

# 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, September 15, 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, September 11, 2020.  
(action required)

### APPOINTMENTS

3. 10:10AM None

### CORRESPONDENCE

4. **Upshur County Commission Meeting Agenda:** The Upshur County Commission Meeting Agenda for Thursday, September 10, 2020 is presented for review. (information only)
5. **Jane Lew Public Service District Meeting Agenda:** The September 10, 2020 meeting agenda for the Jane Lew Public Service District is presented for review. (information only)
6. **Sheriff's August 2020 Financial Statement:** Sheriff Dayton Whitt presents the August 2020 Sheriff's Monthly Financial Statement (reconciliation of accounts) for review. (information only)
7. **Sheriff's August 2020 Vehicle Mileage Report:** Sheriff Dayton Whitt submits the August 2020 report detailing mileage for the Sheriff's vehicle fleet for review. (information only)

### BUSINESS

8. **Board(s) and Committee(s):** Health Department and 1<sup>st</sup> Responder COVID 19 Conference Calls; Lewis County Fire Board; Ribbon Cutting for the Mountaineer Food Bank; Region VI Workforce Investment Board; Hardwood Alliance Zone. (information only)
9. **Appointment of Pollworkers for the 2020 General Election:** Cynthia Rowan, Lewis County Clerk, will present a list of pollworkers for the 2020 General Election for consideration of appointment by the County Commission. (action required)

10. **Schedule Trick or Treat for the Unincorporated Areas of Lewis County:** The Lewis County Commission will consider scheduling October 31, 2020 from 6:00 PM to 7:00 PM as Trick or Treat for the unincorporated areas of the County. This corresponds with the municipalities. If approved, all participants are asked to wear masks and social distance. Those that wish to hand out candy are encouraged to wear masks and gloves. If you have an underlying health condition or are part of the COVID 19 vulnerable population you are strongly encouraged to consider the option to participate. *(action required)*
11. **Appointment to the Lewis County Park Board:** The Lewis County Park Board requests the Lewis County Commission consider the appointment of Brian McClain to fill the seat created by a recent resignation. If appointed, his unexpired term will end March 12 2023. *(action required)*
12. **Consideration of Order Appointing the West Virginia Building on the Campus of West Virginia University Jackson's Mill as a Designated Court Location:** The Lewis County Commission is asked to consider the execution of an order that designates the West Virginia Building on the Campus of West Virginia University Jackson's Mill as a lawfully designated court location for Jury Selection in September, October, November and December, 2020 and for other purposes of the 26<sup>th</sup> Judicial Court. Restrictions that must be followed due to the COVID 19 Pandemic make it impossible to have jury selection at the courthouse complex and maintain social distancing. *(action required)*
13. **Time Sheets and Leave Requests:** The Lewis County Commission is asked to approve the following time sheets and leave requests: *(action required)*
  - a) Barbara 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, September 11, 2020. *(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, September 11, 2020. *(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, September 11, 2020. *(action required)*
17. **Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request Friday, September 11, 2020. *(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.
- 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](http://www.upshurcounty.org/agenda_and_minutes/index.php) or by request to the Upshur County Commission Office at 304-472-0535

Location: With the exception of employees, the meeting will be held telephonically due to COVID-19. News outlets and the public are encouraged to utilize the livestreaming and conference line.

Please dial [1-800-719-6100](tel:1-800-719-6100), [1-717-275-8940](tel:1-717-275-8940) or [1-712-832-8330](tel:1-712-832-8330) Access Code: [898 8882](tel:8988882) to enter the conference call. The Meeting will also be livestreamed on Channel 3's Youtube site [youtube.com/ch3buckhannon](https://www.youtube.com/ch3buckhannon) and Facebook [facebook.com/ch3buckhannon](https://www.facebook.com/ch3buckhannon)

Date of Meeting: September 10, 2020

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

- September 3, 2020
- September 7, 2020 – Emergency Meeting

9:30 a.m. Overview of new Upshur County website

10:00 a.m. Consider Recommendation to Remove the Fiduciary Commissioner for the Estate of Steven M. Casto, deceased.

