AGENDA

Thursday, January 21, 2021

The Harrison County Courthouse will be opened with limited seating at the County Commission meeting due to the COVID – 19 requirements for social distancing. However, you may join and listen via Zoom Conference Call by the following steps. Public participation will be allowed during public comment period and/or scheduled appointments.

Join Zoom Meeting

****

https://us02web.zoom.us/j/7628160712

Dial: 1-888-788-0099 US Toll-free

Meeting ID: 762 816 0712

Passcode: 270967

Appointments:

10:00 a.m. Call To Order --- Invocation --- Pledge of Allegiance

10:00 a.m. Impakt Media Proposal for Harrison County Commission

11:00 a.m. GSA Project Review --- Bond Counsel -- A&E Firm -- General Contractor

NEW BUSINESS – Action Items for Consideration or Approval:

1. Public Comment Period
2. Consent Agenda
3. Payroll Change Notices:
4. Exonerations --- Corrective Tickets --- Joint Property Application
5. Consolidations of Land --- Segregations of Land
6. Consideration of approval of a Project Fund Requisition for the payment of costs associated with the project to be financed from proceeds of the Series 2019 Bonds issued for the Charles Pointe Economic Opportunity Development District, Series 2015 A & B (Development District No. 3 White Oaks Project No. 2) & Series 2008 A (Charles Pointe Project No. 2 – North Land Bay Improvements)
7. Consideration of Approval of Project Fund Requisitions for the payment of costs associated with the General Services Administration Building Project to be financed from proceeds of the Series 2020 Bonds issued for the Harrison County Building Commission
8. Review – Discuss – Consider Adoption by the County Commission of a Resolution Which Would Authorize the Execution and Delivery of a Replacement Bond for the Tax Increment Revenue Bonds, Series 2016 A (Development District No. 4- White Oaks Industrial Park Project No. (1) In Order to Designate a New Owner of the Bond as Required by the Governing Documents for the Bond Issue
9. Review – Discuss – Consider Services of Simmerman Law Office PLLC Related to Engagement Letter Authorized and Approved During the January 13, 2021
10. Review – Discuss – Consider Staff Recommendations for A/E Services Related to:
    a. 609 West Main Street – Law Enforcement Building (Former MSES Location)
    b. 633 West Pike Street – Law Enforcement Equipment & Evidence Storage & County Storage (Former DHHR Location)

11. Review – Discuss – Consider Technology Improvements to Commission Meeting Room, Including but not limited to, Additional Viewing Screen, Additional Camera, Sound Amplification
12. Review – Discuss- Consider Adoption by the County Commission an Order Approving and Creating a Tax Increment Financing District in Harrison County to be known as The County Commission of Harrison County Development District No. 7 (the "TIF District"), Approving Project Plan No. 1 for the TIF District, Establishing a Tax Increment Financing Fund and Providing for Other Matters in Connection therewith.
13. Commissioner Comments – Questions

CONSENT AGENDA - (NOTE: Items may require Discussion, Review and/or Action)

A. Minutes and/or Amended Minutes of Previous Meeting
   1. December 23, 2020
   2. December 30, 2020
   3. January 06, 2021
   4. January 13, 2021
B. Requisitions --- Purchase Orders --- Invoices
C. Weekly Fiduciary Report from the County Clerk
D. Monthly Fiduciary Commission Settlements
E. Monthly Minutes/Financial Information from Various Boards, Committees and Public Service Districts
   1. East View Public Service --- Meeting Minutes 01-12-2021
   2. Greater Harrison County PSD --- Agenda 01-20-2021 --- Financials 12-31-2020
   3. Charles Pointe Community Enhancement District Board --- Minutes from Meeting on December 4, 2020 & December 18, 2020
F. Correspondence from Joseph R. "Rocky" Romano, Assessor, Regarding Statutory Notices Issued by the Office of the Assessor and/or the Property Tax Division of the State Tax Department
G. Harrison County Commercial Solid Waste Facility Sitting Plan filing as Required by WV Solid Waste Management Board
H. Correspondence from Joseph R. "Rocky" Romano Regarding the North Central Crossroads TIF District #7 --- 2021 Preliminary Taxable Base Assessed Values

TABELED ITEMS --- Items May Require Discussion and /or Approval

1. Certain Appointments to Boards & Committees by the County Commission
2. Employment of Civil Engineer for the County

10:00 AM.

impakt RESULTS

PROPOSAL FOR

HARRISON COUNTY COMMISSION

Prepared by: Luke Nesler
01/14/2021

Impakt Results is prepared to ignite your online exposure and help you generate real results from your online presence. In the ever-changing world of DIGITAL marketing, Impakt Results helps you expand your business by integrating marketing and technology. Our mission is to help elevate your online exposure and turn your attention into revenue.



01/14/2021
Harrison County Commission

EXECUTIVE SUMMARY

Mission Objective

Impakt Results will design Harrison County Commission a new website based on the below scope of work on either Wordpress based on the client's preference. This will streamline the customer experience on Harrison County Commission's website, as well as give the site a refreshed look, and streamline Harrison County Commission's productivity.

Your industry is extremely competitive and in order to compete in the marketplace, you need a custom website solution that helps you turn site traffic into trackable online sales for your business.

Your team and Impakt Results is dedicated to providing you the best possible solution as fast as possible without sacrificing quality. Once this agreement is accepted your website project manager will host a detailed kickoff meeting where they will outline your milestones and launch schedule so that you are aware of where your project is and what is needed from you to complete the design at all times.

