

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
Weston WV 26452
Phone:(304)269-8200
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Email:lewiscountycommission@lewiscountywv.org
Website: lewiscountywv.org



COMMISSIONERS:
Agnes Queen, President
Patrick Boyle, Commissioner
Rod Wyman, Commissioner

**LEWIS COUNTY COMMISSION
110 CENTER AVENUE, 2ND FLOOR
WESTON, WV 26452
MEETING AGENDA
Tuesday, July 2, 2019**

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, June 28, 2019.
(action required)

APPOINTMENTS

- 3. 10:10 AM** **Chris Heater, GJ Garton Insurance**
RE: Mr. Heater will present the Fiscal Year 2020 Lewis County Commission Property, Liability and Workers Compensation Insurance proposal.
(action required)
- 4. 10:14 AM** **Cynthia S. Rowan, County Clerk**
RE: WV Code 44-3A-24 and 44-2-19A as created by HB 2746 states that all estates the exceed three years from opening with no progress within the preceding twelve months must be presented to the county commission to implement closure. Ms. Rowan will present a list of estates that qualify to the Lewis County Commission for approval to publish. Certified copies must be sent to all administrators/executors and first-class mail to all beneficiaries/heirs and creditors. If there is no protest these estates will again be presented to the Lewis County Commission for closure. The Commission is asked to authorize the publication and mailing as required. *(action required)*

CORRESPONDENCE

- 5. Upshur County Commission Meeting Agenda:** The Upshur County Commission Agenda for Thursday, June 27, 2019 is presented for review. *(information only)*
- 6. Lewis County Park Board Meeting Minutes and Agenda:** Minutes of the May 30, 2019 Park Board meeting and agenda for the Monday, June 24, 2019 meeting are presented for review. *(information only)*

7. **Corridor H Highway Authority Annual Meeting:** The annual meeting of the Robert C. Byrd Corridor H Highway Authority will be held on Monday, July 15, 2019 at 11:00 AM, at Bowles Rice, 600 Quarrier Street, Charleston. *(information only)*
8. **West Virginia Department of Transportation Reply to Helipad Request:** The West Virginia Department of Highways received the request from the Lewis County Commission to install a new helipad on DOH property at the I-79/US33/US48 interchange. The department will consider this request when the construction is completed. *(information only)*
9. **United States Department of Interior Payment in Lieu of Taxes(PILT) Distribution :** Lewis County will receive a PILT payment of \$56,551.00 for fiscal year 2019. The PILT program compensates eligible local jurisdictions for Federal lands administered by agencies on behalf of the US Forest Service and US Army Corps of Engineers. This is \$16,551.00 over the budgeted amount. *(information only)*

BUSINESS

10. **Board(s) and Committee(s) Report(s):** Commissioners will give report(s) on any board(s) or committee(s) meetings attended including: West End Neighborhood Watch; 26th Judicial Community Corrections; Ireland Neighborhood Watch; Lewis County Economic Development Authority. *(information only)*
11. **Family Court Memorandum of Understanding for Fiscal Year 2020:** Approval and Signature on Family Court Facilities Memorandum of Understanding(agreement), governed by WV Code§51-2A-1, *et.seq.*, for the 2020 Fiscal Year is requested. This agreement specifies what the county will provide and the rent the Supreme Court will provide. There is no change from the prior year. *(action required)*
12. **Ride-Along Request:** Approval of a ride-along request with the Lewis County Sheriff's Office by Lindsay Hughes is presented for approval. This is for an internship and has been approved by Sheriff Gissy. *(action required)*
13. **Timesheets and Leave Requests:** *(action required)*
 - a) Barb Winans Annual Leave

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, June 28, 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, June 28, 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, June 28, 2019. *(action required)*
17. **Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request Friday, June 28, 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.

- 1. 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, May 10, 2019. (*action required*)

WEST VIRGINIA LEGISLATURE
2019 REGULAR SESSION

ENROLLED

House Bill 2746

BY DELEGATE SHOTT

[Passed February 28, 2019; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §44-2-19a; and to amend and reenact §44-3A-24 of said code, all relating to administration of estates; requiring reports by fiduciary commissioners of unprogressed estates; allowing the county commission to close an estate administratively; providing an appeal procedure; and providing that personal representatives are liable for failure to all persons with an interest in the assets of such an estate.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. PROOF AND ALLOWANCE OF CLAIMS AGAINST ESTATES OF DECEDENTS.

