

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:
Agnes Queen, President
Rod Wyman, Commissioner
Bobby Stewart, Commissioner

**LEWIS COUNTY COMMISSION
110 CENTER AVENUE, 2ND FLOOR
WESTON, WV 26452
MEETING AGENDA
TUESDAY, JULY 26, 2022**

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, July 22, 2022.
(action required)

APPOINTMENT

3. **10:10 AM** **Dee Evans, Weston Sanitary Board**
RE: Update on the sewage plant sludge removal. *(information only)*
4. **10:20 AM** **Beth Burkhart, Lewis County Circuit Clerk**
RE: Request to hire part time employee for scanning and purchase of
Battery back ups for computers in her office. *(action required)*
5. **10:25 AM** **Victoria Stansberry, Blueprint Coordinator**
RE: Report of activities by the Lewis County Blueprint Committee.
(information only)

CORRESPONDENCE

6. **Upshur County Commission Meeting Agenda:** The Upshur County Commission Meeting Agenda for July 12, 2022 is presented for review. *(information only)*
7. **Fiscal Year 2023 Regional Jail Partial Reimbursement Fund Remittance:** Lewis County has received the Fiscal Year 2023 Regional Jail Partial Reimbursement Remittance in the amount of \$36,134.48. Last year the county received \$34,217.84. *(information only)*
8. **25% Coal Severance Tax Remittance:** Lewis County has received \$16,725.07 in 25% Coal Severance Tax. Last quarter the county received \$13,441.21. *(information only)*
9. **West Virginia Public Service District E911 Wireless Fee Distribution:** Lewis County received \$172,266.77 in E911 Wireless Fees for the month of April, May and June, 2022. Last quarter the county received \$161,902.64. *(information only)*

BUSINESS

- 10. Board(s) and Committee Reports:** Commissioners will give report(s) on any board(s) or committee(s) meeting attended including: Budget Work Session; National Association of Counties Annual Conference; Lewis Gilmer E911 CAD installation; Lewis County Chamber of Commerce; Lewis County Park Board. *(information only)*
- 11. Southern Lewis Broadband Grant Extension:** The Lewis County Commission will be asked to execute a request for a 1 year time extension for the Southern Lewis Broadband Project. *(action required)*
- 12. Valley Chapel Auto Request to Add Large Wreckers to Service:** Valley Chapel Auto requests their 20 ton single axel and 30 ton tandem axle wreckers be added to the rotation. The E911 center has approved this. *(action required)*
- 13. Lewis County Park Request to Hire Employee:** The Lewis County Park Director, Josh Hinchman requests the Lewis County Commission hire Savannah Bishop as a lifeguard. *(action required)*
- 14. Cancellation of the August 2, 2022 Lewis County Commission Meeting:** The Lewis County Commission will consider cancelling the August 2, 2022 meeting due to mandatory training by the WV State Auditor's Office. *(action required)*
- 15. Approval of Fiscal Year 2023 Lewis County General Fund Budget Revision #1:** The Lewis County Commission will be asked to consider approval of Fiscal Year 2023 Budget Revision to be sent to the WV State Auditor. *(action required)*
- 16. Time Sheets and Leave Requests:** The Lewis County Commission will be asked to approve the following time sheets and leave requests: *(action required)* **None**

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

- 17. 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, July 22, 2022. *(action required)*
- 18. 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, July 22, 2022. *(action required)*
- 19. 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, July 22, 2022. *(action required)*
- 20. Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request Friday, July 22, 2022. *(action required)*

ADJOURNMENT:

- 21. With no further action being required by the Lewis County Commission the meeting will be adjourned.** *(action required)*

LEWIS COUNTY COMMISSION MEETING MANAGEMENT

- Regular meeting agendas will be posted and available to the public before closure two (2) business days prior to the meeting date.
- Agenda matters to be reviewed and/or considered during the meeting are at the discretion of the Lewis County Commission.
- Appointments to speak with the county commission must be scheduled before 10 AM three (3) business days prior to the meeting. Appointments will be given a ten (10) minute time allowance.
- Open discussion by Commission unless executive session is motioned per WV Code §6-9A-4.
- Input or recommendation from constitutional officers, staff or public that is not listed by name on the agenda will only be allowed if requested by the commission or required by statute.
- Those not scheduled on the agenda may sign up for public comment at a minimum fifteen (15) minutes prior to the start of the meeting. Public comment is limited to five (5) minutes per speaker.
- Motion required for consideration of vote.
- All votes unanimous unless otherwise stated.

Roberts Rules of Order is utilized as a guide only.