Why Clients Choose Impakt:

- Impakt is verified top 5% Facebook Marketing Company
- Our proven multivariate testing process allows for the greatest ROI possible
- We provide proven, trackable results

Campaign Scope of Work Overview:

- Website Kickoff Meeting
- Wordpress Website Solution Design and Development

Site Scope of Work Overview:

Work To Be Done + Milestones

**All dates are projected and subject to change based on the signing of the final contract.*

Extra Design/Functionality Elements

- Project starts when Impakt receives a flash drive or full download of the current site
- Up to 40 unique web pages
- Up to 10 dynamic web pages
- Website will be developed directly on Harrison County Commission's server, as per their request
- For easy editing on the client side going forward, this will be a Wordpress site. If the client changes their mind about this decision, the time estimate will also change.

To be completed by Impakt by 5/1/21

- First *complete* draft sent to the client, including all pages and products from the initial build

To be completed by Impakt by 6/1/21

- Feedback given to Impakt completed, and website launched

To be completed by client by 3/1/21

- Flash drive or digital download of all pages from the old site sent to Impakt
- SFTP or SSH access of the development server sent to Impakt
- Any new content that needs to go on the site sent to Impakt

Feedback is due from the client within 48 business hours of receiving a draft or message. Each day after this mark will set the website deadline back one day. If the client disappears for more than 45 days without responding in Basecamp or phone calls, Impakt reserves the right to end the relationship without refunding any payments already made.

Additions to the scope of work after signing this document will have an impact on cost. We give the lowest estimate we can based on the scope of work presented; therefore, we must be diligent about collecting increases in the scope of work. Please make sure before signing this document that everything you want completed is contained in this document. It's typical for clients to have additions, so feel free to email your account representative with additional requests before signing.

Time to Completion: 3 Months from Start Date of March 1st, 2021

impakt RESULTS

PROJECT SUMMARY/INVESTMENT

Website Design Scope of Work Investment

Description	Investment
Website Design & Development	$10,000
Total	**$10,000**

Time to Completion: 3 Months from Start Date of March 1st, 2021

SIMMERMAN
LAW OFFICE, PLLC
254 EAST MAIN STREET
CLARKSBURG, WV 26301-2170

FRANK E. SIMMERMAN, JR.
fes@simmermanlaw.com

CHAD L. TAYLOR
clt@simmermanlaw.com

FRANK E. (TREY) SIMMERMAN, III
trey@simmermanlaw.com

TELEPHONE
(304) 623-4900

LEGAL ASSISTANTS:

STACEY L. FOX
stacey@simmermanlaw.com

BENJAMIN A. HANLAN
ben@simmermanlaw.com

FACSIMILE
(304) 623-4906

December 28, 20201

Harrison County Commission
301 W. Main Street
Clarksburg, WV 26301

RE: Harrison County Commission
Attorney Engagement Letter

Dear Commission:

This Letter of Agreement is entered into as of the date listed above by and between the Harrison County Commission, with a principal address of 301 W. Main Street, Clarksburg, WV 26301, (hereafter referred to as "Client"), and Frank E. Simmerman, III of the Simmerman Law Office, PLLC (hereafter referred to as "Counsel").

Client has engaged Counsel to serve as counsel in relation general legal matters which the Harrison County Commission experiences, as requested by Client. This relationship shall be continuing in duration, unless terminated by either of the parties in writing.

Client agrees to pay Counsel for services based on the time spent working on legal issue identified above, plus normal and customary fees and costs incurred in the course of representation (i.e. postage, filing and xerox fees, which will be billed at cost). See attached 2020 Cost and Expense Schedule. Counsel's current hourly rate is $250.00.

Counsel will generally forward billing statements quarterly and each statement will contain a description of services, including the date, amount of time involved, and the task accomplished. Quarterly statements will also show the fees and costs associated with Counsel's representation of Client.

At the insistence of either Counsel or Client, any disputes as to whether Counsel or Client has failed to honor this Agreement or as to the amount of legal fees will be submitted to the

Ethics Advisory Board of the State Bar of West Virginia for arbitration and prompt resolution, and both Counsel and Client agree to be bound by the results of such arbitration.

In witness whereof, the parties hereto have executed this Agreement as of the ____ day of January, 2021.

Agreed to by:

Frank E. Simmerman, III

Agreed to:

_____
Harrison County Commission

By: _____

Position: _____

Date: _____

CHAPTER 5G. PROCUREMENT OF ARCHITECT-ENGINEER SERVICES BY STATE AND ITS SUBDIVISIONS.

10

ARTICLE 1. PROCUREMENT OF ARCHITECT-ENGINEER SERVICES.

§5G-1-4. Contracts for architectural and engineering services; selection process where total project costs are estimated to cost less than $250,000; division of highways procurements.

(a) In the procurement of architectural and engineering services for projects estimated to cost less than $250,000, competition shall be sought by the agency. The agency shall conduct discussions with three or more professional firms solicited on the basis of known or submitted qualifications for the assignment prior to the awarding of any contract: Provided, That if a judgment is made that special circumstances exist and that seeking competition is not practical, the agency may, with the prior approval of the director of purchasing, select a firm on the basis of previous satisfactory performance and knowledge of the agency's facilities and needs. After selection, the agency and firm shall develop the scope of services required and negotiate a contract.

(b) The Division of Highways may procure the services of architectural and engineering firms under the provisions of this section in an amount not to exceed $750,000 for the services per project.

