

COUNTY COMMISSION OF LEWIS COUNTY

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

LEWIS COUNTY COMMISSION
110 Center Avenue, 2nd Floor
Weston, WV 26452
Meeting Agenda
Tuesday, December 29, 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 Wednesday, December 23, 2020
(*action required*)

APPOINTMENTS

- 3. NONE**

CORRESPONDENCE

- 4. Upshur County Commission Meeting Agenda:** The Upshur County Commission Agenda for December 17, 2020 is presented for review. (*information only*)

BUSINESS

- 5. Board(s) and Committee(s) Reports:** The County Commissioners will give report(s) on any Board(s)/Committee(s) meeting(s) attended including but not limited to: COVID Conference Calls; WV Power Grantee Summit; Lewis County Economic Development Authority Conference Call; North Central Airport Authority Meeting; Lewis County Firefighter's Association Meeting;
(*information only*)
- 6. Law Enforcement Vehicle Loss:** Approval of vehicle purchases for the Lewis County Sheriff's Department to replace two total loss law enforcement vehicles. (*action required*)
- 7. Lease Agreement for Land at the Lewis County Park (tabled from December 15, 2020):** The Lewis County Commission is asked to enter into a lease agreement to allow the Lewis County Park access to property to be used for the creation of multi-purpose trail. (*action required*)
- 8. Timesheets/Annual or Sick Leave Requests:** None

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

9. **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 Wednesday, December 23, 2020. *(action required)*
10. **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 Wednesday, December 23, 2020. *(action required)*
11. **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 Wednesday, December 23, 2020. *(action required)*
12. **Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request December 23, 2020. *(action required)*

ADJOURNMENT:

13. **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

- Location: Upshur County Courthouse Annex
If you prefer to participate by telephone, please dial 1-408-650-3123 Access Code: 272 564 045 to enter the conference call
- Date of Meeting: December 17, 2020
- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• December 10, 2020
- 9:05 a.m. Bid opening, presentation and award— X-Ray Inspection System
- 9:15 a.m. Heather Sparks, Chief Tax Deputy — Final Disposition List for Tax Year 2019. Approval and signature of the Affidavit of Acceptance by the Upshur County Commission. *
- 1:00 p.m. Special Policy Board Meeting
- 2:30 p.m. Hearing to consider the request from Travis Riggs to remove Linda K. Wygal as Administratrix with the Will Annexed of the Estate of Mark Riggs, deceased

Items for Discussion / Action / Approval:

1. Approval and signature of Federal Aviation Administration Outlay Request Number 3 (Final) in the amount of two thousand five hundred ninety-two dollars (\$2,592) for the Airport Improvement Program Project No. 3-54-0039-034-2020 at the Upshur County Regional Airport in Buckhannon, WV. * Page 5-7
2. Correspondence from Governor Jim Justice announcing the Statewide Implementation, Enhancement, and Evaluation Projects (SIEEP) Grant Award in the amount of \$120,000 to be used to establish telehealth receiving sites in Upshur and Lewis Counties. Approval for Terry B. Cutright, Commission President, to sign the Contract Agreement, Standard and Federal Conditions and Assurances, Certifications and Resolution for this grant award. * Page 8-28
3. Approval of Board of Review & Equalization 2021 schedule * Page 29
4. Approval of Board of Review & Equalization (BORE) Publication Notice; the County Commission will sit as the Board of Review and Equalization beginning at 1:00 p.m. on the 28th day of January, 2021, and shall continue until the work is complete but will adjourn no later than the close of business on the 16th day of February, 2021. * Page 30
5. Approval and signature of correspondence to the Upshur County Assessor and Property Tax Division of the State Tax Department, giving authorization to correct valuations for real property, personal property, and/or mineral accounts. Any adjustments made after January 28, 2021, must be forwarded to the Commission sitting as the Board of Review & Equalization. * Page 31

6. Consider Retirement of Employee *
Item may lead to Executive Session per WV Code

Under separate cover

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Under separate cover

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, Remote Work Request(s).

For Your Information:

(Certain Items May Require Discussion, Action and/or Approval by the Commission)

1. Proclamation made by Governor Jim Justice on December 11, 2020 permitting public employees of this State to generally cease business the entire workday of Thursday, December 24, 2020 and Thursday, December 31, 2020, in acknowledgement of the holiday season. This proclamation further reads that public employees of this State may be excused from their work duties the entirety both days without charge against accrued annual leave. In accordance with subsection (c), section one, article two, chapter two of the WV Code, County Commissions may treat the days as if they were legal holidays, and the Courts may do the same. The Courthouse and Annex will be closed per the 2020 Calendar Year Legal Holiday Schedule revised on April 16, 2020. Page 32-35

