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, March 10, 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, March 13, 2020
   (action required)

APPOINTMENTS

3. **10:10 AM** **William Rowan, Director Lewis Gilmer E911 and Lewis County Office of Emergency Management**
   RE: Polk Creek Watershed Emergency Action Plans
   Mr. Rowan wishes to discuss the Polk Creek Watershed Emergency Plan of Action with the County Commission. A signature of plan acceptance is required.
   (action required)

CORRESPONDENCE

4. **Upshur County Commission Meeting Agenda:** The Upshur County Commission Meeting Agenda for March 5, 2020 is presented for review. *(information only)*
5. **Jane Lew Public Service District Annual Meeting Minutes:** Minutes of the January 9, 2020 Jane Lew Public Service District Annual Meeting are presented for review. *(information only)*
6. **Sheriff's Monthly Vehicle Report:** The Sheriff's Monthly Vehicle Report for February 2020 including fleet mileage is presented for review. *(information only)*
7. **Records Management and Preservation Grant Award Notification:** Governor Justice has announced Lewis County is the recipient of a Records Management and Preservation grant in the amount of $9,875.00. This grant will purchase a shredder for county use and allow scanning of documents in the Circuit Clerk's Office to continue. *(information only*

BUSINESS

8. **Board(s) and Committee(s) Reports:** The Commission will provide reports on board(s) and committee(s) meetings attended including but not limited to: Blueprint; County Commission Association of West Virginia and West Virginia Association of Counties Legislative Conference Calls; Central West Virginia Development Association; Coronavirus Training; Lewis Gilmer E911 Advisory Council; 26th Judicial Community Corrections *(information only)*
9. **Lewis County Parks and Recreation Request for Seasonal Employees:** Josh Hinchman, Lewis County Parks and Recreation Director requests to rehire two seasonal employees for maintenance, Tom Alkire and Daniel Messenger. The benefited salaries of these employees will be reimbursed by the Lewis County Park Board. The Lewis County Commission will consider this request. *(action required)*
10. **Time Sheets and Leave Requests:** *(action required)*
    a) Barbara Winans Annual Leave
    b) David Reed Annual Leave

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

11. **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, March 13, 2020. *(action required)*
12. **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, March 13, 2020. *(action required)*
13. **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, March 13, 2020. *(action required)*
14. **Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request Friday, March 13, 2020. *(action required)*

ADJOURNMENT:

15. **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.

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: March 5, 2020

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
- February 27, 2020

9:15 a.m. Vanessa Strickland, Make-A-Wish Regional Coordinator – Overview of local project and request for funding

*9:30 a.m. Cheyenne Troxell, Program Director for Community Corrections – 2019 Community Corrections Report

Rodney Rolenson, Corporal and Home Confinement Supervisor – 2019 Home Confinement Report

10:00 a.m. Vivian Parsons, Public Entity Specialist -- Provide a general update on WV Counties Risk Pool

10:30 a.m. David H. Coffman, Upshur County Sheriff – Discussion of plan to create a third PRO Officer position in our school system and the implementation thereof

<u>Items for Discussion / Action / Approval:</u>

1. Approval and signature of the FY 21 WV Community Corrections Grant Program Application requesting the amount of $324,188 in state funds to be used to provide alternate sentencing and re-entry services for eligible offenders. *

2. Approval and signature of the FY 21 WV Treatment Supervision Grant Program Application requesting the amount of $85,182 in state funds to be used to provide alternate sentencing and re-entry services for eligible offenders. These funds are allocated for the payment of wages of a full-time counselor and two part-time peer recovery coaches. *

3. Correspondence from Bethany Kirchberg, Tri-County Child Exchange & Visitation Program Coordinator, announcing the resignation of Alison Wagner, Monitor, effective February 22, 2020. *
   Item may lead to Executive Session per WV Code §6-9A-4

4. Correspondence from Alexis Brockelman, Tri-County Child Exchange & Visitation Program Supervisor/Monitor, announcing her resignation, effective February 29, 2020. *
   Item may lead to Executive Session per WV Code §6-9A-4