12

ORDER

AN ORDER APPROVING AND CREATING A NEW TAX INCREMENT FINANCING DISTRICT IN HARRISON COUNTY, WEST VIRGINIA TO BE KNOWN AS "THE COUNTY COMMISSION OF HARRISON COUNTY DEVELOPMENT DISTRICT NO. 7"; APPROVING NORTH CENTRAL CROSSROADS PROJECT PLAN NO. 1; ESTABLISHING A TAX INCREMENT FINANCING FUND; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, The County Commission of Harrison County (the "County Commission") is authorized by the West Virginia Tax Increment Financing Act, Chapter 7, Article 11B of the Code of West Virginia, 1931, as amended (the "Act"), to create development or redevelopment districts, approve project plans, issue tax increment financing obligations and take other actions necessary or desirable to facilitate the orderly development and economic stability of Harrison County, West Virginia (the "County"), all as more fully set forth in the Act;

WHEREAS, Ronald Lane, Inc. d/b/a North Central Crossroads, a West Virginia corporation (the "Developer"), has requested that the County Commission (i) approve the creation of a development district comprised of approximately 506.52 acres of real property generally located southwest of the intersection of Interstate 79 and U.S. Route 50, at or near Interstate 79, Exit 119 in Harrison County, West Virginia, as set forth on the map attached hereto as **Exhibit A** (the "TIF District"), (ii) approve a project plan for the TIF District, specifically the development of certain infrastructure improvements within or contiguous with the TIF District, including, without limitation, water lines, sewer lines, gas lines, electric lines, stormwater drainage, other utility improvements, wetlands mitigation, new road construction and road improvements, including, without limitation, intersection improvements, curbing, traffic control and lighting, and other related infrastructure, remediation, site preparation, cut and fill, site infrastructure, and other improvements to infrastructure, and all necessary appurtenances within or benefitting the proposed TIF District (collectively, the "TIF Project"), which TIF Project will be constructed in one or more phases, all within or contiguous with the proposed TIF District, to be known and designated as "North Central Crossroads Project Plan No. 1", as more fully described in **Exhibit B** attached hereto and including cross-references to exhibits and attachments provided in the hereinafter-defined Application (the "Project Plan"), and (iii) establish a tax increment financing fund (the "TIF Fund") to permit the utilization of tax increment financing;

WHEREAS, the County Commission did, on November 18, 2020, following proper notice thereof, hold a public hearing with respect to the Tax Increment Financing Application relating to the creation of the TIF District and proposing the Project Plan (the "Application") wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of the TIF District and its proposed boundaries and the proposed approval of the Project Plan;

WHEREAS, the County Commission submitted the Application to the Director of the West Virginia Development Office for his review and approval, all in accordance with the applicable provisions of the Act;

WHEREAS, the Director has, by letter dated December 17, 2020, notified the County Commission that the West Virginia Development Office has reviewed the Application and has found the Application regarding both the TIF District and the Project Plan to be complete, and has further approved the Project Plan permitting the County Commission to enter an order creating the TIF District, approving the Project Plan and establishing the TIF Fund;

WHEREAS, it is hereby found and determined that the Application meets the criteria set forth in the Act for creation of a development district, formulation of a project plan and establishment of a tax increment financing fund; and

WHEREAS, the County Commission has determined to enter an order that approves, certifies and creates the TIF District, approves and certifies the Project Plan and establishes the TIF Fund.

NOW, THEREFORE, BE IT ORDERED BY THE COUNTY COMMISSION OF HARRISON COUNTY AS FOLLOWS:

1. Justification for Approval of TIF District. It is hereby found and determined that the real property within the TIF District will be benefitted by eliminating or preventing the development or spread of slums or blighted, deteriorated or deteriorating areas, discouraging the loss of commerce, industry or employment, increasing employment therein or any combination thereof; that development or redevelopment thereof will not be solely used for development of commercial businesses that will unfairly compete in the local economy and that development or redevelopment is in the public interest because it will discourage commerce, industry or manufacturing from moving their operations to another state, result in increased employment in the County or result in preservation or enhancement of the tax base of the County.

2. Justification for Approval of TIF Project. It is hereby found and determined that the real property within the TIF District will be benefitted by implementing the Project Plan, by eliminating or preventing the development or spread of slums or blighted, deteriorated or deteriorating areas, discouraging the loss of commerce, industry or employment, increasing employment therein or any combination thereof.

3. Approval and Creation of TIF District. The TIF District, to be known as "The County Commission of Harrison County Development District No. 7" is hereby approved, certified and created as of the date of adoption and entry of this Order. The TIF District shall have the boundaries set forth in **Exhibit A**.

4. Approval of Project Plan. The Project Plan, an excerpt of which is set forth in **Exhibit B**, is hereby expressly found to be economically feasible and is hereby approved and certified. The projects set forth in the Project Plan, or any portion of it subsequently deemed by the County Commission to be included, are hereby approved and declared to be eligible for funding in whole or in part, from tax increment financing obligations and from moneys remaining in the TIF Fund after there has first been paid all debt service, reserve fund deficiency and other payments payable in connection with any bonds, notes or other obligations payable from the TIF Fund, which the County Commission, in its discretion, may determine to issue from time to time in accordance with the provisions of the Act or on a pay-as-you-go basis from unencumbered monies on deposit in the TIF Fund from time to time.

5. Establishment of TIF Fund. The TIF Fund is hereby established as a separate fund of the County Commission into which all tax increment revenues and other revenues designated by the County Commission for the benefit of the TIF District shall be deposited and from which all TIF Project costs shall be paid, which may be assigned to and held by a trustee for the benefit of bondholders if tax increment financing obligations are issued by the County Commission.

6. Allocation of Property Taxes. All ad valorem property taxes on real and tangible personal property (excluding personal trailers, personal boats, personal campers, personal motor homes, personal ATVs and personal motorcycles) having a tax situs in the TIF District shall be assessed, collected and allocated in the following manner for so long as any tax increment financing obligations payable from the TIF Fund are outstanding and unpaid:

(a) For each tax year, the Harrison County Assessor shall record in the land and personal property books both the Base Assessed Value and the Current Assessed Value of the real and tangible personal property having a tax situs in the TIF District, as such terms are defined in the Act. The Base Assessed Value shall be the value of all real and tangible personal property located within the TIF District as of July 1, 2020 (excluding personal trailers, personal boats, personal campers, personal motor homes, personal ATVs and personal motorcycles).