The Commission controls meeting management, discussion and input.

From: Burkhart, Beth <Beth.Burkhart@courtswv.gov>
Sent: Tuesday, July 19, 2022 9:18 AM
To: srogers lewiscountywv.org; Cindy Whetsell
Subject: Commission meeting agenda request 07/26/2022
Attachments: UPS Backup Systems with Voltage Regulation; Grant Records Scanning Advertisement.docx

Cindy / Sherry,

Ladies I am requesting to be added to the Commissions agenda next week to address to issues.

#1 - We are having issues with computers and printers due to power outages. GST has assisted with this many times and has made a recommendation as to what would help to prevent the problems. When one clerk is down is causes extreme delays in our office efficiency and productivity but there are time more than one clerk is having to be assisted by GST to correct the issues caused by the power outages. Additionally, when GST has to correct the problem then we have to go through a lengthy process with the WVSCA (since we are on their network) to gain access to patch or link the simplest of tasks like networking a printer w/ a computer due to firewall safety protocols.

I currently do not have any funds budgeted for equipment for my office so need to speak to the Commission. Attached is the email from GST recommending what is needed to assist with the issue we are having caused by power outages – invest in **UPS** (Uninterrupted Power Supply) system that including **Voltage Regulation (AVR)**.

#2 – We have been **unofficially** informed Lewis County is moving toward Courts Plus (E-file) conversion at the end of the year. Due to this plan, the WVSCA has extended their scanning project that has been taking place over the last year in the Lewis County Circuit Clerks office. This is a much needed project, but that means the scanning abstractor Erica Messenger which had previously been working on the County Grant Records Preservation Scanning is now unavailable. I will need to request to post the position ASAP. I have attached a copy of the last posting as an example of job posting.

Thank you.

Respectfully,

Beth A. Burkhart

Lewis County Circuit / Family Court Clerk
Lewis County Judicial Annex
117 Court Ave
Weston, WV 26452
304-269-8210 (work)
304-269-8249 (fax)
304-517-7793 (cell)

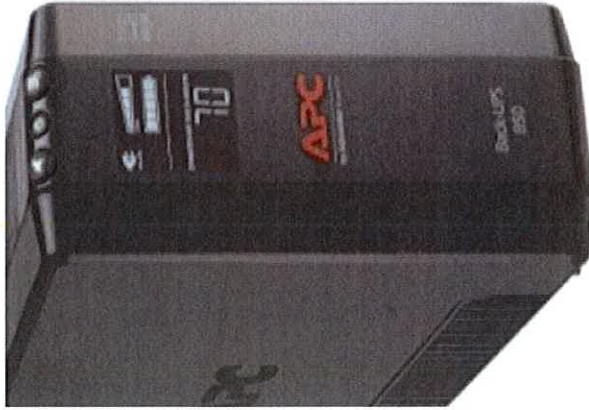
Confidentiality Statement: A document may accompany this transmission and contain confidential information that is privileged. This information is intended only for the use of the individuals or entities listed above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or action taken in reliance on the contents of these documents is strictly prohibited. If you have

Search apc.com

Products > Uninterruptible Power Supply (UPS) > Computer and Peripheral > Back-UPS Pro > BX850M

JPS Pro

Roll over image to zoom in



APC Back-UPS 850, Compact Tower, 850VA, 120V, AVR, LCD, outlets (4 surge)

BX850M



4.5 (17)

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LEWIS COUNTY CIRCUIT CLERK
RECORDS MANAGEMENT GRANT SCANNING
POSITION

The Lewis County Circuit Clerk's Office is accepting applications for a temporary part-time position with entry level pay. Successful applicants must hold a high school diploma or equivalent, clerical skills, computer skills, typing skills, and working knowledge of document scanning equipment. Applicants must have a professional demeanor that welcomes skilled direction to ensure the accurate completion of record / document scanning.

Applications and additional information can be obtained at the Lewis County Circuit Clerk's Office, Judicial Annex 117 Court Avenue (2nd Floor) Weston, WV 26452 between the hours of 8:00 A.M. and 4:00 P.M Monday through Friday.

Application and resume submission deadline is Wednesday March 17, 2021 at 4:00 P.M.

All questions can be directed to the Lewis County Circuit Clerks office at 304-269-8210.