5. Correspondence from Patty Hardman, Tri-County Child Exchange & Visitation Program Site Supervisor, announcing her resignation, effective February 29, 2020. *
   Item may lead to Executive Session per WV Code §6-9A-4

6. Correspondence from Bethany Kirchberg, Tri-County Child Exchange & Visitation Program Coordinator, requesting the employment of Tesla McCall, as part-time Program Monitor, at the pay wage rate of $8.75 per hour, effective March 6, 2020. Upon approval, Ms. McCall will work no more than 19 hours per week. *

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

7. Approval of Lewis–Upshur Animal Control Facility Volunteer Christina Kurzrock. *

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. Correspondence from Leroy E. Barker, Assistant Director of the Property Tax Division, State of WV Department of Revenue State Tax Department, providing a budget amount estimate in the sum of $32,733 to assist in the task of preparing a FY 2020-2021 budget for the Statewide Computer Network, Account 408.

2. Upshur County Building Permits – February, 2020

3. Upshur County E911 Communication Reports – February, 2020
   - Monthly Department Summary Report
   - Monthly Wrecker Report
   - YTD Wrecker Report

4. Upshur County Mileage Reports – January, 2020
   - Upshur 911
   - Maintenance
   - Emergency Management
   - Sheriff
   - Addressing and Mapping
   - Community Corrections
   - Dog Pound

5. Appointments Needed or Upcoming:

6. Budget Hearing Schedule
   The Commission will hold budget hearings at the Upshur County Administrative Annex on the following dates. For a detailed list of meetings, please contact Carrie L. Wallace at clwallace@upshurcounty.org.
   - Monday, March 9th beginning at 9:00 a.m.
   - Tuesday, March 10th beginning at 9:00 a.m.
   - Wednesday, March 11th beginning at 9:00 a.m.
   - Thursday, March 12th beginning at 1:00 p.m.
   - Monday, March 16th beginning at 9:00 a.m.

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
March 12, 2020 --- 9:00 a.m.
Upshur County Courthouse Annex
The regularly scheduled Commission Meeting on March 19, 2020 is CANCELLED

Jane Lew Public Service District

70 Park Avenue
Jane Lew, WV 26378

Minutes of Regular Meeting
January 09, 2020

Present: Thomas E. Bailey (Board); Elaine B. Flaxer (Secretary); Oscar R. Mills (Chairman); Nancy E. Gee, General Manager.
Guests: Bertis McCarty (WVRWA)
Absent:

I. **Call to Order:** The meeting was called to order by 2019 Chairman Oscar R. Mills at 4:02 p.m. at the Jane Lew PSD Office, 70 Park Avenue, Jane Lew, then presided over by 2020 Chairman Elaine B. Flaxer immediately after her election.

~~ ANNUAL ORGANIZATIONAL BUSINESS ~~

II. **Election of Officers:**

MOTION: (Bailey/Mills) - in conformity with Article XI, Section 2 of the Board's Rules of Procedure, to rotate the office of Chairman to Elaine B. Flaxer for calendar year 2020, effective immediately. **[Carried Unanimously]**

MOTION: (Mills/Flaxer) - to elect Thomas E. Bailey to the office of Board Secretary for calendar year 2020. **[Carried Unanimously]**

MOTION: (Bailey/Mills) - in conformity with her 2019 Job Description, to re-appoint Nancy E. Gee to the office of Treasurer for calendar year 2020 as part of the job of General Manager. **[Carried Unanimously]**

III. **Rules of Procedure:**

MOTION: (Flaxer/Bailey) to ratify the existing Rules of Procedure as adopted on 12/14/04 and amended 05/12/16. **[Carried Unanimously]**

IV. **Schedule of 2020 Regular Meetings and Office Closures:**

MOTION: (Bailey/Mills) to adopt the proposed schedule, time and location (attached) of regular JLPSD meetings and JLPSD office closures for year 2020. **[Carried Unanimously]**

