

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

LEWIS COUNTY COMMISSION
110 Center Avenue, 2nd Floor
Weston, WV 26452
Meeting Agenda
Tuesday, February 25, 2020

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, February 21, 2020
(*action required*)

APPOINTMENTS

3. 10:10 AM **Sheriff Adam Gissy**
RE: Advice and Consent per WV Code §7-7-7 to hire three vacant deputies positions and promotion of a deputy to Corporal (*action required*)
Sheriff Adam M. Gissy requests advice and consent per WV Code §7-7-7 to hire Seth Cutright, Corey Matheny and Dakota Shipman as Sheriff's Deputies to fill the three vacant positions in his department. If approved, the oath of office will be administered.

Additionally, Deputy Zachary Lopez has been promoted to the rank of Corporal. He will be administered the oath of office for Corporal.

4. 10:20 AM **Chris Richards, Director Lewis County Convention and Visitors Bureau**
RE: Quarterly Report (*information only*)
Ms. Richards will present the quarterly report of activities by the Lewis County Convention and Visitors Bureau.

CORRESPONDENCE

5. **Upshur County Commission Meeting Agenda:** The Upshur County Commission Meeting Agenda for Thursday, February 20, 2020 is presented for review. (*information only*)
6. **West Virginia Regional Jail and Correctional Facility Monthly Invoice:** The January 2020 monthly invoice for Lewis County inmates housed in the Regional Jail for 1,276 days X \$48.25 totaling \$61,567.00 is presented for review. (*information only*)

7. **Sheriff's Monthly Statement (Reconciliation) of Accounts:** Lewis County Sheriff Adam Gissy submits the January 2020 Sheriff's Monthly Statement (reconciliation) of accounts for Lewis County. *(information only)*
8. **Lewis-Gilmer E-911 Monthly Call Report:** The report of 911 calls for the month of January 2020 including number of calls by agency, distributions of calls and call comparisons is presented for review. *(information only)*
9. **Jane Lew Public Service District Meeting Agenda:** The Jane Lew Public Service District regular meeting agenda for February 13, 2020 is presented for review. *(information only)*
10. **Lewis County Park Board Minutes and Agenda:** The minutes of the October 28, 2019 Lewis County Park Board Meeting and the agenda for the February 24, 2020 Meeting are presented for review. *(information only)*
11. **SuddenLink Cable Notification of Upcoming Pricing:** SuddenLink Cables has sent notification of upcoming pricing alignment that is effective February 28, 2020: *(information only)*

Broadcast Surcharge \$16.72	Broadcast Basic(Business) 45.95
Video Expanded \$52.95	Basic & Expanded (Business) \$98.90
Broadcast Basic (Bars & Restaurants) \$45.99	Expanded Basic (Bars & Restaurants) \$39.00
Full Basic (Bars & Restaurants) \$84.99	HD-DTA \$5.00
HD Receiver \$11.00	HD/DVR Receiver \$17.00
Bars & Restaurants Digital Tier/No Sports \$10.00	
12. **Shenandoah Cable Television (SHENTEL) Quarterly Franchise Fee Remittance:** Shenandoah Cable's quarterly franchise remittance for October, November and December 2019 to Lewis County is \$9,170.58. Last quarter the county received \$9,424.66. *(information only)*
13. **Letter of Appreciation from OV Smith & Sons:** The Commission is in receipt of a Letter of Appreciation from OV Smith & Sons that was sent to the *Weston Democrat*. The Smith's thanked the County Commission for their constant contact and assistance in trying to find tenants for the Market Place Shopping Center. *(information only)*
14. **Sheriff's Monthly Vehicle Report:** The Sheriff's Monthly Vehicle Report for January 2020 including fleet mileage is presented for review. *(information only)*
15. **WV Secretary of State New Business Registrations for January 2020:** Notification from the West Virginia Secretary of State that Lewis County was in the Top four counties for new business registrants in January of 2020 *(information only)*
16. **Louis Bennett Public Library Quarterly Hotel/Motel Expenditures:** The Louis Bennett Public Library submits their October, November and December Quarterly Hotel/Motel Tax Expenditures for review. *(information only)*
17. **West Virginia State Auditor's Report on Applying Agreed-Upon Procedures by the Lewis County Magistrate Court:** The West Virginia State Auditor's Office report on agreed-upon Procedures for the Lewis County Magistrate Court is presented for review. Findings include: Segregation of Duties; Software Automated Data System for processing of bonds and charges; only one signature on checks; the financial record keeping system should be equipped with a credit card system; need to report to the Tax Commission failure to pay fines and court costs; controls needed for voided receipts; insufficient fines for suspended/revoked operators; failure to issue Worthless Check Warrants in a timely manner; Controls needed to ensure cost in criminal proceedings are entered into the system. Many of these issues are due to the computer software supplied to the Magistrate Court not having the capability to perform the task. *(information only)*

- 18. West Fork Conservation District Public Meeting:** A public meeting for dam monitors, landowners, sponsors, city officials and Office of Emergency Service personnel for the Polk Creek Watershed will be held on Thursday, February 27, 2020, 6pm at St. Boniface Church. A light dinner will be served. *(action required)*

BUSINESS

- 19. Board(s) and Committee(s) Reports: Commissioners will provide reports on any board(s) and committee(s) meeting attend including:** Blueprint; Conquer the Complex; County Commissioners Association of West Virginia and West Virginia Association of Counties Legislative Conference Calls; Board of Equalization and Review; Lewis County School Levy Election; Meeting with two potential businesses; Lewis County Fire Fighter's Association; Building Hope; West Virginia Association of Counties Legislative Conference; Lewis County Fire Board; and Lewis County Park Board.
- 20. West Virginia Division of Culture and History Grant Award Announcement:** The West Virginia Division of Culture and History Records Management and Preservation Board has awarded the Lewis County Commission a grant in the amount of \$9,875.00 for the purchase of a high-volume micro-cut shredder and scanning and indexing in the Circuit Clerk's Office. Acceptance of the grant is requested. *(action required)*
- 21. Lewis County Economic Development Authority:** The Lewis County Economic Development Authority requests the following members be reappointed to the authority. If approved their terms of office will expire December 31, 2022: *(action required)*
- | | |
|--------------------|------------------------|
| a. Greg Cunningham | e. Kevin Stalnaker |
| b. Kim Gum | f. Stephanie Wolverton |
| c. Denver Turner | g. Charles Stalnaker |
| d. Ray Smith | |
- 22. Lewis County Deputy Sheriff's Resignation:** Corporal Edward Clark tenders his resignation as a Lewis County Deputy Sheriff effective February 28, 2020. The County Commission is asked to approve his resignation. *(action required)*
- 23. Resolution to the West Virginia Legislature Against the Elimination of Business/Industrial or other Personal Property Taxes:** The Lewis County Commission is asked to execute a resolution to the West Virginia Legislature opposing elimination of the business/industrial tax or other personal property taxes that will erode the tax base for local communities and schools. *(action required)*
- 24. Time Sheets and Leave Requests** *(action required)*
- | | |
|----------------|-----------------------|
| a. Barb Winans | Annual and Sick Leave |
|----------------|-----------------------|

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

- 25. 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, February 21, 2020. *(action required)*
- 26. 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, February 21, 2020. *(action required)*
- 27. 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, February 21, 2020. *(action required)*

28. Expenses for the Current Period Presented for Consideration of Payment: Draft copies will be available for review upon request Friday, February 21, 2020. *(action required)*

ADJOURNMENT:

29. 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.
- Agenda Items may require an executive session.
- 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.
- Commissioners may participate and vote via conference call if two(2) commissioners are in attendance.