2. Correspondence from Hawthorne Coal Company LLC enclosing the legal advertisement for Hawthorne Coal Company LLC, Permit No. D-184 Increment No. 1, in compliance with the surface mining laws of WV. The site is located in Meade District, 3.0 miles east of Adrian and discharges into an Unnamed Tributary of Sawmill Run of the Buckhannon River of the Tygart Valley River of the Monongahela River. Page 36-38

3. Correspondence from Hawthorne Coal Company LLC enclosing the legal advertisement for Hawthorne Coal Company LLC, Permit No. O-39-83 Increment No. 1, in compliance with the surface mining laws of WV. The site is located in Meade District, 3.0 miles east of Adrian and discharges into an Unnamed Tributary of Sawmill Run of the Buckhannon River of the Tygart Valley River of the Monongahela River. Page 39-41

4. Public Notices:

a) Newsletters and/or Event Notifications:

b) Agendas and/or Notice of Meetings:

- Upshur County Convention & Visitors Bureau December 9, 2020 Page 42
- Buckhannon-Upshur Airport Authority December 14, 2020 Page 43
- Buckhannon-Upshur Parks & Recreation December 14, 2020 Page 44
Advisory Board
- Upshur County Fire Board, Inc. December 15, 2020 Page 45

c) Meeting Minutes:

- Upshur County Convention & Visitors Bureau October 14, 2020 Page 46
- Tennerton PSD October 14, 2020 Page 47-48
- Elkins Road PSD November 4, 2020 Page 49-50

d) Meetings:

- 01/05/21 5:00 p.m. Elkins Road PSD
- 01/05/21 4:00 p.m. Hodgesville PSD
- 01/07/21 7:00 p.m. Banks District VFD
- 01/07/21 7:00 p.m. City Council of Buckhannon
- 01/07/21 7:00 p.m. Selbyville VFD
- 01/11/21 12:00 p.m. Upshur County Family Resource Network
- 01/11/21 4:30 p.m. Upshur County Solid Waste Authority
- 01/11/21 5:30 p.m. Buckhannon-Upshur Recreational Park Advisory Board
- 01/11/21 6:00 p.m. Lewis-Upshur Community Corrections Board – Lewis Co.
- 01/12/21 7:30 p.m. Adrian VFD
- 01/07/21 6:00 p.m. Buckhannon-Upshur Board of Health
- 01/20/21 7:00 a.m. Upshur County Development Authority – Full Board
- 01/13/21 12:00 p.m. Upshur County Senior Center Board
- 01/13/21 3:00 p.m. Upshur County Conventions & Visitors Bureau
- 01/12/21 7:00 p.m. Warren District VFD
- 01/07/21 3:00 p.m. Adrian PSD
- 01/13/21 3:00 p.m. Tennerton PSD
- 12/17/20 3:00 p.m. Upshur County Safe Sites & Structures Enforcement Board
- 12/10/20 7:30 p.m. Buckhannon VFD
- 12/14/20 4:00 p.m. Buckhannon Upshur Airport Authority
- 12/17/20 6:30 p.m. Upshur County Youth Camp Board
- 01/10/21 6:00 p.m. Washington District VFD
- 12/21/20 12:00 p.m. Buckhannon-Upshur Chamber of Commerce
- 12/16/20 4:00 p.m. Upshur County Public Library Board
- 12/18/20 10:00 a.m. Wes-Mon-Ty Resource Conservation & Development Council
- 12/15/20 6:30 p.m. Upshur County Fire Board, Inc.
- 12/22/20 5:00 p.m. UC Enhanced Emergency Telephone Advisory Board
- 01/13/21 7:00 p.m. Ellamore VFD
- 12/16/20 12:00 p.m. Lewis Upshur LEPC - CANCELLED
- 01/13/21 1:15 p.m. Upshur County Farmland Protection Board
- 12/28/20 7:00 p.m. Upshur County Fire Fighters Association
- 01/13/21 6:00 p.m. Buckhannon River Watershed Association - Farm Bureau
- 12/28/20 10:00 a.m. Mountain CAP of WV, Inc., a CDC

5. Appointments Needed or Upcoming:

- Upshur County Fire Board, Inc. (Linn Baxa – 6-30-2020) – Fire Association Representative

****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. 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. ****

Tabled Items

(Certain Items May Require Discussion, Action and/or Approval by the Commission)

1. Correspondence from Adam M. Gissy requesting to be redesignated to part-time Deputy Sheriff capacity, effective January 4, 2021. *(January 7, 2021)*
Item may lead to Executive Session per WV Code

Next Regular Meeting of the Upshur County Commission

January 7, 2021 --- 9:00 a.m.

Upshur County Courthouse Annex

****The Commission Meetings scheduled for December 24th and December 31st have been CANCELLED****