§44-2-19a. Reports of delinquent filings and administrative closing of unprogressed estates.

(a) On the last day of December and June of each year every fiduciary commissioner shall file with the county clerk a list of all estates referred to him or her since the effective date of this section, either generally or for a limited purpose, in which any document required to be filed with him or her in a specified time has not been timely filed, stating the document whose filing is delinquent and the date the same was due to be filed: *Provided*, That the commissioner shall omit from such list any estate and any document for whose filing a proper continuance has been granted.

(b) On January 5 and July 5 of each year the county clerk shall file with the county commission a like list of estates since the effective date of this section in which the filing of any paper is delinquent, and embrace therein the lists required to be filed with him or her on the first day of such month by the various commissioners. In the report filed July 5 of each year the county clerk shall further include in the report a list of all estates referred to him or her since the effective date of this section which have not been duly closed within a period of three years from the opening of such estate and in which no progress, or in his or her opinion, unsatisfactory progress, has been made toward settlement, for any cause, within the preceding 12 months.

(c) The county commission shall, upon the presentation by the county clerk of all matters and causes reported to it by the semiannual reports required herein of delinquent and unprogressed estates, enter an order in the name of the county commission directing the appointed personal representative to file a statement to show cause why the county commission should not find the personal representative delinquent in his or her administration of the respective estate and should not remove the personal representative from office, administratively close the estate, or take such other action against the personal representative as may be proper:

(1) The order to show cause shall be mailed by the county clerk to the personal representative at the last known address appearing in the records of the county clerk and a copy thereof shall also be mailed to the heirs at law, beneficiaries under the will, any creditors who have filed claims which are not released, any surety on any bond, and any other person interested in the estate at their last known addresses appearing in the records of the county clerk.

(2) The personal representative shall have 30 days after the mailing of the order to show cause to file properly any delinquent documents required for the administration of the estate or to file a verified statement under oath stating

why he or she should not be found delinquent in the administration of the respective estate and should not be removed from office or the estate administratively closed.

(3) If within such 30-day time period the personal representative fails to file properly the delinquent documents or fails to file a verified statement or files a verified statement which the county clerk upon review finds and determines does not present good cause, the county clerk shall give notice of such failure, delinquency, or finding to the county commission, the personal representative, the heirs at law, beneficiaries under the will, any creditors who have filed claims which are not released, any surety on any bond, and any other person interested in the estate and shall advise that the personal representative shall be removed from office and such other appropriate person appointed as personal representative as the county commission may determine or that the estate shall be administratively closed 30 days following the date of such notice at a hearing thereon to be held before the county commission at a date and time fixed for presentation. In addition, on the first Monday of the next month, the county clerk shall publish as a Class I-0 legal advertisement, a notice thereof.

(4) The personal representative or any person interested may file objection thereto at or prior to the time set by such notice for presentation thereof to the county commission. The commission shall proceed to hear the presentation of such proposed removal or closing and findings and hear interested parties, if any appear, and may enter such appropriate order to approve, modify and approve, or refuse to approve such proposed removal or closing and the findings of the county clerk. An appeal from the decision of such county commission may, without any formal bill of exceptions, be taken to the circuit court of the county by the personal representative or any interested party. The appeal shall be tried and heard in the circuit court, or before the judge thereof in vacation, on the record made before the county clerk and the county commission.

(d) In addition, the county clerk and the fiduciary commissioners, shall be empowered, and where appropriate, may, on their own motion, petition the circuit court to compel compliance with the provisions of this chapter, in the same manner and to the same extent heretofore provided in the case of commissioners of accounts, or by any other proper proceeding.

ARTICLE 3A. OPTIONAL PROCEDURE FOR PROOF AND ALLOWANCE OF CLAIMS AGAINST ESTATES OF DECEDENTS; COUNTY OPTION.

§44-3A-24. Reports of delinquent filings.

(a) On the last day of December and June of each year every fiduciary commissioner and special fiduciary commissioner shall file with the fiduciary supervisor a list of all estates referred to him or her since the effective date of this section, either generally or for a limited purpose in which any appraisal or other document required to be filed with him or her in a specified time has not been timely filed, stating the document whose filing is delinquent and the date the document was due to be filed: *Provided*, That the commissioner shall omit from the list any estate and any document for whose filing a proper continuance has been granted.

