

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
Weston WV 26452
Phone: (304)269-8200
FAX: (304)269-2416
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COMMISSIONERS:
Agnes Queen, President
Rod Wyman, Commissioner
Bobby Stewart, Commissioner

**LEWIS COUNTY COMMISSION
110 CENTER AVENUE, 2ND FLOOR
WESTON, WV 26452
MEETING AGENDA
TUESDAY, NOVEMBER 1, 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, October 28, 2022.
(action required)

APPOINTMENTS

3. **10:10 AM** **Ray Smith, Director Lewis County Economic Development Authority**
RE: Mr. Smith is requesting funds from the Lewis County Commission for The Phase I Water Project. *(action required)*
4. **10:20 AM** **Civil & Environmental Consultants, Inc.**
RE: Civil Environmental Consultants, Inc. (CEC) was hired to do a Corridor H water and feasibility study. The report of this study will be provided to the Commission. *(information only)*
5. **10:30 AM** **Victoria Stansberry, Lewis County Blueprint Coordinator**
RE: Ms. Stansberry will provide a report on activities by the Lewis County Blueprint Committee. *(information only)*

CORRESPONDENCE

6. **Upshur County Commission Meeting Agenda:** The Upshur County Commission Meeting Agenda for October 27, 2022 is presented for review. *(information only)*
7. **Shenandoah Cable Television LLC Franchise Fee Remittance:** Lewis County received \$8,542.15 in Cable Franchise Subscriber Fees for the months of July, August and September. Last quarter the county received \$8,809.71. *(information only)*

BUSINESS

8. **Board(s) and Committee Reports:** Commissioners will give report(s) on any board(s) or committee(s) meeting attended including: Ireland Community Neighborhood Watch; National Association of Counties Conference Call; Manufacturer's Regional Roundtable; WV Courthouse Facilities Improvement Authority; Conquer the Complex meeting; Intermediate Court of Appeals Ribbon Cutting; Meeting with Frontier Communications; Test of the 850 Voting Machine. *(information only)*
9. **Retirement Resignation of Randy Posey, Home Confinement Supervisor:** The Lewis County Home Confinement Supervisor, Randy Posey has tendered his retirement resignation effective November 1, 2022. The Lewis County Commission will consider acceptance. *(action required)*
10. **Consideration of Replacement Windows for the Lewis County Maintenance Building:** The Lewis County Commission will consider replacement of windows at the Lewis County Maintenance Building located on High Street. The estimate is approximately \$6,300.00.*(action required)*
11. **Cancellation of the November 22, 2022 Lewis County Commission Meeting:** The Lewis County Commission will consider cancellation of November 22, 2022 meeting. *(action required)*
12. **Consideration of Modifications to the County's E911 Ordinance:** The Lewis County Commission will consider modifications to the County's E911 Ordinance to increase landline subscriber fees. If approved the public notice and comment period will be advertised. *(action required)*
13. **Consideration of Notification to Award Contractor for the new Lewis Gilmer E911 Center:** The Lewis County Commission will consider executing a notice to award to a contractor for the construction of the new Lewis Gilmer E911 Center. *(action required)*
14. **Consideration of a Request for Proposal to Prepare the County's Financial Statement:** The Lewis County Commission will consider issuing a Request for Proposal for preparation of the County's Fiscal Year 2023 Financial Statement. *(action required)*
15. **Lewis County Environmental Protection Agency Brownfield Grant Provider:** The Lewis County Commission will consider a new provider to administer the Environmental Protection Agency Brownfield Grant. *(action required)*
16. **Proclamation Honoring Veterans:** The Lewis County Commission will consider executing a proclamation honoring our Veterans. *(action required)*
17. **Request to Hire Lewis Gilmer E911 Telecommunicators:** The Lewis Gilmer E911 requests the county commission approve the hiring of Linnea Tuttle and William Delauder as E911 Telecommunicators. *(action required)*
18. **Time Sheets and Leave Requests:** The Lewis County Commission will be asked to approve the following time sheets and leave requests: *(action required)*
 - a. James Gum Annual Leave

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

19. **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, October 28, 2022. *(action required)*
20. **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, October 28, 2022. *(action required)*

- 21. 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, October 28, 2022. *(action required)*
- 22. Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request Friday, October 28, 2022. *(action required)*

ADJOURNMENT:

- 23. 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.**

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: October 27, 2022
- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• October 20, 2022
- 9:30 a.m. Discuss the Estate of Howard J. Queen, deceased and the process of closing the estate, per the request of Howard James Queen, Jr. Personal Representative of the estate.
Under Separate Cover
- 10:30 a.m. Review Case Number 031022-01 (Meade Tax District – Tax Map 1 – Parcel Numbers 50,52,53,54,55,56,57) owned by the Estate of John Harmon George.
Item may lead to Executive Session per WV Code §6-9A-4
- 11:00 a.m. Adjourn or Extend Assessment Appeals as per WV State Code §11-3-24b
(i) The board of assessment appeals shall meet as often as necessary until the work of the board is completed: Provided, That the board shall adjourn sine die not later than October 31 of the tax year unless the board, by majority vote, agrees to extend the term if necessary to afford the parties due process and to complete its work, after which it shall adjourn sine die.
- 1:00 p.m. Supervisor Meeting
- 2:00 p.m. Policy Board Meeting

Items for Discussion / Action / Approval:

1. Discuss Valusia Ventures, LLC Case Number 041422-01 (Meade Tax District – Tax Map 1 – Parcel Number 130). The Order Setting Forth Findings of Fact and Conclusions of Law entered on September 15, 2022, provided the property owner with thirty (30) calendar days to take corrective action with respect to the subject property. After discussion, consider authorizing Commission President Kristie Tenney to enter a judgment against the property which will continue to accrue daily until the property is brought into compliance. *
2. Approval to sign the 2022 EEOP Utilization Report. *
3. Review and approval of the James W. Curry Library and Park FY23 budget. Consideration of a request from the James W. Curry Advisory Board for the James W. Curry Trust, held by Fulton Financial Advisors, to be amended in order to facilitate future operations. Upon approval, remit correspondence to Peter Reitmeyer requesting for the James W. Curry Trust to be reviewed and submitted to the Committee for analyzation. *

c) Meetings: *CHANGES ARE NOTED IN BOLD TYPE

Adrian PSD	Thu	10/6/2022	3:00 PM
Banks District Volunteer Fire Department	Thu	10/6/2022	7:00 PM
City Council of Buckhannon	Thu	10/6/2022	7:00 PM
Selbyville VFD	Thu	10/6/2022	7:00 PM
Washington District VFD	Sun	10/9/2022	6:00 PM
Upshur County Family Resource Network	Mon	10/10/2022	12:00 PM
Buckhannon-Upshur Airport Authority	Mon	10/10/2022	4:00 PM
Upshur County Solid Waste Authority	Mon	10/10/2022	4:30 PM
Buckhannon-Upshur Recreational Park Advisory Board	Mon	10/10/2022	5:30 PM
Upshur County Senior Center Board	Tue	10/11/2022	12:00 PM
Hodgesville PSD	Tue	10/11/2022	4:00 PM
Elkins Road PSD	Tue	10/11/2022	5:00 PM
Warren District VFD	Tue	10/11/2022	7:00 PM
Adrian VFD	Tue	10/11/2022	7:30 PM
Buckhannon-Upshur Chamber of Commerce	Wed	10/12/2022	12:00 PM
Upshur County Convention and Visitors Bureau	Wed	10/12/2022	3:00 PM
Tennerton PSD	Wed	10/12/2022	3:00 PM
Buckhannon River Watershed Association	Wed	10/12/2022	6:00 PM
Ellamore VFD	Wed	10/12/2022	7:00 PM
Upshur County Development Authority-Full Board	Thu	10/13/2022	7:00 AM
Upshur County Safe Sites & Structures Enforcement Board	Thu	10/13/2022	3:00 PM
Buckhannon VFD	Thu	10/13/2022	7:30 PM
Upshur County Fire Board, Inc. @Adrian VFD	Tue	10/18/2022	6:30 PM
Upshur County Public Library Board	Wed	10/19/2022	4:00 PM
Upshur County Farmland Protection Board	Fri	10/28/2022	8:00 AM
Upshur County Youth Camp Board	Thu	10/20/2022	6:30 PM
Wes-Mon-Ty Resource Conservation & Development Council	Fri	10/21/2022	10:00 AM
UC Enhanced Emergency Telephone Advisory Board	Tue	10/25/2022	3:00 PM
Upshur County Fire Fighters Association	Wed	10/26/2022	7:00 PM
Lewis-Upshur Community Corrections Board-Upshur County Location	Mon	11/14/2022	6:00 PM