(b) Ad valorem taxes collected from regular levies upon real and tangible personal property having a tax situs in the TIF District that are attributable to the lower of the Base Assessed Value or the Current Assessed Value of real and tangible personal property located in the TIF District shall be allocated to the levying bodies situate in the County (the County Commission and the Harrison County Board of Education) in the same manner as applicable to the tax year commencing July 1, 2020.

(c) The tax increment revenues, if any, from real and tangible personal property in the TIF District (excluding personal trailers, personal boats, personal campers, personal motor homes, personal ATVs and personal motorcycles) shall be allocated and paid into the TIF Fund and shall be used to (i) pay the principal of and interest on outstanding tax increment financing bonds, notes or other obligations, including the principal of and interest on the tax increment financing obligations anticipated to be issued to finance all or a portion of the

costs of the TIF Projects, funding any reserve fund deficiency and any other payments payable in connection with such bonds, notes or obligations, and (ii) pay or reimburse costs of the TIF Project. Any levying body having the TIF District within its jurisdiction shall not receive any portion of the annual tax increment revenues except as otherwise provided in the Act.

(d) In no event shall the tax increment revenues include any taxes collected from excess levies, levies for general obligation bonded indebtedness or any levies other than the regular levies provided for in the Act.

7. Use of Proceeds of Tax Increment Financing Obligations. Proceeds from tax increment financing obligations anticipated to be issued under the Act and revenues available in the TIF Fund may only be used to pay for costs of development or redevelopment projects to foster economic development in the TIF District, when such development or redevelopment project or projects would not reasonably be expected to occur without tax increment financing.

8. Need for Tax Increment Financing. The County Commission hereby expressly finds and states that the TIF Project is not reasonably expected to occur without the use of tax increment financing.

9. Dissolution of TIF District. In the event that all tax increment financing obligations issued or to be issued in connection with the Project Plan or any subsequently approved project plan for the TIF District have been paid or defeased and are no longer outstanding and any portion of the TIF Project or any subsequently approved project plan to be paid on a pay-as-you-go basis from the proceeds of the TIF Fund have been paid, the TIF District shall be dissolved.

10. Severability of Invalid Provisions. If any section, paragraph, clause or provision of this Order should be held invalid by any court of competent jurisdiction, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Order.

11. Headings, Etc. The headings and catchlines of the articles, sections and subsections hereof are for convenience of reference only, and shall not affect in any way the meaning or interpretation of any provision hereof.

12. Conflicting Provision Repealed. All ordinances, resolutions, indentures or orders, or parts thereof, that conflict with the provisions of this Order are, to the extent of such conflict, hereby repealed with respect to the subject matter of this Order.

13. Covenant of Due Procedure, Etc. The County Commission covenants that all acts, conditions, things and procedures required to exist, to happen, to be performed or to be taken precedent to and in the adoption and entry of this Order do exist, have happened, have been performed and have been taken in regular and due time, form and manner as required by and in full compliance with the laws and Constitution of the State of West Virginia applicable

thereto; and that the President, Clerk and members of the County Commission were at all times when any actions in connection with this Order occurred and are duly in office and duly qualified for such office.

14. Effective Date. This Order shall take effect immediately upon enactment.

[Remainder of Page Intentionally Left Blank]

Adopted and entered this 20th day of January, 2021.

THE COUNTY COMMISSION OF HARRISON COUNTY

By: _____
Name: Susan J. Thomas
Title: President

CERTIFICATION

The undersigned, being the duly qualified, elected and acting Clerk of The County Commission of Harrison County (the "County Commission"), does hereby certify that the foregoing Order was duly adopted and entered by the County Commission at its regular meeting duly held, pursuant to proper notice thereof, on January 20, 2021, a quorum being present and acting throughout, and which Order has not been modified, amended or revoked and is a true, correct and complete copy thereof as of this 20th day of January, 2021.

By: _____
Name: John Spires
Title: County Clerk

Exhibit A

TIF District Boundaries

(attached hereto)

Exhibit B

Project Plan

(attached hereto)


NORTH
TIP BOUNDARY
TIP BOUNDARY
RONALD LANE, INC
NORTH CENTRAL CROSSROADS
HARRISON COUNTY, WEST VIRGINIA
CEC
Civil & Environmental Consultants, Inc.
REVISION RECORD

A-1



HARRISON COUNTY COURT HOUSE

Harrison County Commission

301 WEST MAIN STREET
CLARKSBURG, WEST VIRGINIA 26301
304-624-8500
FAX 304-624-8673

COMMISSIONERS
DAVID L. HINKLE
SUSAN J. THOMAS
PATSY TRECOST II

At the special meeting of the County Commission of Harrison County held on Wednesday December 23, 2020, Patsy S. Trecost II, Commissioner, was present in the meeting room, Ronald R. Watson, Commissioner, and David L. Hinkle, Commissioner, were present via ZOOM. Also present were Susan J. Thomas, County Clerk, William A. "Willie" Parker, County Administrator and Jessica L. Sell, Assistant County Administrator. Commissioner Watson opened the meeting and suspended the prayer and pledge. All motions passed unanimously unless otherwise stated.

Review – Discuss – Consider Certification of Results for Special Harrison County Board of Education Levy Election – Results were declared as of 4:20 p.m. on Friday, December 18, 2020. Willie Parker read the agenda item into the record. Mr. Parker advised that there are a couple of items that will need signatures pending approval and certification. Commissioner Watson spoke on the process of the canvass. Mr. Parker advised that there were no concerns and explained that there just needs to be a motion to certify, approve and for the Commissioners to affix signatures. Trecost made a motion as said. Commission concurred.