(b) On January 5 and July 5 of each year the fiduciary supervisor shall file with the county commission a like list of estates referred to him or her since the effective date of this section in which the filing of any paper is delinquent, and

embrace therein the lists required to be filed with him or her on the first day of the month by the various commissioners. In the report filed July 5 of each year the fiduciary supervisor shall further include in the report a list of all estates referred to him or her since the effective date of this section which have not been duly closed and in which no progress, or in his or her opinion, unsatisfactory progress, has been made toward settlement, for any cause, within the preceding 12 months.

(c) The county commission, after consultation with the fiduciary supervisor shall take care to require prompt disposition of all matters and causes reported to it by the semiannual reports required herein of delinquent and unprogressed estates; enter an order in the name of the county commission directing the appointed personal representative to file a statement to show cause why the county commission should not find the personal representative delinquent in his or her administration of the respective estate and should not remove the personal representative from office; administratively close the estate; or take such other action against the personal representative as may be proper.

(1) The order to show cause shall be mailed by the fiduciary supervisor to the personal representative at the last known address appearing in the records of the fiduciary supervisor. A copy of the order shall also be mailed to the heirs at law, beneficiaries under the will, any creditors who have filed claims which are not released, any surety on any bond, and any other person interested in the estate at their last known addresses appearing in the records of the fiduciary supervisor.

(2) The personal representative shall have 30 days after the mailing of the order to show cause to file properly any delinquent documents required for the administration of the estate or to file a verified statement, under oath, stating why he or she should not be found delinquent in the administration of the respective estate and should not be removed from office or the estate administratively closed.

(3) If, within the 30-day time period, the personal representative fails to file properly the delinquent documents, or fails to file a verified statement, or files a verified statement which the fiduciary supervisor upon review finds and determines does not present good cause, the fiduciary supervisor shall give notice of the failure, delinquency, or finding to the county commission, the personal representative, the heirs at law, beneficiaries under the will, any creditors who have filed claims which are not released, any surety on any bond, and any other person interested in the estate and shall advise that the personal representative shall be removed from office and such other appropriate person appointed as personal representative as the county commission may determine or that the estate shall be administratively closed 30 days following the date of the notice at a hearing thereon to be held before the county commission at a date and time fixed for presentation. In addition, on the first Monday of the next month, the fiduciary supervisor shall publish a notice of this action as a Class I-0 legal advertisement.

(4) The personal representative or any person interested may file an objection at, or prior to, the time set by the notice for presentation to the county commission. The commission shall proceed to hear the presentation of the proposed removal or closing and findings and hear interested parties, if any appear, and may enter an appropriate order to approve, modify and approve, or refuse to approve, the proposed removal or closing and the findings of the fiduciary supervisor. Alternatively, the commission may refer the cause to a fiduciary commissioner generally for

supervision or for the purpose of the resolution of any disputed matter. An appeal from the decision of the county commission may, without any formal bill of exceptions, be taken to the circuit court of the county by the personal representative or any interested party. The appeal shall be tried and heard in the circuit court, or before the judge thereof in vacation, on the record made before the fiduciary supervisor and the county commission.

(d) In addition, the fiduciary supervisor and the fiduciary commissioners, shall be empowered, and where appropriate, shall on their own motion, petition the circuit court to compel compliance with the provisions of this chapter, in the same manner and to the same extent heretofore provided in the case of commissioners of accounts, or by any other proper proceeding.

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: June 27, 2019

- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
- June 13, 2019
 - June 24, 2019 – Special Meeting
- 9:05 a.m. Patrick Marozzi, Account Executive for Advantage Technology – Company overview and review of projects Advantage Technology has provided K-12
- 9:15 a.m. Bid opening, presentation and award – Upshur County Former Jail Facility Project
- 9:30 a.m. Sheriff David H. Coffman and Lt. Paul Mark Davis – Discuss implementation of Drug Abuse Resistance Education (D.A.R.E.) program
- 9:45 a.m. Reading, approval and signature of 2019 Relay for Life Proclamation
- 10:30 a.m. Kent Leonhardt, Commissioner of Agriculture – Provide an overview of department activities and programs
- 10:45 a.m. Elissa Mills and Linda Lee White – Welcoming the Class of 1979 for their 40th class reunion
- 1:00 p.m. Court Security Advisory Board Meeting