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: 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: July 21, 2022
- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• July 14, 2022
- 9:30 a.m. Discuss status of pending opioid litigation via zoom
Item may lead to Executive Session per WV Code §6-9A-4

Items for Discussion / Action / Approval:

1. Review the Upshur County Safe Structures and Sites Enforcement Board Petition for Order filed June 13, 2022 – Case Number 021121-01 (Union Tax District – Tax Map 7H – Parcel Number 76.1) owned by Bryce Chapman and consider Order Adopting Enforcement Agency Findings. *
2. Review and signature of an Application for Eligibility for WV Surplus Property. *
3. Request from Jewel Fisher, Assistant Coordinator for Buckhannon Volunteers in Police Service (VIPS) requesting authorization to utilize the \$750 previously appropriated on June 30, 2022 for the EMS/Fire Services Recognition Banquet for the Law Enforcement (LEO) and 911 Center Appreciation banquet this fall. The EMS/Fire Services Recognition Banquet has been cancelled due to lack of interest and response. *
4. Consider an Application for Community Use of Buildings, Equipment and Grounds from the Upshur County CEOS to use the sidewalk/step area of the courthouse/annex for a membership drive to be held on September 6, 2022 from 8:30am – 2:30p.m. A Certificate of Liability Insurance has been included with the request. *
5. Correspondence from Donna Kafer requesting reappointment to the Upshur County Civil Service Board- Law Enforcement as a Democratic Representative. Upon approval, Ms. Kafer’s new term will be January 1, 2022- December 31, 2025.*
6. Correspondence from Lori Ulderich Harvey requesting reappointment to the James Curry Library and Park Advisory Board. Upon approval, Ms. Harvey’s new term will be January 1, 2022 to December 31, 2026.*
7. Correspondence from Elkins Road PSD requesting the appointment of Wendell Grose to fulfill the unexpired term of Larry J. Heater. Upon approval Mr. Grose’s term will be July 21, 2022 to September 30, 2026.*

8. Correspondence from Sheriff Virgil D. Miller requesting the employment of Steven A. Neely as part-time Court Security Officer, effective July 31, 2022. * Under separate cover
Item may lead to Executive Session per WV Code §6-9A-4
9. Correspondence from Sheriff Virgil D. Miller requesting the employment of Robert G. Ware as fill-in Court Security Officer, effective July 31, 2022. * Under separate cover
Item may lead to Executive Session per WV Code §6-9A-4
10. Consider resignation of four Buckhannon-Upshur Recreational Park employees. *
Item may lead to Executive Session per WV Code §6-9A-4 (A) Under separate cover
11. 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 Cathy Johnston representative of Weyerhaeuser Giving Fund announcing the award of a \$5,000 grant to the Upshur County Commission for the James W. Curry Library and Park facilities.
2. Correspondence from Susan M. Pierce, Deputy State Historic Preservation Officer of the West Virginia Department of Arts, Culture and History approving the proposed repairs to the Sheriff's Residence Front Porch Project.
3. Correspondence from Adrian Public Service District providing the most recent copy of the Tariff/Leak Adjustment Policy.
4. Upshur County Sheriff's Financial Statement for period ending June 2022
5. Upshur County Sheriff's Settlement, Reconciliation of Cash and Commission – Fiscal Year Ending June 30, 2022.
6. Upshur County Fire Board, Inc. Cumulative Financial Reports FY22 – July 1, 2021 through June 30, 2022
7. Upshur County Safe Structures and Sites Enforcement Board Petition for Order filed July 18, 2022 – Case Number 031022-01 (Meade Tax District – Tax Map 1 – Parcel Numbers 50,52,53,54,55,56,57). The individual responsible for the property, Harmon George, has twenty days to request a hearing before the Upshur County Commission.

******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. ******

Newsletters and/or Event Notifications, Agendas and/or Notices of Meetings, Meeting Minutes and Scheduled Meetings can all be found by visiting: http://www.upshurcounty.org/agenda_and_minutes/index.php

Tabled Items

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

Next Regular Meeting of the Upshur County Commission
July 28, 2022 --- 9:00 a.m.
Upshur County Courthouse Annex

****The Commission Meeting scheduled for August 4, 2022 has been CANCELLED****

Regional Jail Fees

afarnsworth lewiscountywv.org <afarnsworth@lewiscountywv.org>

Mon 7/18/2022 3:35 PM

To: lwhetsell lewiscountywv.org <lwhetsell@lewiscountywv.org>

Hi, I just received notice that the Regional Jail Fees will be deposited by July 22, 2022. This year we will be receiving \$36,134.48. Last year we received \$34,217.84.

Thanks!

