of the pool. Upon approval, Mr. Farnsworth will be paid \$10 per hour and work no more than 15 hours per week.*

7. Correspondence from Tabatha R. Perry, Assistant Administrator, requesting the seasonal employment of Hannah Lively as the BU Recreational Park Facilities Director for the 2019 season. Upon approval, Ms. Lively will begin work on or around May 6, 2019 in order to assist the Facilities Director at the hourly wage rate of \$10.20 until she begins full-time employment on June 2, 2019, at which time she will receive a weekly salary of \$510.*
8. Approval of advertisement for Lifeguards, Admission Workers, Concession Stand Workers and an Assistant Manager for the 2019 season at the Buckhannon-Upshur Recreational Park Facility. The temporary positions will commence mid-May and continue through mid-August. Applications must be received on or before the close of business on Friday, April 26, 2019.*
9. Approval of Upshur County Commission Office Volunteer, Shelia M. Adams.*
10. Correspondence Kelley J. Cunningham announcing her resignation from the Court Security Advisory Board, effective immediately.*
11. Approval of granting leave under the Family and Medical Leave Act*
Item may lead to Executive Session per WV Code §6-9A-4
12. Approval of granting leave under the Family and Medical Leave Act*
Item may lead to Executive Session per WV Code §6-9A-4
13. 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 Brian K. Cooper, PE, WV Department of Transportation Division of Highways District 7 Engineer, inviting the Commission to an informative meeting with District 7 personnel and central office management. The meeting will take place April 10th from 9 a.m. to 11 a.m. at the District 7 headquarters in Weston, WV.
2. Upshur County Building Permits for the month of March 2019
3. Appointments Needed or Upcoming:
 - Tennerton Public Service District (unexpired term – July 31, 2019)

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. Consideration of FY20 health insurance changes*

2. Approval and signature of an Agreement between the County Commission of Upshur County, the Board of Education of the County of Upshur, the Board of Education of the County of Lewis, and Micrologic, Inc. for the COPS School Violence Prevention Program project. This agreement outlines the agreement by which the Contractor will provide services, hardware, software, and installation.

Next Regular Meeting of the Upshur County Commission
April 11, 2019 --- 9:00 a.m.
Upshur County Courthouse Annex

****There will be a Special Commission Meeting held at 9:00 a.m. on Tuesday, April 16, 2019 at the Upshur County Administrative Annex****

Subject: Corridor H Update

From: Robbie Morris (Robbie@randolphwv.com)

To: billhartman@suddenlink.net; skinner_b@wwvc.edu; bcoed@frontier.com; lwhtsell@lewiscountywv.org; dbarr@hardynet.com; gford@grantcountybank.com; harold@hardynet.com; jcarpenter@barbourcountywv.org; jay@trueband.com; jcobbjr369@gmail.com; mjcombs@hardynet.com; mscott@randolphctywv.org; pdarlington@performancechevywv.com; pmcole@shentel.net; rob@upshurda.com; srnolte@upshurcounty.org; tuckercounty@gmail.com; tkitzmiller@grantcounty-wv.com; texas59@yahoo.com;

Cc: theywood@bowlesrice.com; pmarkham@bowlesrice.com;

Date: Tuesday, March 19, 2019 10:52 AM

All:

I wanted to give everyone an update on the latest information I have regarding Corridor H. As you know, a lot has happened over the past 2-3 weeks and I wanted to see how a few things played out before updating everyone.

First, I'm sure everyone has heard that the Governor terminated the employment of Secretary Tom Smith. He has since named Byrd White of Beckley as Acting Secretary of DOT. Tom Heywood and Peter Markham are currently working on the right time to schedule a meeting with Acting Secretary White to discuss Corridor H. White's main focus at this point in time is naming a Commissioner of Highways. After this is done, hopefully we can have a meeting with both of them. While we look forward to working with any Secretary of DOT, Tom Smith was a great champion of Corridor H. It is my hope that the new administration at DOT will continue that support of this important project. I'll keep you updated as that progresses.

Secondly, many of you have probably also see the various articles regarding a renewed focus on secondary roads throughout the state. I have received several phone calls and emails expressing concern about what this means for H. From every source I have, Tom Heywood has, Peter Markham has, etc. the best I can tell you right now is that H will not have funds directed away from it. One of the main reasons for this is the \$20M BUILD grant WVDOT received from the USDOT. While that \$20M maybe a drop in the bucket for H, it is becoming ever more important for the continuation of construction on Corridor H. Both the Governor's office and DOH have expressed the importance of that BUILD grant and getting it implemented on H. This is very good for us.

Next, the current construction project of 7.5 miles from Kerens towards Parsons. From what I understand the WVDEP, WVDOH, and USFS has lifted the "Cease and Desist" order on Kokosing last week, so that project should be ramping up to full production again very soon. Obviously this shut

down has caused considerable delay, but not nearly as much as it would've had it taken place during the main construction season. Hopefully that is the last hiccup on that section of the highway.