For Your Information:

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

1. Appointments Needed or Upcoming:

- James W. Curry Library Advisory Board (1/1/2023 – 12/31/2027)

****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)

1. Approval and signature of Service Contract with Cleveland Brothers to perform semi-annual service and annual maintenance service for the engine, generator and GENSET located at the E-911 Communications Center. The total cost for the 2023 agreement is \$2,790; the total cost for the 2024 agreement is \$2874; and the total cost for the 2025 agreement is \$2,958. The agreement includes all parts, travel time, mileage, and labor for two inspections each year. The Upshur County Commission has the right to terminate this agreement for any reason at any time. * (tabled 10/13/22)

Next Regular Meeting of the Upshur County Commission

November 3, 2022 --- 9:00 a.m.

Upshur County Courthouse Annex

Service Supplier: Shenandoah Cable Television LLC
Tax ID Code: 54-1159109
Tax Period: July 01, 2022 - September 30, 2022
Location ID: 490410000 200365

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

<u>Jurisdiction</u>	<u>Tax Type</u>	<u>Taxable Revenue</u>	<u>Rate</u>	<u>Gross Tax</u>	<u>Collection Allowance (0.0%)</u>	<u>Net Tax Due</u>
LEWIS	Franchise Tax (Cable)	284,738.33	3.000%	8,542.15	0.00	8,542.15
Total Remitted		284,738.33		8,542.15	0.00	8,542.15

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

Date: 10/20/2022
 Preparer: Samantha Pulte *Samantha Pulte* Prepared By: Ernst & Young, LLP FEIN: 34-6565596
 Title: Manager Accounting – Tax

Please Refer All Inquiries to:

Ernst & Young LLP
 18101 Von Karman Avenue
 Suite 1700
 Irvine, CA 92612
 Fax: (949) 437-0593
 Phone: (949) 794-2300

Shenandoah Cable Television LLC
 PO BOX 459
 Edinburg, VA 22824
 Samantha.Pulte@emp.shentel.com

Please Send Rate Change Requests To:
 Rosa.Salvador@EY.Com

Last \$



Lewis County Sheriff's Department

Randy Posey - Home Confinement Supervisor

111 Court Ave, Weston, WV 26452

Email: rposey@lewiscountywv.org

Phone: (304) 269-9166

Fax: (304) 269-8693



October 25, 2022

Lewis County Commission and Sheriff Dave Gosa,

I am writing to inform you that I will be retiring and my last day will be November 1, 2022.

I am grateful to have had this opportunity to work for the Lewis County Sheriff's department as the Home Confinement Supervisor.

While I'm excited to be retiring, I am going to miss being part of the your organization. It's been a pleasure to serve in this capacity and work with such professionals. I wish you all the best, stay safe and God Bless each of you.

Thank you again,

A handwritten signature in cursive script that reads 'Randy Posey'.

Agenda

Window Est
High Street

32 x 32 x 2	30 x 30	221.74 x 2
33 x 72 x 14	32 x 70	478.33 x 5
48 x 56 x 1111	24 x 54	430.45 x 8

2 - 2 x 8 x 12	17.98 x 2 =	35.96
10 - 2 x 8 x 10	15.37 x 20 =	307.40
16 - 2 x 8 x 10		

11 Window

570.⁰⁰

3443.60
2391.65
443.48
<hr/>
5835.25

\$ 6270.83



Proclamation

WHEREAS, the Lewis County Commission has a deep appreciation and respect for our nation's military members and veterans; and

WHEREAS, their willingness to give freely and unselfishly of themselves, in defense of our country has given citizens the security we enjoy today, and

WHEREAS, on this special day, our hearts and thoughts turn to all the nation's veterans. Let us reflect on the great achievements of those whose sacrifices preserved our freedom, and

WHEREAS, with a spirit of pride and gratitude, let us remember their heroic accomplishments and thank them for their unselfish devotion to duty, and

WHEREAS, in honor of these dedicated men and women, we pledge continued defense of our nation so that their sacrifice will stand before the entire world as a tribute to the spirit and determination of people dedicated to the principles of freedom and democracy, and

NOW, THEREFORE, The Lewis County Commission hereby honors our veterans, and encourages all citizens to pay tribute to these remarkable individuals. Given under our hands this 1st day of November 2022.

Agnes Queen
President

Rod Wyman
Commissioner

Bobby Stewart
Commissioner