Amanda Farnsworth

Lewis County Assistant Chief Tax Deputy

110 Center Ave

Weston, WV 26452

Phone 304-269-8222

Fax 304-269-8698

25% Coal Severance Tax

afarnsworth lewiscountywv.org <afarnsworth@lewiscountywv.org>

Mon 7/18/2022 3:38 PM

To: lwhetsell lewiscountywv.org <lwhetsell@lewiscountywv.org>

Hi, I just received notice that the 25% Coal Severance Tax will be deposited today. The amount we will receive is \$16,725.07. Our last one was received in April of 2022 and it was for \$13,441.21.

Thanks!

Amanda Farnsworth

Lewis County Assistant Chief Tax Deputy

110 Center Ave

Weston, WV 26452

Phone 304-269-8222

Fax 304-269-8698

Public Service Commission of West Virginia

201 Brooks Street, P.O. Box 812
Charleston, West Virginia 25323

Phone: (304) 340-0300
Fax: (304) 340-0325



July 12, 2022

Lewis County Commission
110 Center Avenue
Weston, WV 26452

SUBJECT: Disbursement of Wireless E-911 Subscriber Fees

Dear County Commissioner:

A check in the amount of \$172,266.77 representing a disbursement of Wireless E-911 subscriber fees will be mailed directly from the West Virginia State Auditor's Office. This amount is your County's share of the fees remitted to the Public Service Commission for the months of April, May and June, 2022. The next disbursement will be in three months.

I can be reached at our toll-free number, 1-800-344-5113, Extension 364, or direct at 304-340-0364, should you have any questions about the disbursement calculation or about the fees in general.

Sincerely,

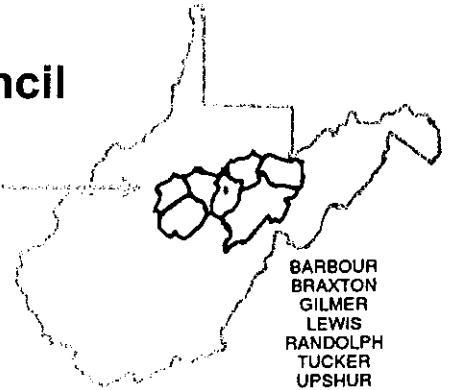
A handwritten signature in black ink, appearing to read "Sandra Mitchell".

Sandra Mitchell
Budget & Finance Manager

SM:sc

Region VII Planning and Development Council

P.O. BOX 849 • 21 EAST MAIN STREET • SUITE 102 • BUCKHANNON, WV 26201
PHONE: (304) 472-6564 • FAX (304) 472-6590



July 14, 2022

WV Department of Economic Development
c/o Todd Goddard
todd.a.goddard@wv.gov
1900 Kanawha Blvd. East
Building 3, Suite 600
Charleston, WV 25305

Sent via electronic mail only

Re: Period of Performance Time Extension Request
18SCBG0012 Lewis County Southern Broadband Project

Mr. Goodard,

Please accept this letter as the official request to amend the deadline for the above referenced grant from June 30, 2022 to June 30, 2023.

Lewis County officials are continuing negotiations with a local internet service provider (ISP), Micrologic, with the goal of entering into an acceptable operational agreement for both parties. Most recently, the County provided Micrologic with a draft agreement which is currently under internal review.

Lewis County is eager to complete this project and provide the southern portion of the county with highspeed broadband infrastructure. The County and Region VII PDC are actively moving the project forward; however, negotiations between the county and Micrologic have been prolonged. If the draft agreement most recently provided to Micrologic isn't accepted, the County will move forward with soliciting another ISP.

I have forwarded the Grant Amendment Two to Cindy Whetsell, Lewis County Administrator, for approval and signature during the Lewis County Commission meeting on Tuesday, July 26, 2022. A copy of the document will be forwarded to you once the signature is obtained.

Should you have any questions, or require additional information, please feel free to contact me at cwallace@regionvii.com or Shane Whitehair at swhitehair@regionvii.com.

Sincerely,

Carrie L. Wallace
Project Coordinator



Form Number: 3

West Virginia Department of Economic Development
 Community Development Block Grant (CDBG) or ARC
 Parks and Rec/Broadband Project Performance Schedule