Review – Discuss – Consider Payment of Interest on Employee & Employer Contributions to the Consolidated Retirement Board in Regards to the Scolapio Settlement --- Discussion may be conducted in executive session per WV Code 6-9A-4: Willie Parker read the agenda item into the record. Mr. Parker explained that the approximate cost through August 2018 would be $3,500.00 for the employee and $6,500.00 for the employer and if it goes through December the cost will go up to approximately $6,500.00 for the employee and $9,000.00 for the employer +/-. Commissioner Watson asked Rachel Romano, Prosecuting Attorney, for comments. Ms. Romano explained that Mr. Scalopio disputes that he is responsible to pay the interest. Ms. Romano advised that if the Commission decides not to pay, ~~they~~ all parties would most likely ~~will~~ be back in court. Ms. Romano also advised that the Commission should cap the payment as of ~~at~~ the date of settlement agreement. Willie Parker recommends to pay the employee and employer interest and cap at the amount calculated by the Consolidated Retirement Board of August 2018 and December 2020. Trecost moved to proceed as the County Administrator and Prosecuting Attorney have recommended. Commission concurred.

There was discussion of the County Clerk's office being open as of January 1, 2021 due to the lack of an appointment for the Office of the Clerk of the County Commission. Willie Parker

advised that if the Commission decides to keep the Courthouse closed to the public until January 4th, then ~~they~~ the County would need to make adjustments for property transfers and other matters. Commissioner Hinkle sees no reason to open until the first of the year. Commissioner Trecost asked about having a meeting regarding the County Clerk's office on January 4th. Commissioner Hinkle advised that he thinks that the three Commissioners should discuss the person or persons of interest for the Clerk position. Commissioner Hinkle explained that he will not vote on a new County Clerk on January 4th until the new Commission can discuss the appointment. Commissioner Trecost advised that if they were not going to appoint a new County Clerk on January 4th, then the County Administrator needs to do a press release advising the citizens that they Clerk's office will be closed for services. Trecost moved to schedule the regular Commission meeting at 8:00 a.m. on Wednesday January 6, 202~~0~~1. Commissioner Trecost and Commissioner Watson voted in favor. Commissioner Hinkle voted against. Motion carried.

Commissioner Hinkle advised that there was nothing on the agenda about what needed to be done with the clerk's office and it violated the open meetings act. Commissioner Hinkle also advised that Commissioner Trecost could have placed the matter discussed on the agenda for the Commission meeting scheduled for December 30, 2020. Commissioner Trecost instructed Willie Parker to place the time for the meeting on January 6, 202~~0~~1be at 8:00 am on the agenda for the December 30th meeting and for the County Clerk matter to be put on the agenda for the January 6th meeting. Commissioner Hinkle advised Mr. Parker to put out a notice for anyone interested in the County Clerk position to be available on December 30th or January 6th to discuss why they should be ~~elected~~ selected.

With no further business to come before the Commission, meeting adjourned.

_____ _____

Date

A-2



HARRISON COUNTY COURT HOUSE

Harrison County Commission

301 WEST MAIN STREET
CLARKSBURG, WEST VIRGINIA 26301
304-624-8500
FAX 304-624-8673

COMMISSIONERS
DAVID L. HINKLE
SUSAN J. THOMAS
PATSY TRECOST II

At the regular meeting of the County Commission of Harrison County held on Wednesday December 30, 2020, Patsy S. Trecost II, Commissioner, and David L. Hinkle, Commissioner, were present. Ronald R. Watson, Commissioner, was absent. Also present were Susan J. Thomas, County Clerk, William A. "Willie" Parker, County Administrator, and Jessica L. Sell, Assistant County Administrator. All motions passed unanimously unless otherwise stated.

Commissioner Hinkle asked if there was anyone present via ZOOM wanting to speak during the public comment period. **Nobody indicated the desire to speak to the Commission.**

Commissioner Hinkle opened the meeting and Commissioner Trecost said a prayer and then led the Pledge of Allegiance.

1. Public Comment Period: NONE
2. Consent Agenda: Commissioner Hinkle spoke on the minute revisions. Commissioner Trecost is in agreement. Hinkle moved to approve minutes as amended. Commission concurred. Commissioner Hinkle moved to approve the consent agenda as a whole. Commission concurred.

Commissioner Hinkle asked to skip to item eleven on the agenda.

11. Review – Discuss – Consider Procedures and Appointment to the Upcoming Opening in the Office of the Clerk to the County Commission: Commissioner Hinkle advised that two have applied for the position. Hinkle moved to approve the appointment of John Spires as interim **for up to thirty (30) days as per the statute.** ~~**until further approval can be made and the office can be open.**~~ **This would provide for the Office of the Clerk of the County Commission to be open to the public on the first business day of the new year.** Commission concurred.

3. Payroll Change Notices: Hinkle moved to approve. Commission concurred.
   - Kyle Moneypenny – Law Enforcement – Return Military Leave --- Effective 12-30-2020
   - Kevin Renzelli – Law Enforcement – Resignation --- Effective 12-15-2020
4. Exonerations – Corrective Tickets – Joint Property Application: NONE
5. Consolidations of Land – Segregations of Land: NONE