10:15 a.m. Hearing for the Estate of Shirley A. Martin (*parties involved may attend in person*) – Consider Petition for Removal of Executrix

11:30 a.m. Meeting with Elected Officials to further discuss continued operations as they relate to COVID 19

### Items for Discussion / Action / Approval:

1. Approval and signature of the Community Development Block Grant Amendment No. 2 extending the contract period necessary to complete the Elkins Road PSD Phase III Water System Improvement Project. \*
2. Approve Election Officials, Alternates, and Emergency Ballot Commissioners for the November 3, 2020 General Election. \*
3. Correspondence from Shanna Collins expressing an interest in the vacant position on the James W. Curry Library/Park Advisory Board, effective immediately. Upon approval, this term will end on December 31, 2020. \*
4. Correspondence Carrie L. Wallace, County Administrator, requesting the transition of Shelia Adams's temporary employment to a full-time position as an Administrative Assistant in the Commission Office, effective September 13, 2020 at her current rate of pay. \*

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

5. 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. Upshur County Building Permits for the month of August, 2020
2. Upshur County Mileage Reports – July, 2020
  - Upshur 911
  - Maintenance
  - Emergency Management
  - Sheriff
  - Addressing and Mapping
  - Community Corrections
  - Dog Pound
3. Appointments Needed or Upcoming:
  - Upshur County Fire Board, Inc. (Linn Baxa – 6-30-2020) – Fire Association Representative
  - James W. Curry Advisory Board (unexpired term ending 12/31/2020)

*\*\*\*If you are interested in serving on an Upshur County board, please submit your letter of interest to the Commission Office at 91 W. Main St., Suite 101, Buckhannon, WV 26201 or [trperry@upshurcounty.org](mailto:trperry@upshurcounty.org). Upcoming term expirations are listed in this section of the agenda; however, letters of interest can be submitted at any time. Letters of interest for boards that do not currently have a vacancy will be held until a vacancy occurs. Please note that submitting a letter of interest does not guarantee appointment. \*\*\**

Newsletters and/or Event Notifications, Agendas and/or Notices of Meetings, Meeting Minutes and Scheduled Meetings can all be found by visiting: [http://www.upshurcounty.org/agenda\\_and\\_minutes/index.php](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  
September 17, 2020 --- 9:00 a.m.  
Upshur County Courthouse Annex

# Jane Lew Public Service District

70 Park Avenue  
Jane Lew, WV 26378

## Regular Meeting

**September 10, 2020 4:00 PM**

### **~~ Public Board Meeting Agenda ~~**

**I. Call to Order (Flaxer)**

**~~ ROUTINE MONTHLY BUSINESS ~~**

**II. Minutes (08/13/2020)**

**III. General Manager's August 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. PSD Policies and Job Descriptions (Flaxer)**