Bids were supposed to be opened on the 3.2 mile section that would end in Parsons on February 26. That was delayed as the WVDOH decided to use a portion of federal highway dollars to fund that section, rather than strictly using bond money. This changed the paperwork requirements for the contractors and hence delayed the bid opening. As I understand it now, the bid opening is to take place in May. While I am extremely uncomfortable as to why this bid opening continues to be delayed, I continue to be assured everything is fine. The biggest threat to this section of Corridor H is the bid coming in way over expectation. If that happens, it's anybody's guess as to what will happen.

Obviously Secretary Smith's departure has completely thrown into question what WVDOH is going to do about officially changing the priority of construction from Parsons to Davis next to Wardensville to the state line next. Planning for this action was in the works, but I do not know if the new administration will share the same thought process or not. That will be a question when we meet with the new administration.

Finally, I was recently told that Congress will not likely take up any transportation issues this year. Tom and Peter are working to verify that. If that is the case, a trip to Washington may be pointless. It also means that a push for the R-CAP program will be delayed as well. All of this is very frustrating, but we continue to work with our Congressional delegation to get extra funding dedicated to Corridor H.

I'd like to plan our next meeting to be shortly after we meet with the new DOT administration. I'll keep you updated as to when that will be, but either way, it will be sometime in April. Since our last meeting the Upshur County Commission has allocated \$5,000 to the Authority and the Barbour County Commission has allocated \$2,500. These funds will allow us to complete our current contract with Bowles Rice and finish this fiscal year with money. Thank you to everyone who contributed money towards the Authority. I think now, more than ever, we are seeing the value and need for a firm like Bowles Rice to be representing us. That would not be possible without the financial support from our member counties. I'll be getting request letters for FY '20 out shortly.

That is all I have for now. If anyone has any questions, please feel free to contact me. As always, I appreciate all of your help and support.

Thanks,

MARCH 2019 MILEAGE REQUEST

UNIT LIC.

150 Gissy 6LB698 / 14 CHARGER 29,351

151 Hyre Temp / 18 POLICE INTERCEPTOR 10,072

152 Carpenter 3169 / 13 POLICE INTERCEPTOR

153 Clark 1234 / 13 POLICE INTERCEPTOR 60933

154 Lopez Temp / 18 POLICE INTERCEPTOR 2,651

155 Hendershot 3929 / 18 POLICE INTERCEPTOR 4,231

156 ^{Carpenter} Turner 3370 / 14 EXPLORER 69,967

157 Newbrough 3170 / 13 POLICE INTERCEPTOR 80,219

158 Brightbill 1910 / 13 POLICE INTERCEPTOR 86,959

159 Jones 2727 / 10 TAHOE 106,406

160 Miller 2868 / 09 TAHOE 81,613

170 Cayton 2829 / 11 TAHOE 99,208

171 Kirkpatrick 2726 / 11 DODGE NITRO 41,572

172 Posey 2824 / 11 TAHOE 107,645

174 Bush 1233 / 10 DODGE NITRO 53,591

175 Carey 1643 / 11 TAHOE 86,474

1500 ^{From} Deputy Reserves 2511 / 07 CROWN VIC 117,156

1500 Deputy Reserves 1232 / 07 CROWN VIC 109,980

2007 Chevy Sub. 82,000

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

Thank You



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

Office of the District Engineer/Manager

District Seven

Post Office Box 1228 · Weston, West Virginia 26452 · (304) 269-0400

Byrd E. White, III
Acting Secretary of Transportation

March 25, 2019

Lewis County Commission
110 Center Avenue
Weston, West Virginia 26452

Dear County Commissioners Queen, Boyle, and Wyman:

On behalf of the West Virginia Department of Transportation, I would like to personally invite you to an informative meeting with District 7 personnel and Central Office Management. The goal of the meeting will be to distribute and discuss information concerning District 7 as a whole and each county specifically. Material will be distributed including summary of budgets and programs, costs of contract work, upcoming projects, etc. I will also have staff present that can address any specific questions that may be asked. Invitations will also be sent to local elected representatives of your area. The Commission can take liberty to invite local mayors or others in your county that may have interest also.

The meeting for your county is scheduled April 10, 2019 from 9:00 – 11:00 AM. It is to be held at the District 7 Headquarters in our conference room. District 7 Headquarters is located at 131 Highland Drive, Weston, WV.

If you have any questions that you would like to have addressed during this meeting, please forward the question(s) to me at Brian.K.Cooper@wv.gov or call at (304) 269-0400 (Cell: (304) 642-0406). We look forward to this opportunity to meet and discuss District 7 with you.

Respectfully yours,

A handwritten signature in blue ink that reads "Brian K. Cooper".

Brian K. Cooper, PE
District 7 Engineer

BKC:

cc: Greg Bailey

Lewis County Commission

I would like to inform you that I will be resigning as part time Animal Control Officer as of April 30th 2019. I will have worked 10 years as an ACO. I thank you for the opportunity to work for you.

Dwight Senter

Dwight Senter