Assignments

- ✓ *General Manager to see that annual 2020 Meeting Schedule & Office Closures is provided to local news media.*
- ✓ *General Manager to see that annual 2020 Meeting Schedule & Office Closures is posted on the door of the PSD Office and at the Lewis County Courthouse.*
- ✓ *Secretary Bailey to compare Personnel Policy 2.4 "Holiday Leave" w/ attached Office Closures List*

~~ ROUTINE MONTHLY BUSINESS ~~

V. Minutes: (12/12/19)

MOTION: (Mills/Flaxer) to approve attached Minutes of 12/12/19 regular meeting. [Carried Unanimously]

VI. General Manager's December Reports (Gee)

A. **WATER:**

1. Bills (Attached)

MOTION: (Bailey/Flaxer) to ratify payment of attached list of water invoices for December 2019. [Carried Unanimously]

2. Treasury Report (Attached)

MOTION: (Mills/Bailey) to approve attached Water Treasury Report for December 2019. [Carried Unanimously]

3. Water Adjustments Report (Attached)

MOTION: (Bailey/Flaxer) to approve attached Water Adjustments Report for December 2019. [Carried Unanimously]

4. Water Purchase, Sales & Loss Report (Attached) – estimated unaccounted loss of 14%. **NOTE: Unusually high loss figure may be due partly to a 1-day discrepancy between when JLPSD read the Jesse's Run section of our distribution system and when we read the master meter. This human error should not happen again.**

MOTION: (Bailey/Mills) to approve attached Water Purchase, Sales & Loss Report for December 2019. [Carried Unanimously]

5. Water Preventive Maintenance Report -
   a) Lines – **visual check while reading meters**
   b) Loss Prevention/leak detection – **daily readings recorded**
   c) Fire + Flushing Hydrants [57 + 25] – **annual hydrant flushing completed for calendar year**
   d) Valves [148] – **all valves exercised for 2019**
   e) Meters [659] –
   f) Booster Stations [3] – **checked heaters in all pump houses**
   g) Tanks [2] – **checked telemetry battery voltage; our batteries were fine, but WVAW's were not, so we informed them.**
   h) Office Furnace + A/C – **maintenance complete for winter 2019**
   i) Vehicles [Truck + ½ Buggy] – **washed 05 Chevy truck, 2019 Ford truck, and side-by-side**
   j) Generators [1 big port + 2 small] – **exercised as per policy**
   k) Expensive Equipment [Mower] – **checked fluids & started engine to exercise**
   l) Critical Inventory – **in good shape**
   m) Other –

6. Water System Water Leak Detection Report *(finding & repairing actual leaks)*– **no leaks found**

7. Water System Repairs Report (*fixing unplanned breakdowns*) – **nothing needed**

8. Cross-Connections/Backflow Report – **ongoing**

9. New Non-Project Water Taps – **none**

10. Other – **REMINDER: NEW PREVENTATIVE MAINTENANCE YEAR STARTS IN JANUARY**

Water Assignments

- ✓ Gee to follow up on tank maintenance
- ✓ Gee to follow up on office security measures.
- ✓ Gee to remind field staff that new preventative maintenance year starts January 1st

B. WASTEWATER:

1. Wastewater Bills (Attached)

MOTION: (Bailey/Flaxer) to ratify payment of list of Sewer invoices for December 2019. **[Carried Unanimously]**

2. Wastewater Treasury Report (Attached)

MOTION: (Mills/Bailey) to approve Sewer Treasury Report for December 2019. **[Carried Unanimously]**

3. Wastewater Adjustments Report (Attached)

MOTION: (Bailey/Flaxer) to approve Sewer Adjustments Report for December 2019. **[Carried Unanimously]**

4. Wastewater Treatment Purchase, Sales & Loss Report (Attached) -

MOTION: (Bailey/Mills) to approve Sewer Treatment Purchase, Sales & Loss Report for December 2019. **Rain - 5 inches; I&I – 3,555,384 (nearly equal to customer usage as sold) [Carried Unanimously]**