Items for Discussion / Action / Approval:

1. Approval and signature of Federal Aviation Administration Outlay Request Number 7 in the amount of one hundred seventy four thousand eight hundred forty five dollars (\$174,845) for the Airport Improvement Program Project No. 3-54-0039-032-2018 at the Upshur County Regional Airport in Buckhannon, WV.*
2. Review and approval of the Weyerhaeuser Giving Fund Grant Application in the amount of \$310,508.91 on behalf of the Upshur County Youth Camp.*
3. 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.*
4. Approval and signature of Letter of Support for the City of Buckhannon's Abandoned Mine Lands (AML) Economic and Community Development Pilot Program Grant Application for the purpose of extending the Elizabeth J. "Binky" Poundstone River Walk Trail to the High School.*

5. Correspondence from the Children's Festival Committee regarding the upcoming 2019 Upshur County Children's Festival and requesting monetary or in-kind contributions to help facilitate this free of charge activity.*
6. Approval and signature of correspondence to Terry Gould providing both Hodgesville PSD and Tennerton PSD with final notice to remit a copy of their most recent audit to the Upshur County Commission.*
7. Consider providing a letter of acknowledgement / endorsement for the Fraternal Order of Eagles Inc. Non-Intoxicating Floor Plan Extension On-Premise Application. The establishment would like to extend their floor plan on July 4th in order to have a community cook out. The application requires a letter signed by at least one County Commissioner.*
8. Review and signature of revised letter from Johnathan Vickers, Assistant Director, Chief Inspector's Division of the WV State Auditor's Office, confirming services to be provided to the Upshur County Commission for the fiscal year ended June 30, 2018. The fee for the audit services will be \$32,230.*
9. Review and signature of Change Order #1 for the Upshur County Youth Camp Brownfields Project. This Change Order reflects costs associated with additional services required to perform environmental site remediation services and includes contractor bid support, an extensive field study consisting of both Environmental Standards time and services provided by Envirocheck of Virginia, Inc.; preparation of an Addendum to the Remedial Action Work Plan and direct oversight of the remediation activities. In total, additional costs of \$20,036 were incurred. Upon approval, the new contract amount will be \$62,936.*
10. Approval and signature of Sirius America Insurance Company Stop-Loss Proposal for proposed policy term 7/1/19 to 6/30/20, Plan Sponsor Disclosure Statement and Contract Addenda.*
11. Approval and signature of Nationwide Guaranteed Minimum Interest Rate Change: Options Form and Fixed Account Amendment to Group Flexible Purchase Payment Deferred Variable Annuity Contract.*
12. Correspondence from Brian Shreves, Upshur County Department of Homeland Security Director, requesting reappointment to the Upshur County Enhanced Emergency Telephone Advisory Board. Upon approval, Mr. Shreves' term will expire on June 30, 2022.*
13. Correspondence from Thomas J. O'Neill requesting reappointment to the Upshur County Fire Board as a community representative. Upon approval, Mr. O'Neill's term will expire on June 30, 2022.*
14. Approval of advertisement for a temporary part-time position in the Upshur County Assessor's Office. The grant funded position will be for a 30 week period with the employee working no more than 19.5 hours per week at the pay wage rate of \$10 an hour.*
15. Correspondence from Bethany Kirchberg, Tri-County Child Exchange & Visitation Program Coordinator, announcing the resignation of Barb Smarr, program monitor, effective May 3, 2019.*
Item may lead to Executive Session per WV Code §6-9A-4
16. Correspondence from Kaly Ocheltree, Tri-County Child Exchange & Visitation Program Monitor, announcing her resignation, effective June 2, 2019.*
Item may lead to Executive Session per WV Code §6-9A-4

17. Correspondence from Bethany Kirchberg, Tri-County Child Exchange & Visitation Program Coordinator, requesting the employment of Emily Hawkins as a part-time program monitor, effective June 28, 2019. As program monitor, Ms. Hawkins will be paid \$8.75 an hour and work a maximum of 19 hours per week.*

Item may lead to Executive Session per WV Code §6-9A-4

18. Correspondence from Tabatha R. Perry, Assistant County Administrator, announcing the resignation of Renee Carr, Buckhannon-Upshur Recreational Park Assistant Manager, effective June 20, 2019.*