6. Consideration of approval of a Project Fund Requisition for the payment of costs associated with the project to be financed from the proceeds of the Series 2019 Bonds issued for the Charles Pointe Economic Opportunity Development District, Series 2015 A & B (Development District No. 3 White Oaks Project No. 2) & Series 2008 A (Charles Pointe Project No. 2 – North Land Bay Improvements): Willie Parker explained Municap and the amounts. Hinkle moved to approve. Commission concurred.
7. Consideration of Approval of Project Fund Requisitions for the payment of costs associated with the General Services Administration Building Project to be finance from the proceeds of the Series 2020 Bonds issued for the Harrison County Building Commission: Willie Parker advised that there was only one for Mon Power in the amount of $15,379.00 for the relocation of some utilities. Hinkle moved to approve. Commission concurred.
8. Review – Discuss – Consider Replacement of Cindy Frederick, Town of Anmoore, to the Harrison County Development Authority Board for a Term Beginning 7-1-2020 and ending 6-30-2023 – Heather Gillespie or Cathy McCray: Commissioner Trecost said that he knows one of them but not the other and asked if they could recommend a replacement. Willie Parker advised why Ms. Frederick was resigning. Trecost moved to approve Heather Gillespie. Commission concurred.
9. Review – Discuss – Consider Reappointment of Conner L. Thompson to the Sun Valley Service District for a Term Beginning 01-18-2021 and Ending 01-17-2027: Hinkle moved to approve. Commission concurred.
10. Review - Discuss – Consider Property Option with Harvest Care Medical LLC: Commissioner Hinkle explained that there is two options. Hinkle advised that there is 4.87 acres +/- of flat land with 3.67 of developed acres. Commissioner Hinkle advised that instead of paying 1.2 million for the land **Harvest Care Medical LLC will pay for improvements as being drafted by The Thrasher Group.** ~~they will pay for developing the land such as a road and utilities and finance everything. Commissioner Hinkle explained that they are requesting to put in a green house and a proposal for two more green houses. They have applied for grant funding.~~ Commissioner Hinkle **reviewed details of the developments and USEDA grant application for the remaining portion of the property.** Commissioner Hinkle advised that this is more of an update for the Commission. Michael Jenkins, **Board Member for the Harrison County Development Authority (HCDA),** advised ~~that their~~ **about the** concern ~~is that they~~ **of the HCDA** having never met with the developer and ~~they~~ **the HCDA does not** ~~don't~~ want to transfer the property until everything is completed as requested. Commissioner Trecost asked who was in charge of making sure that the developer does what they have agreed to **complete**. Willie Parker advised that Thrasher Group is developing the design and the Development Authority has approval based on those parameters. Commissioner Hinkle advised that Thrasher Group was hired over a year ago to oversee the project. Mr. Parker explained that there is no action required this is just to inform the Commission. There was discussion of what role the Development

Authority has in this project. Commissioner Hinkle stated that Chad Riley is the Chairman of the Harrison County Economic Development Corporation (HCEDC) and Amy Wilson, Executive Director of the HCEDC, are ~~is~~ working on ~~getting the~~ USEDA grants. Commissioner Hinkle advised ~~that~~ the USEDA grant ~~Economic Development Authority~~ will cover the cost of the shell building and improvements to certain areas of the property. Commissioner Hinkle also advised that if ~~there is~~ matching funds are required, ~~they~~ the HCEDC coordinate the source of matching funds. ~~will look into where those will come from.~~

12: Commissioner Comments – Questions: Willie Parker mentioned the County Clerk's letter and John Spires taking over the position on January 1, 2021.

Commissioner Hinkle mentioned check writing. Willie Parker explained ~~that the~~ invoices ~~they have~~ the County has on hand will not be paid until after the Commission's first meeting in January. Mr. Parker advised ~~that they~~ the County cannot process checks until the Commission appoints a President.

With no further business to come before the Commission, meeting adjourned.

_____ _____

Date

A-3



HARRISON COUNTY COURT HOUSE

Harrison County Commission

301 WEST MAIN STREET
CLARKSBURG, WEST VIRGINIA 26301
304-624-8500
FAX 304-624-8673

COMMISSIONERS
DAVID L. HINKLE
SUSAN J. THOMAS
PATSY TRECOST II

At the regular meeting of the County Commission of Harrison County held on Wednesday January 6, 2021, Susan J. Thomas, Commissioner, David L. Hinkle, Commissioner, and Patsy S. Trecost II, Commissioner were present. Also present were John Spires, County Clerk, William A. "Willie" Parker, County Administrator, and Jessica L. Sell, Assistant County Administrator. John Spires, County Clerk, called the meeting to order. Willie Parker, County Administrator opened the meeting with prayer and led in the Pledge of Allegiance to the Flag. All motions passed unanimously unless otherwise noted.

1. Review – Discuss – Consider Organizational Matters for Calendar Year 2021
    1. Election of President – Trecost made a motion to elect Susan Thomas as President of the County Commission. Hinkle nominated himself as President. Motion to nominate Hinkle as President failed **with one in favor and two against.** Hinkle voted yes. Trecost and Thomas voted no. Motion to nominate Susan Thomas as President passed. Trecost and Thomas voted yes. Motion carried. **Hinkle was not present in the meeting for this vote – Retuned after vote was completed.**

    2. Hours of Operation for Courthouse – Hinkle moved to approve current hours of operation **from 8:30 a.m. to 4:30 p.m. with special hours being open to the** public from 9:00 a.m. – 4:30 p.m. **during the coronavirus pandemic.** Motion carried. Willie Parker made note of the special hours of operation of 8:30 a.m. – 12:3~~0~~0 p.m. on Friday, September 3rd for the Italian Heritage Festival. Hinkle made a motion not to close the courthouse **since the 3rd Street entrance could be utilized.** Hinkle voted yes. Trecost and Thomas voted no. Motion failed **with one in favor and two against.** Trecost made a motion to close courthouse at noon – **not 12:30 p.m. as noted in the agenda packet.** Trecost and Thomas voted yes. Hinkle voted no. Motion carried **with two in favor and one against.**

    3. Date & Time of Regular Meetings – Hinkle made a motion to meet four (4) times a year ~~and~~ as required by statute **and as needed or required to pay invoices and/or transact other necessary business** . Trecost made a motion to ~~**keep things as they currently are**~~ **maintain the current meeting schedule** at 10:00 a.m. every Wednesday. Motion ~~**to continue as is passed**~~ **carried with two in favor and one against.**

Trecost and Thomas voted yes. Hinkle voted no. Hinkle's motion to meet four (4) times a year failed with one in favor and two against. Trecost and Thomas voted no. Hinkle voted yes.