OATH OF OFFICE AND CERTIFICATE

STATE OF WEST VIRGINIA

COUNTY OF LEWIS, TO-WIT:

I, **Seth Cutright**, do solemnly swear that I will support the
Constitution of the United States and the Constitution of the State of West Virginia,
and that I will faithfully discharge the duties of serving as a **Deputy** for the **Lewis
County Sheriff's Department** to the best of my skill and judgment, **SO HELP ME
GOD.**

Signature _____
Seth Cutright

Subscribed and sworn to before the Lewis County Commission in said County
and State, this 25th day of February, 2020.

*President
Lewis County Commission*

Attest: _____
*Cynthia S. Rowan
Lewis County Clerk*

OATH OF OFFICE AND CERTIFICATE

STATE OF WEST VIRGINIA

COUNTY OF LEWIS, TO-WIT:

I, **Corey Matheny**, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of West Virginia, and that I will faithfully discharge the duties of serving as a **Deputy** for the **Lewis County Sheriff's Department** to the best of my skill and judgment, **SO HELP ME GOD.**

Signature _____
Corey Matheny

Subscribed and sworn to before the Lewis County Commission in said County and State, this 25th day of February, 2020.

*President
Lewis County Commission*

Attest: _____
*Cynthia S. Rowan
Lewis County Clerk*

OATH OF OFFICE AND CERTIFICATE

STATE OF WEST VIRGINIA

COUNTY OF LEWIS, TO-WIT:

I, **Dakota Shipman**, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of West Virginia, and that I will faithfully discharge the duties of serving as a **Deputy** for the **Lewis County Sheriff's Department** to the best of my skill and judgment, **SO HELP ME GOD.**

Signature _____
Dakota Shipman

Subscribed and sworn to before the Lewis County Commission in said County and State, this 25th day of February, 2020.

President
Lewis County Commission

Attest: _____
Cynthia S. Rowan
Lewis County Clerk

OATH OF OFFICE AND CERTIFICATE

STATE OF WEST VIRGINIA

COUNTY OF LEWIS, TO-WIT:

I, **Zachary Lopez**, do solemnly swear that I will support the
Constitution of the United States and the Constitution of the State of West Virginia,
and that I will faithfully discharge the duties of serving for the **Lewis County Sheriff's
Department as Corporal** to the best of my skill and judgment, **SO HELP ME GOD.**

Signature _____
Zachary Lopez

Subscribed and sworn to before the Lewis County Commission in said County
and State, this 25th day of February, 2020.

***President
Lewis County Commission***

Attest: _____
***Cynthia S. Rowan
Lewis County Clerk***

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: February 6, 2020

- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• January 30, 2020
- 9:15 a.m. Buckhannon-Upshur High School biology students - Request permission to undertake a project at the Upshur County Recreational Park
- 9:30 a.m. Rob Hinton, Upshur County Development Authority Director -- Review of the Medical Cannabis Act and request for required letter from the Commission
- 9:45 a.m. Terri Jo Bennett, Upshur County Addressing and Mapping Coordinator -- Presentation of Road Name Change Petition filed by Theresa Servetas
- 10:00 a.m. Bid opening, presentation and award – 1 Police Sedan
- 10:15 a.m. Heather Sparks, Chief Tax Deputy --- Final Disposition List for Tax Year 2018. Approval and signature of the Affidavit of Acceptance by the Upshur County Commission.
- 10:30 a.m. Lori Ulderich Harvey on behalf of the Upshur County Family Resource Network Tobacco Prevention Coalition – Presentation of “Through with Chew Week and the Great American Spit Out” Proclamation

Items for Discussion / Action / Approval:

1. Adopt Policy Extending Emergency Absentee Voting. *
2. Order to approve the Number of Election Officials and Election Commissioners for the May 12, 2020 Primary Election. *
3. Order to approve the Number of Sets of Emergency Absentee Voting Commissioners for the May 12, 2020 Primary Election. *
4. Approval and signature of Authorization for Full Settlement Authority and Informed Consent for the consolidated opioid litigation. This authorization will permit Fitzsimmons Law Firm PLLC to engage in settlement negotiations with the defendants conditioned upon the Commissions’ final approval of any settlement which may be reached. *
5. Approval and signature of Order Setting Forth Findings of Fact and Conclusions of Law in the Riffle Case Number 061319-02 (Banks Tax District – Tax Map 3P – Parcel Number 20.1). *

6. Approval of Amended Employee Health Reimbursement Plan Document, originally effective April 1, 2011 and restated effective December 1, 2019. This amendment incorporates all previous amendments into one policy*
7. Approval of advertisement for a full-time Animal Control Officer. Applications must be received by 4:00 p.m. on February 18th, 2020. *
8. 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. Commission's Response to the City of Buckhannon's Petition to Intervene in regards to the expansion of service territory of Tennerton Public Service District.
2. Correspondence from Ora L. Ash, Deputy State Auditor, regarding the levy estimate (budget) 2020-2021, approved percentages for the Assessor's Valuation Fund and a budget sequence of events.
3. Correspondence from Joseph N. Geiger, Jr., Director of the WV Archives and History, announcing the award of \$13,000. The Assessor's office was awarded \$3,000 to scan and index various documents and \$10,000 was awarded to the Circuit Clerk's office to digitize chancery and civil order books. Mr. Geiger is also requesting a response with the Commission's intent to pursue the records project.
4. Correspondence from C. Robbie Martin, Delegate 45th District, requesting for the Upshur County Commission to declare Upshur County as a "Second Amendment Sanctuary".
5. Correspondence from Brad Ayers, Senior Director of Government Affairs for Suddenlink by Altice USA, notifying the Commission that effective February 28, 2020, there will be changes to certain video rates and surcharges for commercial customers.
6. Upshur County Building Permits for the month of January 2020
7. NACo Prescription Drug Discount Card Program breakdown from 2014 to December 2019
8. Appointments Needed or Upcoming:
 - Buckhannon-Upshur Parks and Recreation Advisory Board (BOE appointee – 6/30/2020)
9. Board of Review & Equalization Meeting Schedule
 - 01/30/2020 1:00 p.m. – 3:00 p.m. No appointments ---Review Property Books
 - 02/05/2020 1:00 p.m. – 3:00 p.m.
 - 02/11/2020 9:00 a.m. – 11:00 a.m. Coal, Oil & Gas and Industrial Appointments
 - 02/18/2020 9:00 a.m. – 11:00 a.m. Adjournment

These meetings will take place at the Upshur County Administrative Annex

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. Chapman Case Number 101118-01 (Warren Tax District – Tax Map 6B Parcel Number 11)

Next Regular Meeting of the Upshur County Commission
February 13, 2020 --- 9:00 a.m.
Upshur County Courthouse Annex

****The regularly scheduled Commission Meeting on February 20, 2020 is CANCELLED****

STATE OF WEST VIRGINIA
DEPARTMENT OF MILITARY AFFAIRS & PUBLIC SAFETY
DIVISION OF CORRECTIONS & REHABILITATION



BETSY C. JIVIDEN
COMMISSIONER

JEFF S. SANDY, CFE, CAMS
CABINET SECRETARY

Office of the Commissioner
1409 Greenbrier Street
Charleston, WV 25311
304-558-2036 – Telephone
304-558-5367 - Fax

THE HONORABLE AGNES QUEEN, PRESIDENT
LEWIS COUNTY COMMISSION
LEWIS COUNTY COURTHOUSE
WESTON, WV 26452

Statement Number: 11202a8e
Statement Date: 2/5/2020
Month Of Service: January, 2020

Pursuant to the provisions of W.Va. Code §15A-3-16, the Division of Corrections and Rehabilitation hereby provides you with a monthly statement of charges and costs of inmate maintenance and operational costs for LEWIS for the month of January, 2020. The costs per day for inmate maintenance and operation is in accordance with the provisions of W.Va. Code §15A-3-16.