5. Wastewater Preventive Maintenance Report (attached)
   a) Lines–
   b) I&I Prevention – **lots of I&I**
   c) Manholes [594] –
   d) Duplex + ABS Grinder Pumps [5 + 2] – **amped and enzymed every Friday**
   e) Lift Stations [16 total] – **weekly inspections; checked floats & amped & enzymed each Friday**
   f) Bar Screen [1] – **cleaned weekly**
   g) Vehicles – [Truck & ½ Buggy] – **washed, cleaned interior, checked fluids of 06 GMC truck**
   h) Generators [3stat. + 2 port.] – **exercised; Palco did yearly maintenance on all 3 stationary generators**
   i) Classroom Furnace & A/C – **annual fall-winter maintenance already complete**
   j) Expensive Equipment [mower] – **checked fluids & started engine to exercise**
   k) Critical Inventory – **in good shape**

6. Wastewater Repairs Report (attached) –
   - ✓ **Palco Company replaced tension belt on Station 6 generator**
   - ✓ **pulled pump Station 5, replaced bolt, and put back in**
   - ✓ **put rebuilt pump from inventory back in Station B**
   - ✓ **cut fallen tree out of access road at Station 10**
   - ✓ **both pumps at Station 2 went out; replaced one with a pump from Station 3 and sent both malfunctioning pumps to Soles Electric for repair**

7. New Non-Project Sewer Taps – **none**

8. Other – **REMINDER: NEW PREVENTATIVE MAINTENANCE YEAR STARTS IN JANUARY**

Wastewater Assignments
- ✓ ***Gee to follow up on Lift 5 problem***
- ✓ ***Gee to follow up on manhole repairs***
- ✓ ***Gee to remind field guys that new maintenance year starts in January***

VII. Update: Pending Non-Project Extensions and Road Bores (Gee) - none

VIII. Update: Board Review of PSD Policies and Job Descriptions (Gee/Flaxer) – nothing done
   A. Private Fire Protection Policy
   B. Revise Water Job Description to be consistent with a water PURCHASE entity

Update: Personnel Matters (Gee) – none
   A. Office Staff-
   B. Sewer Staff –
   C. Water Staff –

X. **Announcements:** - Gee to be out of town for several days starting January 13, 2020
Flaxer to be out of town January 22 – January 27, 2020

XI. **Correspondence:** - Email (12/18/19) from James V. Kelsh, Atty. Re: Right to sell mineral interests

~~ OLD BUSINESS ~~

XII. **Purchase of Mineral Rights beneath Sewer Plant Property**

Background & Discussion: In summer of 2014 Board member Bailey negotiated an acceptable deal with Consol Energy (now HG Energy) to lease the mineral rights beneath the JLPSD sewer property (6.6 acres) for $5,000 and 12% royalties. On 8/14/14 the Board signed its approval of this lease. [See Item 15, New Business, of 8/14/14 Minutes.]

On 03/06/15 Consol Energy sent JLPSD a letter ratifying our negotiated lease (#259913000) and enclosing a check (#2780040706) in the amount of $5,000.

On 10/28/19 TENMILE LAND LLC sent JLPSD a letter offering to purchase said mineral interest for an amount of $3,000. [See Correspondence of 11/14/19.]

At the 12/12/19 JLPSD Board meeting Board Member Tom Bailey issued a report *in absentia* giving reasons why it would be difficult or impossible to sell the already leased mineral rights beneath our sewer property.

On 12/18/19 JLPSD attorney Jim Kelsh sent the board an email explaining the circumstances under which we might sell the mineral interests to TENMILE LAND if so desired. [See Correspondence listed above.]

At today's meeting Tom Bailey argued that the leased property around our 6.6 acres already has several wells which, to date, are not in production because the pipeline past them has yet to be installed. Said Bailey, once the wells are in actual use the PSD will be sent monthly royalties in perpetuity, which royalties are eventually likely to exceed the purchase price offered by TENMILE Land, so we should not sell said rights. After discussion, the Board agreed with Bailey's recommendation.