4. Agenda – Notice of Meeting – Meeting Management – Willie Parker read items regarding meeting management and as noted in the agenda packet. Trecost made a motion to adopt the meeting management as ~~Willie Parker~~ stated. Motion carried.

5. Appointments to Boards & Committees - Willie Parker reviewed the 2020 ~~current~~ list of boards and committee assignments. Hinkle made a motion to have Susan Thomas replace Ron Watson on the boards and committees ~~that he was assigned to~~ and for Hinkle and Trecost to continue as noted on the 2020 list. Motion failed with one in favor (Hinkle) and two against (Thomas and Trecost). Hinkle discussed the need for continued involvement in certain projects involving the Benedum Airport Authority and the Harrison County Economic Development Corporation. Trecost presented a proposed list of new assignments to the various board and committees. Trecost's motion of the new appointments carried with two in favor and one against. Trecost and Thomas voted yes. Hinkle voted no.

2. Consent Agenda Commissioner Hinkle requested that wach item be considered separately.

a. Minutes and/or Amended Minutes of Previous Meeting – None

b. Requisitions – Purchase Orders – Invoices – Commissioners noted that the review of invoices had not been completed and additional time was required to complete review. Hinkle made a motion ~~that they~~ this item be moved to next week's meeting. Motion carried.

c. Weekly Fiduciary Report from County Clerk

d. Monthly Fiduciary Commission Settlements – Commissioners had not received the files before the meeting and needed additional time for review. Hinkle made a motion to postpone the settlements until the next meeting. Motion carried.

e. Monthly Minutes/Financial Information from Various Boards, Committees and Public Service Districts – None

f. Petition of appeal from Action of the Harrison County Commission – Petitioners Emily Virginia Rockwell, on behalf of the Harrison County Republican Executive Committee & Mickey Gene Petitto – Mr. Parker explained appeal and the amended petition. Hinkle asked why the County Commission was added to the pending appeal. Since Ms. Thomas is a party to the action, Susan Thomas recused herself and left the room. Hinkle asked who was going to represent the Commission. Prosecutor Romano had not seen any paperwork on ~~it~~ the appeal yet and stated she would need to review ~~it~~ before making any

comment. Hinkle made a motion that in the future, staff does not put legal matters in the consent agenda. **Motion carried with two in favor (Hinkle & Trecost) and one not present and not voting (Thomas).** Prosecutor Romano will look into whether the item should be on regular agenda or the consent agenda. **In addition, Ms. Romano will review any filing deadlines involved in this matter.** Hinkle made a motion to decide at the next regularly scheduled meeting, if there is a need to seek other legal counsel outside of the courthouse. Motion carried **with two in favor (Hinkle and Trecost) and one not present and not voting. Susan Thomas retuned to the meeting after this vote.**

g. Approval – Transfer of Leave per Policy Approved by the County Commission
Parker gave list of names of individuals who were transferring sick time. Hinkle asked a request that oral verification be done to go along with the written paperwork. **Staff will contact previous employers and report back at a future meeting.**

h. Letter of Resignation from Susan J. Thomas, Harrison County Clerk – Hinkle made a motion to approve letter of resignation. Motion carried.

i. Oath of Office & Certificate – Susan J. Thomas, Harrison County Commission – John Spires, Harrison County Clerk – Trecost made a motion to accept oath of office. Motion carried.

3. Payroll Change Notices: None

4. Exonerations --- Corrective Tickets --- Joint Property Application – None

5. Consolidations of Land --- Segregations of Land – None

6. Consideration of approval of a Project Fund Requisition for the payment of costs associated with the project to be financed from proceeds of the Series 2019 Bonds issued for the Charles Pointe Economic Opportunity Development District, Series 2015 A & B (Development District No. 3 White Oaks Project No. 2) & Series 2008 A (Charles Pointe Project No. 2 – North Land Bay Improvements) – None

7. Consideration of Approval of Project Fund Requisitions for the payment of costs associated with the General Services Administration Building Project to be financed from proceeds of the Series 2020 Bonds issued for the Harrison County Building Commission - Mr. Parker stated they have three requisitions: Rycon for the amount of $305,201.70, Silling & Associates for $22,491.00., and Green River Group $147,777.74. Hinkle asked that the Commission be given totals on all bills and disputes. Trecost made a motion to include Chad Riley, **Thrasher Group,** as a consultant with Mr. Parker for any future disputes regarding Green River Group. Motion carried.

8. Review – Discuss – Consider Engagement Letter with Simmerman Law Office, PLLC Trecost made a motion to accept engagement letter from Simmerman Law Office. Hinkle asked for an explanation as to why Simmerman was chosen, how he was chosen, his qualification, and his duties. **After discussion,** Prosecutor requested **the Commission** to table the ~~motion~~ **this matter**. Trecost made a motion to table. ~~Trecost and Thomas approved.~~ Motion carried **with two in favor (Trecost & Thomas) and one against (Hinkle).**

9. Review – Discuss – Consider Restructuring of Duties of Department Heads and Personnel - may require executive session per WV Code 6-9A-4 – Note – In Addition, this is a Topic for a Special Meeting Tentatively Scheduled for Friday, January 8, 2021. Trecost made a motion to table until Friday, January 8th. Hinkle made a motion not to table and to discuss today. Hinkle voted yes. Trecost and Thomas voted no. Motion failed **with one in favor and two against**. Trecost's motion to table till Friday carried **with two in favor and one against**. Trecost and Thomas voted yes. Hinkle voted no. Hinkle asked what employees will be discussed at the meeting on January 8th and if the employees will be present.