Detailed information, including names of inmates and the number of days of inmate maintenance, to support the invoice is attached.

Month: January
NUMBER OF INMATE DAYS: 1276
PER DIEM RATE: \$48.25
AMOUNT DUE - January, 2020 \$61,567.00

This statement amount is due and payable upon receipt.

Please Remit Payment to:
WV Regional Jail and Correctional Facility Authority
P O Box 40258
Charleston, WV 25364

Lewis County Financial Statement
Month Ending- January 2020

Lewis County
02/10/2020 @ 11:11:35 AM

	Beginning Balance	All Other Revenues	All Taxes Collected	Less: Orders Issued	Ending Balance
General County	4,295,752.58	\$288,561.24	\$63,297.12	\$594,964.08	4,052,646.86
Coal Severence	20,325.73	\$9,593.45	\$0.00	\$0.00	29,919.18
General School	0.00	\$3,445.53	\$0.00	\$0.00	3,445.53
Magistrate Court	2,253.26	\$1,352.83	\$0.00	\$1,948.98	1,657.11
Worthless Check	39,350.38	\$94.24	\$0.00	\$0.00	39,444.62
Dog and Kennel	33,504.57	\$741.12	\$0.00	\$19,677.16	14,568.53
Home Detention	4,744.31	\$1,717.60	\$0.00	\$1,472.86	4,989.05
Emergency 911 Fund	3,440,162.63	\$294,343.99	\$0.00	\$61,819.18	3,672,687.44
Lewis County Aquatic Fund	724,932.45	\$354.02	\$4.98	\$0.00	725,291.45
Citizens Education	23,445.45	\$15.12	\$0.00	\$14.00	23,446.57
Federal Equitable	0.71	\$0.00	\$0.00	\$0.00	0.71
Fire Fees	0.00	\$2,796.85	\$0.00	\$2,796.85	0.00
LC Flood Administration	0.00	\$0.00	\$0.00	\$0.00	0.00
NTIA Broadband Project	0.00	\$0.00	\$0.00	\$0.00	0.00
North West Acquisition Project	0.00	\$0.00	\$0.00	\$0.00	0.00
Sheriff Special Account-State	8,160.48	\$3.99	\$0.00	\$0.00	8,164.47
County Building	574,890.52	\$175.15	\$0.00	\$0.00	575,065.67
Board of Health	495,758.41	\$57,220.40	\$0.00	\$19,257.75	533,721.06
Tax Lien	223,241.23	\$19,805.49	\$0.00	\$38,046.64	205,000.08
Delinquent Nonentered	33,094.82	\$0.00	\$0.00	\$0.00	33,094.82
Concealed Weapons	54,751.71	\$1,077.62	\$0.00	\$5,384.00	50,445.33
Assessor Valuation	303,564.41	\$5,240.12	\$0.00	\$15,689.30	293,115.23
Voters Resistration	5,252.62	\$199.70	\$0.00	\$0.00	5,452.32
State Current	0.00	\$0.61	\$1,114.51	\$1,115.12	0.00
Criminal Charges	0.00	\$23.00	\$0.00	\$23.00	0.00
Court Reporter	0.00	\$4.36	\$0.00	\$4.36	0.00
Sate Police	0.00	\$375.00	\$0.00	\$375.00	0.00
Vehicle License - DMV	0.00	\$34,396.50	\$0.00	\$34,396.50	0.00
State Fines	0.00	\$0.00	\$0.00	\$0.00	0.00
Jury Fund	0.00	\$40.00	\$0.00	\$40.00	0.00
WV Deputies Fund	587.00	\$624.00	\$0.00	\$536.00	675.00
General Current Expenses	0.00	\$16,214.10	\$84,382.83	\$100,596.93	0.00
Excess Levy	0.00	\$8,709.32	\$46,021.75	\$54,731.07	0.00
Weston Current	0.00	\$8.91	\$16,455.30	\$16,464.21	0.00
Jane Lew Current	0.00	\$0.31	\$567.97	\$568.28	0.00
LC Blueprint Community	2,926.25	\$0.00	\$0.00	\$0.00	\$2,926.25
Totals	\$10,286,699.52	\$747,134.57	\$211,844.46	\$969,921.27	\$10,275,757.28

Balance in county depositories - End of Month

Less: Orders Outstanding

Add: Deposits in Transit

Cash in Office at End of Month

Misc. Adjustments (+ or-)

Total in county Depositories and Office

\$10,526,083.84

\$362,114.69

\$108,288.13

\$3,500.00

\$10,275,757.28

Bank Errors

Bank Errors

Bank Errors

Total

True Balance

\$10,275,757.28

I, Adam M. Gissy, Sheriff of Lewis, West Virginia, do hereby certify that the foregoing is a true and correct statement of the finances of Lewis Co., West Virginia, for the month ending referenced above. The amount received, the amount distributed and the amount remaining in the Treasury and County Depositories.

A.M. Gissy / AS Lewis
Sheriff & Treasurer, County

2-10-2020
Dated and sworn to on this date.

Difference

2020 LEWIS-GILMER E-911 TELETYPE REPORT

		JAN.	FEB.	MAR.	APR.	MAY.	JUN.	JULY.	AUG.	SEP.	OCT.	NOV.	DEC.	TOTAL
LEWIS COUNTY	10-27	433												433
	10-28	407												407
	III & CIB	211												211
	OTHER	41												41
	DVP	53												53
CITY	10-27	132												132
	10-28	104												104
	III & CIB	14												14
	OTHER	15												15
	DVP	11												11
STATE	10-27	163												163
	10-28	107												107
	III & CIB	57												57
	OTHER	18												18
	DVP	16												16
DNR	10-27	18												18
	10-28	21												21
	III & CIB	6												6
	OTHER	2												2
	DVP	4												4
PROSECUTOR	10-27	22												22
	10-28	0												0
	III & CIB	95												95
	OTHER	0												0
	DVP	0												0
PROBATION	10-27	6												6
	10-28	1												1
	III & CIB	21												21
	OTHER	4												4
	DVP	0												0
SWJS PARK	10-27	0												0
	10-28	0												0
	III & CIB	0												0
	OTHER	0												0
	DVP	0												0
FAMILY COURT	III & CIB	0											0	
DAY REPORT	10-27	16												16
	10-28	0												0
	III & CIB	27												27
	OTHER	57												57
	DVP	0												0
													TOTAL TRANSACTIONS	2082