MOTION: (Bailey/Flaxer) to decline the offer from TENMILE Land to purchase the mineral rights beneath the JLPSD sewer property. [Carried Unanimously]

Assignments

- ✓ *Gee or Flaxer to draft a letter to TENMILE LAND declining their offer.*

~~ NEW BUSINESS ~~

XIII. **Late Received Agenda Items** (Gee) - none

X **Adjournment:** The meeting was adjourned by Chairman Flaxer at 4:48 p.m.

Assignments

Elaine B. Flaxer, Chairman

Thomas E. Bailey, Secretary

Attachments:

- December '19 Bills Paid (Water/Wastewater)
- December '19 Treasury Reports (Water/Wastewater)
- December'19 Adjustments Reports (Water/Wastewater)
- December '19 Water/Wastewater Treatment Purchase, Sales & Loss Reports
- List of Regular Meetings and List of Holidays & Office Closures for 2020
- Correspondence on page 4
- Letter (10/28/19) from TENMILE LAND to Jane Lew Water Commission seeking to buy mineral rights

E-Copies of Unapproved Minutes Sent to:

- James V. Kelsh, PSD Attorney (Bowles Rice)
- PSD Office
- Board Members

FEBRUARY 2020 MILEAGE REQUEST

UNIT LIC.

150 Gissy 6LB698 / 14 CHARGER 31,965

151 Hyre Temp / 18 POLICE INTERCEPTOR 22,494

152 Lopez Temp / 18 POLICE INTERCEPTOR 19,331

153 Hendershot 3929 / 18 POLICE INTERCEPTOR 14,372

154 Newbrough 3170 / 13 POLICE INTERCEPTOR 97,662

155 Brightbill 1910 / 13 POLICE INTERCEPTOR 102,954

156 Jones 1643 / 11 TAHOE 95,996

157 Matheny 2727 / 11 TAHOE —

158 Cutright 3370 / 14 EXPLORER 83,320

159 Shipman 2511 / 07 CROWN VIC 117,968

160

161 Miller 2868 / 09 TAHOE 101,220

170 Cayton 2829 / 11 TAHOE 109,926

171 Kirkpatrick 2726 / 11 DODGE NITRO 44,272

172 Posey 2824 / 11 TAHOE 115,418

174 Bush 1233 / 10 DODGE NITRO 63,155

1500 Deputy Reserves 2511 / 07 CROWN VIC —

1500 Deputy Reserves 1232 / 07 CROWN VIC 110,079

2007 Chevy Sub. —

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

Thank You

Jim Justice

Governor of West Virginia

March 2, 2020

The Honorable Rod Wyman, President
Lewis County Commission
110 Center Avenue
Weston, West Virginia 26452

Dear President Wyman:

It is my pleasure to announce a Records Management and Preservation Board grant award of $9,875 to provide improvements for the offices of the Lewis County Commission and Circuit Clerk. Archives and History Director Joseph N. Geiger, Jr. of the West Virginia Department of Arts, Culture and History will be in contact with you soon regarding this project, which may commence on July 1, 2020.

I am confident the funds will be put to good use to improve the management and preservation of the county's records for the benefit of its citizens. Thank you for your efforts to enhance access to the public records of Lewis County.

Sincerely,

Jim Justice
Governor

cc: Joseph N. Geiger, Jr.

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000

RE: Request to hire employees

From: jhinchman@lewiscountywv.org

To: cindywhetsell@yahoo.com

Date: Friday, February 28, 2020, 12:50 PM EST

To Lewis County Commission:

Lewis County Park is requesting to rehire two seasonal maintenance employees starting on Tuesday March 3, 2020. Thomas Alkire at the rate of pay of $16.01 an hour and Daniel Messenger at the rate of pay of $10.00 an hour.

Joshua Hinchman
Director
Lewis Co Park