Item may lead to Executive Session per WV Code §6-9A-4

19. Correspondence from Tabatha R. Perry, Assistant County Administrator, requesting the promotion of Brooke Newcome from lifeguard to assistant manager at the Buckhannon-Upshur Recreational Park, effective June 30, 2019. Upon approval, Ms. Newcome's pay wage rate will increase from \$9.54 an hour to \$10 an hour.*

Item may lead to Executive Session per WV Code §6-9A-4

20. Correspondence from Sheriff David H. Coffman requesting the advertisement for Deputy Sheriff positions. Applications must be received by 4 p.m. on July 15, 2019. The date for the physical agility test and written examination is set for Saturday, August 10, 2019 at 8 a.m. at the Buckhannon-Upshur High School Athletic Building.*

21. Correspondence from Sheriff David H. Coffman enclosing an invoice for Magistrate Court Bailiff Services for fiscal year ending June 30, 2019 and requesting for the invoice to be forwarded to the WV Supreme Court of Appeals, pursuant to Rule 3 of the WV Judiciary Administrative Rules for the Magistrate Courts. This invoice is in the amount of \$8,540.*

22. Approval of Lewis - Upshur Animal Control Facility Volunteer Paula Stone.*

23. 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 Michael A. Albert, Chairman of Public Service Commission of West Virginia, reappointing Jacqueline McDaniels as a member of the Board of Directors of the Upshur County Solid Waste Authority to a term expiring June 30, 2023.
2. Correspondence from Dustin Zickefoose, Assessor, announcing the employment of Jon Scott Wilson, as Appraiser, beginning July 1, 2019. Mr. Wilson's salary will be paid from the Revaluation Fund.
3. Upshur County Safe Structures and Sites Enforcement Board Petition for Order --- Case Number 121318-01 (Washington Tax District – Tax Map 6L – Parcel Number 11.3)
4. Lewis-Upshur Animal Control Facility Adoption Financial Transactions – May 2019

5. Lewis-Upshur Animal Control Facility Cat Report for the month of May 2019
6. Lewis-Upshur Animal Control Facility Animal Report for the month of May 2019
7. Upshur County Animal Control/Humane Officer Monthly Animal Report for the month of May 2019
8. Upshur County Mileage Reports – April and May 2019
 - Upshur 911
 - Maintenance
 - Emergency Management
 - Sheriff
 - Addressing and Mapping
 - Community Corrections
 - Dog Pound
9. Appointments Needed or Upcoming:
 - a. Buckhannon-Upshur Parks and Recreation Advisory Board (7/1/19 – 6/30/2021 County Rep.)
 - b. Buckhannon-Upshur Parks and Recreation Advisory Board (7/1/19 – 6/30/2021 City Rep.)

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
July 11, 2019 --- 9:00 a.m.
Upshur County Courthouse Annex

****The regularly scheduled Commission Meeting on July 4, 2019 is CANCELLED due to the Courthouse being closed in observance of Independence Day****

MINUTES OF THE LEWIS COUNTY PARK BOARD OF DIRECTORS

Meeting Date of May 30, 2019

Present: Gene Edwards, President, Barbara Paugh, Vice President, Betty Hill, Treasurer, Josie Britton, Secretary, Josh Hinchman, Director, Glen Brown, Member, Shirley Taylor, Member, Alyce Henry, Member, Barbara Tucker, Member, Heather Fluharty, Member, Tom Alkire, Maintenance, Agnes Queen, County Commissioner and Rod Wyman, County Commissioner

The meeting was called to order by Gene Edwards. Two new Board members were introduced: Barb Tucker and Heather Fluharty. Minutes from the previous meeting(April 22, 2019) were approved by Alyce Henry, seconded by Rod Wyman.

Betty Hill went over the treasurer's report. Gene Edwards had a question as to why the amounts for two separate refunds were different amounts. One was only for a shelter cancellation and the other was for a pool party. No other questions were asked concerning the treasurer's report. The report was approved by Barbara Paugh, seconded by Shirley Taylor.

There was no public comment.

Josh Hinchman went over the director's report. He reported the following amounts collected as of May 30, 2019: \$20,755.36 total, with \$158.44 in taxes, \$227.24 convenience charge for credit card usage, \$4,100.00 in season passes, \$3,045.00 in general admission, \$2,300.00 in swim lessons, and \$11,500.00 collected in April.