2020 LEWIS-GILMER E-911 TELETYPE REPORT

GILMER		JAN.	FEB.	MAR.	APR.	MAY.	JUN.	JULY.	AUG.	SEP.	OCT.	NOV.	DEC.	TOTAL
COUNTY	10-27		37											37
	10-28		29											29
	III & CIB		55											55
	OTHER		0											0
	DVP/WAR		2											2
CITY	10-27		58											58
	10-28		44											44
	III & CIB		16											16
	OTHER		3											3
	DVP/WAR		11											11
STATE	10-27		92											92
	10-28		63											63
	III & CIB		33											33
	OTHER		3											3
	DVP/WAR		19											19
DNR	10-27		0											0
	10-28		2											2
	III & CIB		0											0
	OTHER		0											0
	DVP/WAR		0											0
PROSECUTOR	10-27		3											3
	10-28		0											0
	III & CIB		8											8
	OTHER		6											6
	DVP/WAR		0											0
CAMPUS	10-27		8											8
	10-28		88											88
	III & CIB		10											10
	OTHER		0											0
	DVP/WAR		0											0
													Total Transactions	590

Jane Lew Public Service District

70 Park Avenue
Jane Lew, WV 26378

Regular Meeting

February 13, 2020 4:00 PM

~~ Public Board Meeting Agenda ~~

- I. Call to Order (Flaxer)

~~ ROUTINE MONTHLY BUSINESS ~~

- II. Minutes (01/09/2020)
III. General Manager's January Reports (Gee)
A. WATER:
1. Water Bills
2. Water Treasury Report
3. Water Adjustments Report
4. Water Purchase, Sales & Loss Report
5. Water Preventive Maintenance Report (*Preventing unplanned breakdowns*)
6. Water Repairs Report (*fixing unplanned breakdowns*)
7. Leak Detection Report (*finding and fixing leaks*)
8. Cross Connections/Backflow Report
9. New Taps (non-project)
10. Other
B. WASTEWATER:
1. Wastewater Bills
2. Wastewater Treasury Report
3. Wastewater Adjustments Report
4. Wastewater Treatment Purchase, Sales & Loss Report
5. Wastewater Preventive Maintenance Report (*Preventing unplanned breakdowns*)
6. Wastewater Repairs Report (*fixing unplanned breakdowns*)
7. New Taps (non-project)
8. Other
IV. Extensions and Road Bores - Water or Sewer (Gee)
V. PSD Policies and Job Descriptions (Flaxer)
VI. Personnel (Gee)
VII. Announcements (Gee)
VIII. Correspondence (Gee)

~~ OLD BUSINESS ~~

~~ NEW BUSINESS ~~

- IX. Revised Holiday Leave Policy (Flaxer)
X. Late-Received Agenda Items (Gee)
XI. Adjournment

MINUTES OF THE LEWIS COUNTY PARK BOARD OF DIRECTORS

Meeting Date of October 28, 2019

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

The meeting was called to order by Gene Edwards. Minutes from the previous meeting(September 23, 2019) were approved by Alyce Henry, seconded by Barb Paugh.

Betty Hill went over the treasurer's report. There were no questions or concerns with the given information. The report was approved by Richard Messenger, seconded by Shirley Taylor.

There was no public comment.

Josh Hinchman gave the director's report next.

* Upon searching the internet for some lighting options for the Park, Josh ran across 25 lights with 15' poles for \$8,500.00. They were being sold on Facebook from a development site that had never been completed. If purchased new, the cost would have been \$42,000.00. Josh would like to meet with Joe Frazier during the winter to contemplate replacing the old lighting system with the new. He says he may also be able to get some free bulbs for the new lights.

* The zero entry deck on the pool was discussed next. After researching different companies to make the needed repairs, Josh thinks that the work can be done by our maintenance staff at a much

lower cost. He showed the Board some different types of materials that can be used and thinks it will get us thru until we have to do some major repairs to the pool in the near future. Everyone agreed to follow Josh's recommendations. He also believes we should hold off on replacing/refurbishing the whale in the baby pool. He thinks we can get at least one more season out of it.

* This Thursday (October 31) there will be a Halloween party at the park from 7-9. Trick or treating in Weston is 6-7. There will be refreshments and games.

* Josh has several winter projects he will be working on. The design for the disk golf will be completed. He is meeting with Kevin Mullooly to see if we could overlap the design onto his property. He is still working on the catalog for the Park and wants to update the new prices and opening date for next season on the website. Josh is also going to update the policies/procedures for the employees. He would also like to come up with some sort of logo and mission statement for the Park. He will put together a maintenance repair schedule for next year, too.

Tom Alkire added that the drain system was done behind the pool, along the hillside. Shelter #4 also has a new drain. Now they are just trying to get everything winterized.

Josh did request for a year end evaluation on how we thought he performed. Agnes Queen said she would look at some of the evaluations the County Commission had that the Board could use for Josh. We will conduct his evaluation during our first meeting of 2020.

In Old and Unfinished Business, Richard Messenger stated he had heard no news on the tennis courts. According to Agnes Queen, the high school tennis team should be moving their practices/matches to the Stonewall Resort at the start of their next season.

Under New Business, Shirley Taylor suggested having a talent show at the Park next year. Most thought this was a good idea and Josh recommended we work together to organize it. It will take more than just a couple of people to put it all together.

Gene Edwards adjourned the meeting after determining the Board will meet again on MONDAY, FEBRUARY 24, 2020 at the Lewis County Court House at 6 pm.

Respectfully submitted by Josie Britton, Secretary

If unable to attend, please contact Gene Edwards at 304-997-9021

LEWIS COUNTY PARKS AND RECREATION AGENDA

Monday, February 24, 2020 @ 6:00 pm at the LC Court House

- 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**

LEWIS COUNTY PARKS AND RECREATION AGENDA

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- 7) New Business**
- 8) Adjourn**



January 29, 2020

Agnes Queen
Commission President
110 Center Avenue
Weston WV 26452

Re: Changes to Video Rates for Commercial Customers Only

Dear Commission President Agnes Queen:

Altice USA, Inc. ("Altice USA" or "the Company") hereby notifies your office of the upcoming pricing alignment for certain video rates impacting existing and new commercial customers only. This activity is being done to harmonize commercial customer rates across the Suddenlink footprint and reflects the rising cost of programming – including sports and broadcast channels. The changes outlined in this notice will not impact residential customers.

Included in this notice, for reference, is the list of commercial rates for impacted video products and services which will go into effect on February 28, 2020.

Customers are being notified at least 30 days in advance of the total increase to their bill through bill messages.

Should you have any questions, please do not hesitate to contact me at 347-527-3424.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Ayers". The signature is written in a cursive style with a large initial "B".

Brad Ayers
Senior Director, Government Affairs



March 2020 Pricing & Packages

Product	Standard Pricing
Broadcast Surcharge (ReTrans Fee)	\$16.72
Broadcast Basic (Business)	\$45.95
Video Expanded (Business)	\$52.95
Basic and Expanded (Business)	\$98.90
Broadcast Basic (Bars & Restaurants)	\$45.99
Expanded Basic (Bars & Restaurants)	\$39.00
Full Basic (Bars & Restaurants)	\$84.99
HD-DTA	\$5.00
HD Receiver	\$11.00
HD/DVR Receiver	\$17.00
Bars & Restaurants Digital Tier/NO Sports	\$10.00

We promise to continue delivering you the best and most innovative products and services.
Thank you for choosing Suddenlink.