Project No.: 18SCBG0012

Subrecipient: Lewis County Commission

Original Revised: Revision No.: 3

Project Name: Southern Lewis County Broadband Project

Total CDBG Funds: \$500,000.00

Administrating Agency: _____

Split Year Funding Scenario: _____

As of Date: July 14, 2022

Prepared By: Carrie L. Wallace

Preparer Signature: Carrie L. Wallace

WVCAD Project Manager Approval: _____

Date: _____

WVCAD Program Manager Approval: _____

Date: _____

ACTIVITY	DATE ACHIEVED OR EXPECTED TO ACHIEVE
Implementation Meeting	To be Determined by WVCAD
Submit Evidentiary Materials to WVCAD	30 days from Implementation Meeting Date
Submit Procurement Documentation to WVCAD	10/2022
Environmentally Exempt Activity Determination to WVCAD	08/2019
Environmental Review/FONSI/RROF Submitted to WVCAD	10/2022
Intent to Bid & Bid Document Checklist to WVCAD	11/2022
Advertise for Bids	11/2022
Pre-Bid Meeting	12/2022
Bid Opening Date	12/2022
SAM Check Confirmation Submitted to WVCAD	12/2022
Contracts Awarded with Subrecipient	12/2022
Pre-Construction Meeting	12/2022
Notice to Proceed from Engineer	12/2022
Project Construction Begins	01/2023
CDBG Construction Funds Expended 30%	02/2023
CDBG Construction Funds Expended 60%	04/2023
CDBG Construction Funds Expended 90%	04/2023
CDBG Project Construction Completed- All CDBG Construction Funds Expended	04/2023
FPR and Final Request for Payment Submitted to WVCAD	05/2023
Submit Final Single Audit (if applicable)	N/A



**Community Development Block Grant
(CDBG)**

Grant Amendment Two

West Virginia Department of Economic Development
 1900 Kanawha Blvd. East
 Building 3, Suite 600
 Charleston, WV 25305

Subrecipient Information		State Accounting Information	
Name:	Lewis County Commission	Major Program:	CDBG
Address:	110 Center Avenue Weston, WV 26452	Program:	CDBGGRANTS
FEIN:	55-6000-338	Oasis Grant Award Number:	19*5965
DUNS:	803418045	Oasis Vendor Number:	211994

Federal Award Grant Amendment Number Two
 Southern Lewis County Broadband infrastructure project. This Grant Amendment is to provide extension to the project's Period of Performance. This allows the Grantee additional time needed to complete all project activities including closeout.

Federal Award Information		Pass-through Award Information	
Federal Awarding Agency:	Department of Housing and Urban Development (HUD)	Pass-through Awarding Agency:	WV Department of Economic Development
CFDA Number and Name:	14.228 – Community Development Block Grant	Subaward Project Number:	18SCBG0012
R&D Award	No	Period of Performance:	04/01/2019 - 06/30/2022
		Amended Period of Performance:	04/01/2019 – 06/30/2023
PY2018 Funds		PY2018 Funds – PPC-B18	
FAIN.....	B18DC540001	Funds Obligated by This Action.....	\$ 0
.....	09/12/2018	Total Funds Obligated.....	\$ 500,000
Federal Award	\$13,591,796	Total CDBG Funds Committed to Project...	
Date.....			
Total Federal Funds Available.....			

Notice of Grant Award
 This funding is provided under Title I of the Housing and Community Development Act of 1974 under regulations of the Department of Housing and Urban Development, including but not limited to 24 CFR (Code of Federal Regulations), Part 570, Sub-Part I, as amended or revised, and subject the State of West Virginia's CDBG Policies and Procedures Manual and all program guidelines.

Terms of Acceptance
 By accepting funds under this Agreement, the subrecipient agrees to comply with all terms and conditions in this Agreement; all assurances and certifications made in the Agreement; and all applicable federal statutes, regulations, and guidelines. The subrecipient agrees to administer the funded program in accordance with the Agreement and budget(s), supporting documents, and other representations made in support of the Agreement.

For the Pass-Through Entity:		For the Subrecipient:	
_____	_____	_____	_____
Authorized Signature	Date	Authorized Signature	Date
Jennifer Ferrell, WVCAD Director			
Name / Title		Print Name / Title	
304-558-2234			
Phone		Phone	
Jennifer.L.Ferrell@wv.gov			
Email		Email	

Valley Chapel Auto

7/13/2022

304-269-3111

valleychapelauto@gmail.com

I am requesting to be put on the large wrecker rotation.

I currently have a 20 ton single axle , and a 30 ton tandem axle wrecker available.

im currently looking to add or replace one with a larger one as soon as i find the right one. Please feel free to contact me for anything else.

Thank You

A handwritten signature in black ink, appearing to be 'J. L. Lewis', written over a horizontal line.

From: jhinchman lewiscountywv.org
Sent: Monday, July 18, 2022 3:28 PM
To: Cindy Whetsell; lewiscountycommission lewiscountywv.org
Subject: Request to hire lifeguard

Request to hire Savannah Bishop as summer lifeguard working up to 40 hours a week at \$10.00 and hour.

Joshua Hinchman
Director
Lewis Co Park
304-269-6599