There is a leak in the baby pool. It is most likely directly under the pool, so a temporary fix for now should get us thru the end of the season

when a more permanent solution can take place. The pool tiles and zero entry area have all been repaired. Some of that work was done in house and Paddock Pool repaired the rest. The cost was \$7,500.00.

Six new lifeguards have been certified, but we are still in need of two managers and one activities director. Josh asked how, in the past, have we refunded for certification/recertification of life guards. We advised to refund half of the amount upon completion of the class and then the remainder of the amount at the end of the season as an incentive to remain employed with us throughout the summer.

The John Deere tractor has been repaired and delivered back to the park. The cost of repairs came to \$1,475.00.

The Frontier internet is exceptionally slow and the phone lines still remain with static at times. Josh checked with Shentel, who claims they have better service, but there is a three month wait to be hooked up for their service. It will not help our current situation during this season, but we can discuss it further for next year.

Some different agencies have come to Josh requesting the park do advertising with their businesses. It was agreed by everyone that we really didn't need to advertise anywhere other than the Democrat whenever we hold special events.

Home Base, Presley Ridge, and a couple of out of county daycares have approached Josh for discounted admittance. Both Home Base and Presley Ridge are non-profit organizations that center around children and teenagers in State custody. Home Base only brings a few kids (mostly teenage boys) at a time with adult supervision. Presley Ridge will bring at least 12 kids with 3 adults to supervise. It was agreed to only discount their daily admittance to \$1.50 per person, but the

daycares must pay full price per person. Shirley Taylor made this motion and Barb Paugh seconded it.

Several adults have inquired about having lap swimming and water aerobics this season. Josh thought we could try it from 9:30-10:30 am for 3 or 4 days during the week. He would like to charge \$40 per month for these sessions. Barb Tucker made the motion to proceed with this plan and Betty Hill seconded the motion.

Josh said that a Rick Johnson has contacted him about possibly renting the miniature golf course for a campaign project. He did not say which candidate he was campaigning for but would like to have some sort of putt putt tournament. Rod Wyman made a motion to approve the rental for a cost of \$500. Barb Paugh seconded the motion.

In old and unfinished business Glen Brown asked what had been accomplished with the stage updates. Josh admitted that since the last meeting he had not had much time to concentrate on that due to trying to get the pool ready to open. He did state that Eighty Four Lumber gave him a quote of \$1,400.00 to do the walls and ceiling. Glen thought this was too expensive, but there seemed to be confusion as to what the building would be used for in the future. The majority of the Board and Josh believes the building should be constructed to not only hold musical events but also serve as an indoor area for other functions as well.

Josh also informed the Board in old business that he was unable to complete the Recreational Trails grant by its due date.

In new business, Agnes Queen asked Josh to reserve the pool for July 24, 2019 so that they can have the Blue Print kickoff at the Park. This is a 10 year program that is geared to many positive achievements for our county. Some of the possibilities for our community include housing,

recreational center, beautification projects, along with the availability of many types of grants.

Gene Edwards adjourned the meeting after determining the next meeting will be MONDAY, JUNE 24, 2019 at the Lewis County Park.

Respectfully submitted by Josie Britton, Secretary

LEWIS COUNTY PARKS AND RECREATION AGENDA

Monday, June 24, 2019 @ 6:00 pm at the LC 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

Corridor H Authority Annual Meeting

From: Robbie Morris (Robbie@randolphwv.com)

To: billhartman@suddenlink.net; skinner_b@wwvc.edu; bcoed@frontier.com;
lwhetsell@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;
donna2570@frontiernet.net; pmcole@shentel.net; rob@upshurda.com; srnolte@upshurcounty.org;
tuckercounty@gmail.com; tkitzmilller@grantcounty-wv.com; texas59@yahoo.com

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

Date: Monday, June 17, 2019, 02:35 PM EDT

All:

The annual meeting of the Robert C Byrd Corridor H Highway Authority will be held on Monday, July 15, 2019 at 11:00 a.m. at the office of Bowles Rice, 600 Quarrier Street, Charleston WV. An agenda and meeting materials will be distributed closer to the meeting date. If you have something you'd like to have on the agenda, please let me know.

Thanks,

Robbie

Robert L. Morris, Jr.