Service Supplier: Shenandoah Cable Television LLC
Tax ID Code: 54-1159109
Tax Period: October 01, 2019 - December 31, 2019
Location ID: 490410000 200365

Lewis County Commission
 110 Center Ave, FL2
 Weston, WV 26452

Jurisdiction	Tax Type	Taxable Revenue	Rate	Gross Tax	Collection Allowance (0.00%)	Net Tax Due
LEWIS	Franchise Tax (Cable)	305,686.00	3.000 %	9,170.58	0.00	9,170.58
Total Remitted		305,686.00		9,170.58	0.00	9,170.58

Last quarter \$ 9424.66

I hereby certify that I have read the above return and certify it to be correct to the best of my knowledge.

Date: 01/31/2020

Preparer: Rosa Salvador

Prepared By: Ernst & Young, LLP FEIN: 34-6565596

Title: Preparer

Rosa Salvador

Please Refer All Inquiries to: Ernst & Young LLP
 18101 Von Karman, Suite 1700
 Irvine, California 92612
 Ph: 949794-2300 Fx: 949-437-0593

For rate changes please e-mail:
rosa.salvador@ev.com

O.V. Smith & Sons of Big Chimney, Inc.

Real Estate Development

4510 Pennsylvania Avenue

P.O. Box 12150

Big Chimney Station

Charleston, WV 25302

Mr. John Miller, Executive Editor

Weston Democrat

P.O. Box 968

Weston, WV 26452

January 31, 2020

Telephone 304-965-3481

Facsimile 304-965-7365

E-mail ovs@suddenlinkmail.com

RE: Appreciation to the County Commission

Dear Mr. Miller:

This letter is written to you as Executive Director with the hope that you will reproduce it in the Weston Democrat to let the Lewis County citizens know that they are fortunate to have a very hard working County Commission and that this company is much appreciative of its assistance and willingness to help in any manner possible. In today's hectic world, regretfully and all too often, we are either forgetful or simply fail to take the time to simply say "Thanks".

As owner of the Market Place Shopping Center, the Commission has stayed in steady contact with us over the years whether it be to check on space availability, inquire as to current tenant activity or, to offer assistance with and even contact prospective tenants. For this we are ever appreciative. The harsh reality of the economy remains however - that it is a very tough retail climate. But while shopping centers across the country are closing, we are fortunate to only have the former Kroger space vacant. The Kroger space has been difficult to fill. Rest assured however, that our work and search continues for a quality tenant to fill that space which will benefit the community. And with the continued help of the Commission I know that will happen.

So, "THANKS" to the Lewis County Commission!

Sincerely,



George Smith

O.V. Smith & Sons

cc: Lewis County Commission ✓

JANUARY 2020 MILEAGE REQUEST

UNIT LIC.

150 Gissy 6LB698 / 14 CHARGER 31,480

151 Hyre Temp / 18 POLICE INTERCEPTOR 22,055

152 Carpenter 3370 / 14 EXPLORER 81,100

153 Clark 1643 / 11 TAHOE 94,485

154 Lopez Temp / 18 POLICE INTERCEPTOR 17,651

155 Hendershot 3929 / 18 POLICE INTERCEPTOR 13,554

156 Newbrough 3170 / 13 POLICE INTERCEPTOR 95,977

157 Brightbill 1910 / 13 POLICE INTERCEPTOR 101,440

158 Jones 2727 / 10 TAHOE 117,725

159

160

161 Miller 2868 / 09 TAHOE 99,767

162 Cutright 2966 / 12 CAPRICE _____

170 Cayton 2829 / 11 TAHOE 108,768

Fwd: For Immediate Release: Pendleton County Leads State in New Business Registrations for January 2020

From: aqueen4500 (aqueen4500@aol.com)

To: cindywhetsell@yahoo.com; centralwv@yahoo.com

Date: Tuesday, February 4, 2020, 01:24 PM EST

Sent from my Sprint Samsung Galaxy S® 6.

----- Original message -----

From: West Virginia Secretary of State Mac Warner <wvsosmw@wvsos.com>

Date: 2/4/20 1:00 PM (GMT-05:00)

To: aqueen4500@aol.com

Subject: For Immediate Release: Pendleton County Leads State in New Business Registrations for January 2020



**From The Office of
West Virginia Secretary of State
Mac Warner**

For Immediate Release: Feb. 4, 2020

Tucker, Taylor, Clay and Lewis Counties Also in Top 5 for the Month;

Pendleton County Leads State in New Business Registrations for January 2020

Charleston, W. Va.— Pendleton County led West Virginia in new business registration growth percentage for January 2020. A total of 14 new businesses registered to operate in the County during the month, according to West Virginia Secretary of State Mac Warner.

The number of registered business entities in Pendleton County grew from 322 to 336, which equates to a 4.35 percent increase. The Secretary of State's Business & Licensing Division reported that Tucker, Taylor, Clay and Lewis counties also had notable growth in January.

The number of business entities in Tucker County grew from 370 to 381, with Taylor County business entities increasing from 377 to 388. Clay County experienced an increase in new business registrations from 174 to 179, and Lewis County went from 556 to 567 for the month.

Statewide, West Virginia saw a 9.96 percent growth in business registrations in the previous 12-month period. The increase in those 12 months was led by Summers County with 19.87 percent growth.

To review county-by-county growth, visit our [Business Statistics Database](#).

-30-

11% Growth

Media Contact:

Jennifer Gardner, Deputy Press Secretary

jgardner@wvsos.gov, 304-356-2616



West Virginia Secretary of State's Office | State Capitol Building, Charleston, WV 25305

[Unsubscribe \[aqueen4500@aol.com\]\(mailto:unsubscribe_aqueen4500@aol.com\)](mailto:unsubscribe_aqueen4500@aol.com)

[Update Profile](#) | [About Constant Contact](#)

Sent by wvsosmw@wvsos.com

October Hotel/Motel	2019
------------------------	------

Beginning of Month Balance	\$ 70,854.12
Income	\$ 14,904.72
Expenses	\$ 7,886.05
End of Month Balance	\$ 77,872.79

Utilities	
Dominion/ Gas	\$ 23.81
Monpower / Electricity	\$ 268.56
Phone	
* Frontier	\$ 183.99
* Anan (telephone system)	
Sanitary Board	\$ 23.69
WVAM Water	\$ 31.44
Monthly Sub-Total	\$ 531.49

Maintenance	
Aspen Technologies	
* Security Cameras	\$ -
Dodson / Pest Spray	\$ -
Harris Lawn Care	\$ 120.00
Mountain State Waste	\$ 32.35
Walmart	\$ -
Weather Service	\$ -
Monthly Sub-Total	152.35

Project Expencies	
General Maintenance	\$ 7,202.21

Total Monthly Expenditures	\$ 7,886.05
End of Month Hotel-Motel Balance	\$ 77,872.79

Hotel/Motel	2019
	November

Beginning of Month Balance	\$ 77,872.79
Income	\$ 7,497.37
Expenses	\$ 4,924.47
End of Month Balance	\$ 80,445.69

Utilities	
Dominion/ Gas	\$ 128.06
Monpower / Electricity	\$ 218.35
Phone	
* Frontier	\$ 186.37
* Anan (telephone system)	\$ 75.00
Sanitary Board	\$ 23.69
WVAM Water	\$ 31.44
Monthly Sub-Total	\$ 662.91