**V. Personnel (Gee)**

**VI. Announcements (Gee)**

**VII. Correspondence (Gee)**

**~~ OLD BUSINESS ~~**

**~~ NEW BUSINESS ~~**

**VIII. Late-Received Agenda Items (Gee)**

**IX. Adjournment**

**Lewis County Financial Statement**  
**Month Ending- August 2020**

	Beginning Balance	All Other Revenues	All Taxes Collected	Less: Orders Issued	Ending Balance
General County	3,710,032.56	\$333,735.11	\$1,190,315.37	\$678,551.84	4,555,531.20
Coal Severence	5,175.33	\$1.40	\$0.00	\$0.00	5,176.73
General School	21,588.87	\$4,310.35	\$0.00	\$0.00	25,899.22
Magistrate Court	2,356.72	\$1,066.32	\$0.00	\$1,789.00	1,634.04
Worthless Check	33,885.70	\$58.21	\$0.00	\$5,215.00	28,728.91
Dog and Kennel	15,107.55	\$2,648.84	\$0.00	\$663.14	17,093.25
Home Detention	7,205.55	\$2,849.49	\$0.00	\$4,092.54	5,962.50
Emergency 911 Fund	4,061,209.03	\$14,789.45	\$0.00	\$61,782.33	4,014,216.15
Lewis County Aquatic Fund	727,461.55	\$196.31	\$0.00	\$0.00	727,657.86
Citizens Education	23,513.88	\$26.35	\$0.00	\$0.00	23,540.23
Federal Equitable	0.71	\$0.00	\$0.00	\$0.00	0.71
Fire Fees	0.00	\$25,760.78	\$0.00	\$25,760.78	0.00
Sheriff Special Account-State	8,297.88	\$2.24	\$0.00	\$0.00	8,300.12
County Building	577,496.02	\$974.83	\$0.00	\$0.00	578,470.85
Board of Health	550,249.67	\$37,771.55	\$0.00	\$18,602.64	569,418.58
Tax Lien	166,003.61	\$853.74	\$0.00	\$0.00	166,857.35
Delinquent Nonentered	20,668.98	\$0.00	\$0.00	\$0.00	20,668.98
Concealed Weapons	54,424.90	\$1,027.69	\$0.00	\$1,067.18	54,385.41
Assessor Valuation	266,629.76	\$75,965.84	\$0.00	\$20,362.27	322,233.33
Voters Resistration	5,084.93	\$0.00	\$0.00	\$0.00	5,084.93
State Current	0.00	\$2.38	\$21,164.07	\$21,166.45	0.00
Criminal Charges	0.00	\$578.50	\$0.00	\$578.50	0.00
Court Reporter	0.00	\$25.00	\$0.00	\$25.00	0.00
State Police	0.00	\$750.00	\$0.00	\$750.00	0.00
Vehicle License - DMV	0.00	\$35,800.50	\$0.00	\$35,800.50	0.00
State Fines	0.00	\$0.00	\$0.00	\$0.00	0.00
Jury Fund	(889.13)	\$889.13	\$0.00	\$0.00	0.00
WV Deputies Fund	619.00	\$621.50	\$0.00	\$614.00	626.50
General Current Expenses	0.00	\$21,665.75	\$1,608,313.13	\$1,629,978.88	0.00
Excess Levy	0.00	\$15,304.52	\$873,672.34	\$888,976.86	0.00
Weston Current	0.00	\$12.71	\$112,867.73	\$112,880.44	0.00
Jane Lew Current	0.00	\$1.77	\$15,703.65	\$15,705.42	0.00
COVID-19 PANDEMIC	87,288.61	\$0.00	\$0.00	\$6,840.50	80,448.11
LC Blueprint Community	2,926.25	\$3,700.00	\$0.00	\$0.00	6,626.25
Small Cities Blk Grant-Broadband	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Totals</b>	<b>\$10,346,337.93</b>	<b>\$581,390.26</b>	<b>\$3,822,036.29</b>	<b>\$3,531,203.27</b>	<b>\$11,218,561.21</b>

Balance in county depositories - End of Month	\$13,765,481.31	Bank Errors	
Less: Orders Outstanding	\$4,122,318.55	Bank Errors	
Add: Deposits in Transit	\$1,571,898.45		
Cash in Office at End of Month	\$3,500.00		
Misc. Adjustments (+ or-)			
<b>Total in county Depositories and Office</b>	<b>\$11,218,561.21</b>	Bank Errors	
		<b>Total</b>	
		True Balance	<b>\$11,218,561.21</b>

I, Dayton B. White, Sheriff of Lewis Co, 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.

*Dayton B. White*  
\_\_\_\_\_  
Sheriff & Treasurer, Lewis County  
August 31, 2020

Dated and sworn to on this date.