Executive Director

Randolph County Development Authority

West Virginia Wood Technology Center

10 Eleventh Street

Elkins, West Virginia 26241

(304) 637-0803

(304) 637-4902 (fax)

(304) 614-3268 (cell)

www.randolphwv.com

www.wvwoodtech.com





WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
Charleston, West Virginia 25305-0430 • (304) 558-3505

Byrd E. White, III
Secretary of Transportation

June 4, 2019

Jimmy Wriston, P. E.
Deputy Secretary/
Acting Commissioner

The Honorable Agnes G. Queen
President
County Commission of Lewis County
110 Center Avenue
Weston, West Virginia 26452

Dear Commissioner Queen:

Thank you for your letter, dated May 7, 2019, in which you asked that the Division of Highways (DOH) consider establishing a medical transport helipad within DOH property at the I-79/US 33/US 48 interchange.

Construction of an interchange modification project is underway by the DOH, and we anticipate that construction may be complete in the spring of 2021. At that time, the DOH then may be able to consider utilization of its property for the implementation of a helipad, provided sufficient area then will be available and a funding source has been identified. Alteration of the existing construction contract to include provisions for a helipad is not desired by the DOH. Use of the property within the interchange area would need to be approved by the Federal Highway Administration and construction of a helipad would be subject to approval by the Federal Aviation Administration.

Again, thank you for writing and for your interest in this matter. If additional information is needed, please feel free to contact David E. Cramer, P. E., of our Commissioner's Office of Economic Development, at (304) 558-3505.

Sincerely,

A handwritten signature in blue ink that reads "Jimmy Wriston, P. E.".

Jimmy Wriston, P. E.
Deputy Secretary/
Acting Commissioner

JW:Cd



THE SECRETARY OF THE INTERIOR
WASHINGTON

June 20, 2019

Lewis County Commission
110 Center Avenue
Weston, WV 26452-1964

Dear County Official:

I am pleased to notify you that on June 20, 2019, the Department of the Interior (Department) issued payments under the Payments in Lieu of Taxes (PILT) program. The PILT program compensates eligible local jurisdictions for Federal lands administered by Agencies within the Department and on behalf of the U.S. Forest Service and the U.S. Army Corps of Engineers. Local governments may use the PILT payments for any governmental purpose, including emergency response, public schools, and roads. Since local governments cannot tax Federal lands, annual PILT payments help to defray costs associated with maintaining important community services.

The Payments in Lieu of Taxes Act, 31 U.S.C. 6901-6907, as amended, authorized the program. The PILT Act prescribes the formula used to compute the annual payments based on annually adjusted per-acre and population variables. Prior year Federal payments under certain revenue-sharing programs, as reported annually by States, are deducted in formulating the payment amounts. A provision in the PILT Act provides temporary compensation for recent additions to the National Park System and National Forest Wilderness Areas.

The President signed the Consolidated Appropriations Act, 2019 (P.L. 116-6) on February 15, 2019, providing full funding for the 2019 PILT program. More than 1,900 local jurisdictions received a total of \$514.7 million in PILT payments this year.

For 2019, your county is receiving a PILT payment of \$56,551. If you provided current bank routing and account numbers to our Interior Business Center office or to the System of Awards Management (SAM), an electronic funds transfer was posted to your account on or about June 20, 2019. If you did not receive a payment or if you require further information, please refer to www.doi.gov/pilt. The website includes information on how to register in SAM to expedite receipt of future PILT payments. If you have any questions, please contact the PILT Program Manager, Ms. Dionna Kiernan, at (202) 513-7783.

Sincerely,



Secretary of the Interior

Budgeted \$40,000

**SUPREME COURT OF APPEALS
STATE OF WEST VIRGINIA
ADMINISTRATIVE OFFICE**

JOSEPH ARMSTRONG
ADMINISTRATIVE DIRECTOR
PHONE: 304-558-0145
FAX: 304-558-1212



BUILDING 1, ROOM E-100
1900 KANAWHA BOULEVARD, E.
CHARLESTON, WV 25305-0145
WWW.COURTSWV.GOV

June 13, 2019

Lewis County Commission
Agnes G. Queen, President
110 Center Avenue, 2nd Floor
Weston, WV 26452

SUBJECT: FAMILY COURT MEMORANDUM OF UNDERSTANDING

Dear Ms. Queen:

The Supreme Court of Appeals of West Virginia updated its form Memorandum of Understanding for Family Court Facilities that is governed by W. Va. Code § 51-2A-1, *et seq.*. Enclosed is a new agreement for the 2019 – 2020 Fiscal Year. Please sign and notarize the agreement and return it to the Administrative Office of the Supreme Court of Appeals of West Virginia in the self-addressed stamped envelope.