Maintenance	
Aspen Technologies	
* Security Cameras	
Dodson / Pest Spray	
Harris Lawn Care	
Mountain State Waste	\$ 32.35
Walmart	
Weather Service	
Monthly Sub-Total	\$ 32.35

Project Expencies	
General Maintence	\$ 4,261.56

Total Monthly Expenditures	\$ 4,924.47
End of Month Hotel-Motel Balance	\$ 80,445.69

Hotel/Motel	2019 December
-------------	------------------

Beginning of Month Balance	\$ 80,413.34
Income	\$ 7,490.74
Expenses	\$ 1,869.24
End of Month Balance	\$ 86,034.84

Utilities	
Dominion/ Gas	\$ 417.33
Monpower / Electricity	\$ 169.86
Phone	
* Frontier	\$ 186.37
* Anan (telephone system)	\$ 115.00
Sanitary Board	\$ 23.69
WVAM Water	\$ 31.44
Monthly Sub-Total	\$ 943.69

Yearly Main.fee

Maintenance	
Aspen Technologies	
* Security Cameras	
Dodson / Pest Spray	
Harris Lawn Care	
Mountain State Waste	\$ 32.35
Messenger's BlackFlow	\$ 200.00
Monthly Sub-Total	\$ 232.35

Yearly fee

Project Expencies	
General Maintenance	\$ 693.20

Door alarms/light bulbs
battery

Total Monthly Expenditures	\$ 1,869.24
End of Month Hotel-Motel Balance	\$ 86,034.84

**LEWIS COUNTY MAGISTRATE COURT
SCHEDULE OF COMMENTS
For the Period Ended December 31, 2018**

Suggestions For Improving Operations

Segregation of Duties

We observed while applying our agreed-upon procedures that duties are not adequately segregated concerning the collection, receipting, depositing and disbursement of money. The magistrate court clerk's office collects, receipts and deposits money, makes all disbursements, conducts bank reconciliations and prepares monthly financial statements. The magistrate court clerk is also the keeper of all files and records and has the ability to adjust the dollar amount assessed by the magistrate.

RECOMMENDATION:

To establish a more effective system of internal accounting control, the Administrative Office of the Supreme Court of Appeals of West Virginia and the West Virginia Legislature should take the steps necessary to restructure the manner in which the magistrate courts operate, so that fiscal duties are segregated to the extent practical. The same individuals should not be responsible for the collection, deposit and disbursement of money along with the task of completing the bank reconciliation and the preparation of the financial statements.

Software / Automated Data System

We observed while applying our agreed-upon procedures that:

1. Bonds are receipted when collected and then receipted again when disbursed. This practice will overstate current collections for each month and prevent a reconciliation between receipts written and current deposits without an adjustment to the receipt reports.
2. Receipts from prior months that are voided in a subsequent month (non sufficient funds) are subtracted from the current month's receipt report causing an understatement in the total receipts for that month which prevents the reconciliation of the receipts and deposits report.
3. The financial record keeping software allows adjustments to transfer amounts from one account to another without first confirming that sufficient funds are available. This creates a situation in which a cash shortage can inadvertently occur.
4. The software utilized by the magistrate court provides an itemized listing of bonds held by the court at the end of each month, but does not provide a listing of payee, post judgment, and other party collections that are on hand at the end of the month.
5. The financial record keeping software allows adjustments and corrections to be made by supreme court IT staff without the knowledge and approval of the local county. This creates a situation in which a change can be made to the financial records and/or case file without the local court's knowledge.
6. Changes can be made by the clerk to a case without that change being docketed so it is not reflected anywhere on the case that a change to the original data inputted was made.

**LEWIS COUNTY MAGISTRATE COURT
SCHEDULE OF COMMENTS
For the Period Ended December 31, 2018**

Software / Automated Data System (continued)

RECOMMENDATION:

1. We recommend that bonds be receipted when collected and when released be adjusted to fines, costs, and/or refunds. This will ensure that current receipts equal current deposits and help identify the distribution of bonds.
2. We recommend that any receipted amounts, including non sufficient funds, be included on the receipt report. This will ensure that current receipts equal current deposits.
3. We recommend the software utilized by the court be modified to automatically determine whether sufficient funds are available to permit the transfer of funds.
4. We recommend the software utilized by the magistrate court be modified to provide account balance reports.
5. We recommend the software utilized by the court be modified to ensure that no changes are made to the local court records without authorization from the county in which the change is being made granting them access at that time to make corrections.
6. We recommend that any change made on a case by the clerk or any other court personnel be docketed on that case and a report noting all changes made to a case after the original data input be generated on a monthly basis.

Check Signatures

We observed while applying our agreed-upon procedures that the checks issued from the magistrate court's checking account were issued with only one signature.

RECOMMENDATION:

All checks should contain two or more signatures indicating that more than one person has reviewed the disbursements.

Credit Card System

We observed while applying our agreed-upon procedures that the credit card system is independent from the magistrate court financial record keeping system. After completing a credit card transaction, the magistrate court's office obtains a credit card receipt which is signed by the credit card holder. The receiving office must then manually record this transaction into the financial record keeping system, generating another receipt. Amounts can be entered in error, or completely omitted, as a result of these independent transactions. The independent transactions/dual receipt entries also increases the risk of fraud and/or theft.

**LEWIS COUNTY MAGISTRATE COURT
SCHEDULE OF COMMENTS
For the Period Ended December 31, 2018**

Credit Card System (continued)

RECOMMENDATION:

The financial record keeping system should be equipped with a credit card system. This system should be able to produce/issue receipts with sequential numbering regardless of whether payment is made using cash, credit card, money order, or check. The financial record keeping system should also produce credit card transaction reports along with other receipt information and reports.

Reporting to Tax Commissioner for Failure to Pay Fines and Costs

We observed during our application of agreed-upon procedures that the Lewis County Magistrate Court did not notify the State Tax Commissioner when defendants failed to pay their court imposed assessment within one year of their judgment date. This was due to the magistrate court computer system not being programmed to run such a report to be submitted to the Tax Commissioner. West Virginia Code §50-3-2c states, in part, that:

"(a) if costs, fines, fees, forfeitures, restitution or penalties imposed by the magistrate court upon conviction of a person for a criminal offense as defined by this code, imposed by the circuit court upon judgment on an appeal to circuit court of that conviction, or imposed by either court for failure to appear are not paid within one year of the judgment, the magistrate court clerk or, upon a judgment rendered on appeal, the circuit clerk shall notify the Tax Commissioner that the defendant has failed to pay the costs, fines, forfeitures or penalties assessed by the court."

RECOMMENDATION:

The court's automated system of record keeping should be designed to automatically generate and provide this report to the WV State Tax Commissioner for all unpaid costs that are over one year old on an annual basis at the minimum. We recommend that the court review this code section and implement the creation of this report to help recover unpaid costs owed to the court.

Void Receipts

We observed during our application of agreed-upon procedures that receipts which were voided in the computer system were not maintained in a manner that would provide for their ready retrieval, verification and security. In all instances the "ORIGINAL RECEIPT" of the voided receipts reported by the Magistrate Court could not be located.