Difference

# AUGUST 2020 MILEAGE REQUEST

## UNIT LIC.

150 Whitt 6LB698 / 14 CHARGER 33,311

151 Cayton 1234 / 20 EXPLORER 1442

152 Lopez Temp / 18 POLICE INTERCEPTOR 25,508

153 Hendershot 3929 / 18 POLICE INTERCEPTOR 19,375

154 Newbrough 3170 / 18 POLICE INTERCEPTOR 30,679

155 Brightbill 3184 / 20 EXPLORER 1191

156 Jones 4105 / 20 EXPLORER 2503

157 C. Matheny 1643 / 11 TAHOE Academy

158 Cutright 1910 / 13 POLICE INTERCEPTOR 112,151

159 Shipman 2829 / 11 TAHOE 116,483

160 J. Matheny 2727 / 11 TAHOE 122,668

161

170 Cayton 2868 / 09 TAHOE 104,188

171 Kirkpatrick 3370 / 14 EXPLORER 93,530



172 Posey 2824 / 11 TAHOE 118,943

174 Bush 1233 / 10 DODGE NITRO 69,160

2726 / 11 DODGE NITRO 46,689

1500 Deputy Reserves 2511 / 07 CROWN VIC 121,000

1500 Deputy Reserves 1232 / 07 CROWN VIC 110,279

2007 Chevy Sub. 82,200

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

**Thank You**

September 8, 2020

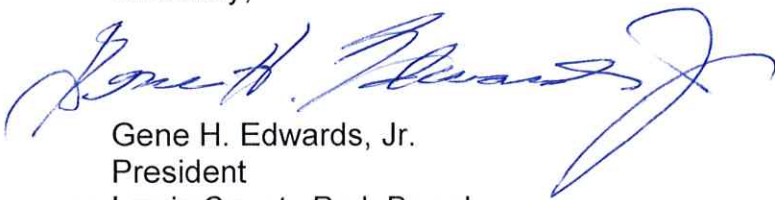
Lewis County Park Board

This is a request to appoint Brian McClain to the Lewis County Park Board.

Mr. McClain will be filling the vacancy of Glen Brown who recently resigned.

Mr. McClain will be an excellent addition to the board.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gene H. Edwards, Jr.", with a large, stylized flourish at the end.

Gene H. Edwards, Jr.  
President  
Lewis County Park Board

---

**LEWIS COUNTY ORDER APPOINTING THE WEST VIRGINIA BUILDING AT  
JACKSON'S MILL AS A LAWFULLY DESIGNATED COURT LOCATION  
FOR THE PURPOSE OF LEWIS COUNTY CIRCUIT COURT  
JURY SELECTION IN SEPTEMBER, OCTOBER, NOVEMBER, AND DECEMBER  
2020 AND OTHER PURPOSES**

---

**COUNTY COMMISSION OF LEWIS COUNTY, WEST VIRGINIA**

---

**AN ORDER TO PERMIT THE LAWFUL HOLDING OF LEWIS COUNTY CIRCUIT  
COURT AT THE WEST VIRGINIA BUILDING AT JACKSON'S MILL FOR JURY  
SELECTION IN SEPTEMBER, OCTOBER, NOVEMBER, AND DECEMBER 2020 AND  
OTHER PURPOSES**

WHEREAS, pursuant to West Virginia Code §51-3-7, the County Commission of Lewis County, West Virginia has the authority to appoint locations other than the county courthouse as a lawful location for the holding of court when the county courthouse is not in a condition to be occupied; and

WHEREAS, the COVID-19 virus is more easily transmissible when large groups of people gather indoors and in close proximity; and

WHEREAS, due to the COVID-19 pandemic, the local health officer and the governor have put in place restrictions requiring individuals to maintain social distancing of a minimum of six (6) feet; and

WHEREAS, occupying the existing court space is not feasible for the purpose of a jury selection in certain cases due to restrictions placed by the local health officer and the governor; and

WHEREAS, the Lewis County Courthouse is not in a condition to be occupied for the purpose of jury selection in certain cases requiring a large jury pool without creating a substantially increased risk of transmission of the COVID-19 virus.

THEREFORE, the County Commission of Lewis County, West Virginia does hereby designate The West Virginia Building at Jackson's Mill at 160 Jackson Mill Road as a lawfully designated location of court for the purpose of jury selection in September, October, November, and December of 2020 and other purposes.

---

**Roderick B. Wyman, President**

---

**Agnes G. Queen, Commissioner**

---

**Patrick D Boyle, Commissioner**

---