The Court is unable to re-negotiate the pricing arrangement of the agreement at this time. The enclosed updated Memorandum of Understanding reflects the same price-per-square-foot term from the most recently signed agreement between the Lewis County Commission and the Court. In the event a new agreement is not signed for the upcoming fiscal year, this correspondence serves as notice that the prior agreement will continue per its renewal term.

If you have any questions or concerns regarding this updated Memorandum of Understanding, please do not hesitate to contact our office. If possible, please sign and return this Memorandum of Understanding on or before June 30, 2019.

Thank you for your prompt attention to this matter.

Sincerely,

/s/ Lori Paletta-Davis

Lori Paletta-Davis
Administrative Counsel
Supreme Court of Appeals of West Virginia

CC: Joseph Armstrong, Administrative Director
Sue Troy, Chief Financial Officer
Kim Ellis, Facilities Director
Arthur Angus, Security Director

Lewis County Commission

RIDE-ALONG REQUEST

I would like to request a ride-along with the Lewis County Sheriff's Office. I have read and signed the "release and waiver" form.

Reason: Glennville State College internship class

Name: Lindsay Hughes Phone: 304-517-0518

Address: 275 Butchers Lane Weston, WV 26452

[Signature]
Signature

6/19/19
Date

Request: Approved Denied

Lewis County Commission; _____
Signature Date

Request: Approved Denied

Authorized to ride on _____ from _____ to _____
Date begin time end time

and ride with _____
Deputy Name

Lewis County Sheriff or Designee; [Signature] _____
Signature Date

This form MUST be signed by the LC Commission AND the L C Sheriff to be valid

RELEASE AND WAIVER

DATE: 6/19/19

KNOW BY ALL THESE PRESENT, that I Lindsay Hughes, on my own behalf and on behalf of my heirs, next of kin, executors, estate, agents and assigns, and representatives of any nature whatsoever, for and in consideration of the authorization and permission to accompany officers or any officer of the department during the course of their or his duties, which has been granted to me at my voluntary request, after having been fully advised of the potential hazards of such activity or activities, do hereby WAIVE and RELEASE all demands, damages, actions, causes of action, suits and claims of any nature whatsoever, whether in law or in equity, that I or my heirs, next of kin, executors, administrators, estate, agents and assigns, and representative of any nature whatsoever might otherwise have against the Lewis County Sheriff's Office, Lewis County Commission, and each and every officer, official, member, employee, agent and attorney thereof and therefore, and his or her heirs, next of kin, executors, administrators, and estate on account of my death or injuries, both to person and to property, whether foreseeable or not, which occur directly or indirectly or develop at anytime in the future as a result of my activities or association with the department, whether in a vehicle, in the station or otherwise in association with the department and officers and officials thereof in any manner whatsoever.

It is expressly agreed and understood that this **RELEASE and WAIVER** shall apply for the express purpose of precluding forever all claims, suits, demands, damages and causes of action that I or my heirs, next of kin, executors, administrators, estate, agents and assigns and representatives of any nature whatsoever might otherwise assert against any of the aforesaid parties as a result of my association and activities with the department during _____.

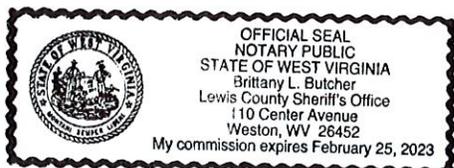
I hereby declare that the terms of this **RELEASE and WAIVER** have been fully read and understood by me and freely and voluntarily entered into and accepted by me, and I hereby acknowledge receipt of a copy of this agreement. In further consideration of the aforesaid authorization and permission granted to me to accompany an officer or officers of the department at my own request, I hereby promise and agree to fully comply with all instructions given to me for the purpose of protecting my personal safety and that of my property.

This waiver must be approved by the Chief Deputy/Sheriff/Animal Control of Lewis County.

[Signature] (Chief Deputy/ Sheriff /Animal Control)

[Signature] Applicant Signature

[Signature] Witness
[Signature]



This RELEASE and WAIVER NOT VALID UNTIL NOTARIZED.

Notary Signature [Signature]