**LEWIS COUNTY MAGISTRATE COURT
SCHEDULE OF COMMENTS
For the Period Ended December 31, 2018**

Void Receipts (continued)

RECOMMENDATION:

The software programming for the magistrate court's automated system of record creation should include controls that prevent the acceptance of marking a receipt VOID and removing from collection totals any amount represented by that receipt, unless or until a positive affirmation is made by the official (properly empowered to list the receipt as VOID) as to the fact that the original receipt is in the possession of the court. The receipt should then be kept available, by the issuing office, for subsequent verification.

Insufficient Fine for Suspended/Revoked Operators

We observed during the application of our agreed-upon procedures that, in one instance from our sample of cases inspected, Lewis County Magistrate Court failed to assess the minimum fine, as required by statute, when a defendant was guilty of driving on suspended or revoked operators. West Virginia Code §17B-4-3(a) states, in part, that:

"...any person who drives a motor vehicle on any public highway of this state at a time when his or her privilege to do so has been lawfully suspended or revoked by this state or any other jurisdiction is, for the first offense, guilty of a misdemeanor and...for the third or any subsequent offense, the person is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for a period of not less than thirty days nor more than ninety days and shall be fined not less than one hundred fifty dollars nor more than five hundred dollars."

RECOMMENDATION:

The software programming for the magistrate court's automated system of record creation should include controls that, based upon the information that is required to be entered into the case file, automatically enters or requires the entry of all appropriate costs when the magistrate's judgment indicates that assessment of these statutory costs is in order. Such software programming would preclude completion and closing of the case file unless all required assessments have been entered.

**LEWIS COUNTY MAGISTRATE COURT
SCHEDULE OF COMMENTS
For the Period Ended December 31, 2018**

Failure to Issue Worthless Check Warrants in a Timely Manner

We observed from a sample of Worthless Check Case files, that in two instances, the Magistrate court of Lewis County did not issue the worthless check warrant immediately after the expiration of the ten day worthless check notice period as required. It was further observed that there was no evidence of any extension being granted that was supported by an agreement signed by all parties or other documented exception as allowed by Rule 26(b) of the *Rules of Criminal Procedure for the Magistrate Courts of West Virginia*. West Virginia Code §61-3-39g states, in part, that:

"Upon receipt of a complaint for a misdemeanor warrant unaccompanied by proof that notice was sent by the payee or holder, the magistrate court shall immediately prepare and mail to the drawer of the check, draft or order a notice . . . This notice shall give the drawer of any such check, draft or order ten days within which to make payment to magistrate court. In the event the drawer pays the total amount set forth in the notice to the magistrate court within the ten-day period, no warrant may issue. . . . In the event the total amount is not so paid the court shall proceed with the issuance of the warrant as is provided by law."

Rule 26(b) mentioned above states that:

"Except as provided in section (c), below, any time limit which has been set by these rules, by the magistrate, or by statute, may be extended in the following circumstances:

- (1) If all parties to the case agree in writing to the extension;

- (2) If the existing period has not expired, upon a showing of good cause;

- (3) If the time period has expired, upon a showing of excusable neglect. Prior to ruling upon a request for an extension, the magistrate shall make a reasonable effort to notify all other parties and provide them with an opportunity to respond to the request."

RECOMMENDATION:

The software programming for the magistrate court's automated system of record creation should include controls that automatically cause a misdemeanor case to be activated once the ten day notice period has expired and no authorized extensions have been entered.

**LEWIS COUNTY MAGISTRATE COURT
SCHEDULE OF COMMENTS
For the Period Ended December 31, 2018**

Costs in Criminal Proceedings

We observed during the application of our agreed-upon procedures of Lewis County Magistrate Court, in one of the cases sampled, costs were not entered into the computer on one of the two charges in which the defendant was guilty and assessed costs. Specifically, the signed plea form had the correct costs on each charge but when entered into the computer only one set of costs were entered. Magistrate Courts are required by statute to impose such costs where the defendant is convicted. West Virginia Code §50-3-2 states, in part, that:

"(a) In each criminal case before a magistrate court in which the defendant is convicted, whether by plea or at trial, there is imposed, in addition to other costs, fines, forfeitures or penalties as may be allowed by law: (1) Costs in the amount of sixty dollars, of which five dollars of that amount shall be deposited in the courthouse facilities improvement fund created by section six, article twenty-six, chapter twenty-nine of this code; and (2) an amount equal to the one-day per diem provided for in subsection (h), section ten, article twenty, chapter thirty-one of this code; and(3) costs in the amount of thirty dollars to be deposited in the Regional Jail Operations Partial Reimbursement Fund created by section ten-b of said article."

RECOMMENDATION:

The software programming for the magistrate court's automated system of record creation should include controls that require the assessment of all costs required by statute.



The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Commissioner

Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562

EEO/AA Employer

February 1, 2019

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

Dear President Queen:

The Records Management and Preservation Board recently reviewed your county records grant application and approved a grant award of \$9,875 to the Lewis County Commission to be used as follows:

County Commission: \$4,875, to purchase a high-volume micro-cut shredder for all county government offices.

Circuit Clerk: \$5,000, for personnel costs to scan and index civil and criminal case files using the county's records management program.

On behalf of the Board, we ask that you respond within fifteen days from the date of this letter with your intent to pursue your records project. Please direct your written reply to me by postal mail or e-mail (joe.n.geiger@wv.gov). **This is only an unofficial offer of partial funding and no activities relating to the grant should be undertaken based on this letter.** The county must provide cash matching funds of at least ten percent for all grant expenditures. The grant will be for the fiscal year July 1, 2020-June 30, 2021.

The Records Management and Preservation Board's grant program functions in accordance with Legislative Rule Title 100 Series 1 (100CSR1) and the grant information and application issued September 2019. If you do not think the Board considered and acted fairly on your grant submission, an appeals process is outlined in 100CSR1, 5.8, which is available on-line at <http://www.wvculture.org/history/rmpb/rmpb100-1.html>. If you have any questions regarding the grant appeal process, or if we can provide any technical assistance to address your immediate records management needs, please contact us by telephone at (304) 558-0230, e-mail, or at the postal address provided below.

Sincerely,

Joseph N. Geiger Jr., Director
West Virginia Archives and History

cc: Cindy Whetsell, County Administrator
Cynthia Rowan, County Clerk
Beth Burkhart, Circuit Clerk

110 Center Avenue
Weston, WV 26452
www.lceda.org



Office: 304.269.4993
Fax: 304.269.2416
info@lceda.org

January 29, 2020

Lewis County Commission
110 Center Avenue
Weston, WV 26452

Dear Honorable Lewis County Commission:

The Lewis County Economic Development Authority respectfully requests the following members be reappointed to the authority:

- a. Greg Cunningham
- b. Kim Gum
- c. Denver Turner
- d. Ray Smith
- e. Kevin Stalnaker
- f. Charles Stalnaker
- g. Stephanie Wolverton

If appointed all terms of office will expire December 31, 2022. Thank you in advance for consideration of these appointments.

Sincerely,

A handwritten signature in blue ink that reads "Cindy Whetsell".

Cindy Whetsell
Executive Director



Corporal E. W. Clark
Lewis County Sheriff's Office
117 Court Street Room 104
Weston, WV 26452



To: Sheriff A. Gissy, Chief R. Hyre

From: Cpl E. Clark

RE: Resignation

Gentlemen,

I regret to inform you that I have decided to accept the West Virginia State Police offer of employment. This decision was based solely on what is best for my family and my future career in Law Enforcement.

I am reporting to the State Police Academy for the full cadet training program on March 2, 2020. That said, my final day with the Lewis County Sheriff's Department will be February 28, 2020.

I have enjoyed my time with the Lewis County Sheriff's Department. The training, experience, and friendships I have gained while employed here are invaluable. I wish this department the best as I pursue future endeavors. Thank you again for all the guidance and support I received over the years.

Deepest apologies,

Edward Clark

A handwritten signature in blue ink, appearing to read "Edward W. Clark". The signature is fluid and cursive.



WEST FORK CONSERVATION DISTRICT

87 Ollie Lane, Suite 102 - Mount Clare, WV 26408 - Phone (304) 627-2160

January 24, 2020

**To: Dam Monitors, Landowners, City Officials, Sponsors,
And OES Personnel for the Polk Creek Watershed Dams**

The West Fork Conservation District will be hosting a public meeting for dam monitors, landowners, sponsors, city officials, and OES personnel for the Polk Creek Watershed Dams on Thursday, February 27, 2020. The meeting is open to the public and will be held at the St. Boniface Church annex, 9140 US Highway 33W, Camden WV 26338 at 6:00 p.m.

It is very important for the dam monitors and landowners to be present. The purpose of this meeting is to educate the dam monitors and landowners on their duties and responsibilities, as they correspond with the Emergency Action Plans. Presentations include everything from dam terminology to causes of dam failure and the emergency actions that may be required.

A light dinner will be served at 6:00 PM followed by the presentations starting at 6:30 PM.

Please plan to attend this important meeting so that you can be more aware of these vital structures and the role they play in the community. If you have any questions regarding this meeting, please call the District office at 304-627-2160.

Sincerely,

Randy Plaucher, Chairman
West Fork Conservation District
Board of Supervisors

CC/RP



RESOLUTION OF THE LEWIS COUNTY COMMISSION

WHEREAS, THE LEWIS COUNTY COMMISSION APPRECIATES THE EFFORTS OF THE WEST VIRGINIA LEGISLATURE TO CREATE AND CULTIVATE SOUND AND RESPONSIBLE ECONOMIC DEVELOPMENT WITHIN THE STATE OF WEST VIRGINIA;

WHEREAS, THE LEWIS COUNTY COMMISSION IS WILLING AND PREPARED TO ENGAGE AND SUPPORT ANY MANUFACTURING AND/OR WAREHOUSING ENDEAVORS IN LEWIS COUNTY, WEST VIRGINIA, AND IN COOPERATION WITH ANY OTHER COUNTY WITHIN THE STATE OF WEST VIRGINIA, WITHIN THE CONFIDES OF STATE AND FEDERAL LAW, THAT WILL CREATE AND FACILITATE EMPLOYMENT OF THE RESIDENTS OF LEWIS COUNTY, WEST VIRGINIA, AND THE REST OF THE CITIZENS OF THIS GREAT STATE;

WHEREAS, THE CONSTITUTION OF THE STATE OF WEST VIRGINIA CLEARLY AND UNEQUIVOCALLY REQUIRES A PERSONAL PROPERTY AND BUSINESS AND INVENTORY TAX TO BE LEVIED AND COLLECTED, AND SUCH A TAX SHALL PROVIDE FOR THE FUNDING OF COUNTY GOVERNMENTAL ENTITIES AND COUNTY BOARDS OF EDUCATION, AND IS VITAL FOR EACH COUNTY IN THIS STATE TO PROVIDE LAW ENFORCEMENT SERVICES, MEDICAL ASSISTANCE, AND EDUCATIONAL SERVICES TO ITS CITIZENS;

WHEREAS, THE LEWIS COUNTY COMMISSION SUPORTS AND ENCOURAGES THE WEST VIRGINIA LEGISLATURE TO INVESTIGATE AND EXAMINE EACH AND EVERY LEGISLATIVE PATHWAY TO A COLLECTIVE GOAL OF CREATING AND SUBSTAINING MORE JOBS IN THE STATE OF WEST VIRGINIA;

WHEREAS, THE LEWIS COUNTY COMMISSION RECOGNIZES THAT THE REMOVAL OF THE BUSINESS AND INVENTORY TAX BY THE WEST VIRGINIA LEGISLATURE WOULD RESULT IN AN IMMEDIATE LOSS OF PUBLIC FUNDING OF TAX REVENUE IN LEWIS COUNTY, WEST VIRGINIA, IN EXCESS OF THREE HUNDRED AND FIFTY THOUSAND DOLLARS (\$350,000) PER YEAR, WHICH COULD RESULT IN CONSIDERABLE REDUCTIONS IN A BUDGET THAT FUNDS COUNTY LAW ENFORCEMENT, PUBLIC SERVICES, AND EDUCATION SERVICES FOR ITS CITIZENS, AND A BUDGET THAT HAS ALSO DECREASED EACH AND EVERY YEAR SINCE 2008;

WHEREAS, THE LEWIS COUNTY COMMISSION TAKES THE POSITION THAT THE REMOVAL OF ANY PERSONAL PROPERTY INCLUDING THE BUSINESS AND INVENTORY TAX BY THE WEST VIRGINIA LEGISLATURE, WITHOUT FEASIBLE AND ADEQUATE FUNDING ALTERNATIVES TO COMPENSE THE LOSS OF THE PUBLIC FUNDS NEEDED BY LEWIS COUNTY, WEST VIRGINIA, TO ADEQUATELY FUND ITS LAW ENFORCEMENT, SOCIAL SERVICES, AND EDUCATIONS BUDGETS, FORCES THE HARD WORKING CITIZENS OF LEWIS COUNTY TO PAY INCREASED PROPERTY AND OTHER TAXES;

THEREFORE, BE IT REQUESTED, BY THE COMMISSION OF LEWIS COUNTY, WEST VIRGINIA, THAT THE WEST VIRGINIA LEGISLATURE PASS NO LEGISLATION THAT WOULD CAUSE THE HARD WORKING CITIZENS OF LEWIS COUNTY, WEST VIRGINIA, AND EACH AND EVERY OTHER CITIZEN OF THE STATE OF WEST VIRGINIA, TO BE FORCED TO PAY INCREASED PROPERTY AND OTHER TAXES, AND THAT THE SAID LEGISLATURE TAKE NO VOTE TO REMOVE, RESCIND OR OTHERWISE REDUCE THE BUSINESS AND INVENTORY TAX WITHOUT FEASIBLE AND ADEQUATE FUNDING ALTERNATIVES TO COMPENSE THE LOSS OF THE PUBLIC FUNDS NEEDED BY LEWIS COUNTY, WEST VIRGINIA, TO ADEQUATELY FUND ITS LAW ENFORCEMENT, SOCIAL SERVICES, AND EDUCATIONS BUDGETS. THE LEWIS COUNTY COMMISSION REQUEST THAT THE WEST VIRGINIA LEGISLATURE SHALL NOT PASS AN LEGISLATION CREATING AN UNFAIR AND INEQUITABLE FOR ANY PERSON OR ENTITY WITHIN THE GREAT STATE OF WEST OF VIRGINIA.

DATED THIS THE 26TH DAY OF FEBRUARY, 2020.

RODERICK B. WYMAN, President

AGNES G. QUEEN, Commissioner

PATRICK D BOYLE, Commissioner