10. Review – Discuss – Consider Prioritization of all Projects to Include Status of Projects with Rycon, Silling and Bond Counsel --- Note – In Addition, this is a Topic for a Special Meeting Tentatively Scheduled for Friday, January 8, 2021. Trecost made a motion to table until Friday. Motion carried. Hinkle asked how long the meeting would last. Mr. Parker stated the meeting will start at 10:00 a.m.

11. Review – Discuss – Consider Project Improvements Related to the Following:
    1. Law Enforcement Building at 609 West Main Street, Clarksburg, WV
        a. Authorize Staff to Proceed with Selection of A/E Firm per §5G-1-4 -
    2. Public Safety Building at 420 Buckhannon Pike, Nutter Fort, WV

    Hinkle made a motion to **authorize staff to proceed with recommendation on approval for** ~~approve~~ selection of A/E **firm. Motion failed with one in favor and two against.** Hinkle voted yes. Trecost and Thomas voted no. Trecost made a motion to table ~~Item #2~~ until Friday, January 8th. Trecost and Thomas voted yes. Hinkle voted no. Motion carried **with two in favor and one against.**

12. Review – Discuss – Consider Necessary Actions for Clean-up of Property at Wallace --- Bricks & Debris – Hinkle made a motion for the County to do an **eminent** ~~imminent~~ domain **proceeding** and to clean up the property and turn it into a Veterans Park. Trecost asked Mr. Parker the cost involved in the clean-up. ~~Hinkle's~~ Motion failed **with one in favor and two against**. Hinkle voted yes. Trecost and Thomas voted no. Parker will get back to the Commission on the cost associated for the clean-up.

13. Commissioner Comments – Questions

Discussion was held on the omission of Public Comment period from the agenda. Mr. Parker stated there could still have a Public Comment period. Jim Harris, resident of Anmoore, stated that he was terribly surprised and disappointed by the demeanor of the County Commission today.

Trecost spoke about adding an agenda item to January 13th meeting in regards to filling the clerk's position.

Trecost asked that for the meeting on January 8th, an item be added to retain the services of David Morrison of Steptoe and Johnson to work with the Prosecutors office in conjunction with any personnel matter.

Susan Thomas had no comments or questions at his point.

Hinkle stated that it seemed that Trecost will run the majority of what the Commission does **without seeking input from the other Commissioners. Hinkle expressed his displeasure of not being appointed to the Benedum Airport Authority and the Harrison County Economic Development Corporation due to his extensive involvement in on-going projects bringing hundreds of jobs to the county.**

Commission Hinkle made a motion to adjourn. Motion carried.

With no further business to come before the Commission, meeting adjourned.

_____ _____

Susan J. Thomas, President Date

A-4



HARRISON COUNTY COURT HOUSE

Harrison County Commission

301 WEST MAIN STREET
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304-624-8500
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COMMISSIONERS
DAVID L. HINKLE
SUSAN J. THOMAS
PATSY TRECOST II

At the regular meeting of the County Commission of Harrison County held on Wednesday January 13, 2021, Commissioners Susan J. Thomas, David L. Hinkle and Patsy S. Trecost II were present. Also present were John Spires, County Clerk, William A. "Willie" Parker, County Administrator, and Jessica Sell, Assistant County Administrator. Commissioner Thomas opened the meeting and Willie Parker led those present in prayer. Andy Lang, Mayor of Bridgeport, led in the Pledge of Allegiance to the Flag. All motions passed unanimously unless otherwise noted.

Note: The special meeting of the County Commission scheduled for January 8, 2021 did not proceed. There was a concern expressed regarding compliance with notice requirements of the Open Governmental Meetings Act. Commissioners advised staff to coordinate those pending matters to future meetings.

Appointments:
10:00 am – Representatives from Harrison County Economic Development Corporation Regarding the USEDA Grant and a Letter of Support & Authorization of Match Utilizing Unencumbered Funds for Development at the Harrison County Regional Industrial Park

Amy Wilson, Executive Director for Harrison County Economic **Development** Corporation, **(HCEDC)** spoke about marketing opportunities in Harrison County, especially the Harrison County Regional Industrial Park. Andy Lang, Mayor of Bridgeport, spoke about the flat 24 acres **at this location. HCEDC representatives advise that** step one would be to allow Harvest **Care** Medical, **LLC** to take control of the property **from the Harrison County Development Authority (HCDA) once the firm has developed the property to the established parameters.** ~~**and spend their money to develop one end of the park. They**~~ **The firm currently** will have approximately 5.75 acres of land to build their facility on and would like to sign a two year option to purchase an additional 3.74 acres, once the facility is completed. Step two would be to apply to the USEDA for **up to** ~~**a $3,000,000.00**~~ **$3,500,000** grant **which** ~~**USEDA**~~ requires a 20% match for the funds. **The HCEDC is requesting a commitment from the County Commission for a letter of support and availability of unencumbered funds for the grant match.** Step three would be to apply for a loan for the matching funds **so county funds would not be required for the project to move forward. However, a commitment is required for the grant application on the**

availability of funds. The USEDA grant application is for development of the remainder of the property and construction of ~~This would be~~ a shell building. Amy Wilson spoke about two companies willing to locate in the shell building. Amy Wilson advised that no part of the federal funds would be used for development related to the Harvest Care Medical LLC project. ~~the medical marijuana part of the building.~~ Total cost of the overall project ~~acreage~~ would be approximately $5.6 million with Harvest Care Medical LLC covering development cost of $1.2 million and USEDA Grant, if approved, would be $3.0 to $3.5 million, leaving a balance of $1.4 million to finance. Trecost asked what happens if USEDA grant money isn't approved. Hinkle asked if the County does not ~~we don't~~ apply for USEDA in the next two weeks, ~~do we~~ does the County miss out on the project. ~~Mayor Lang said they are asking for a pledge for the funds.~~ Thomas asked how long it would take before we know if we get the grant. Mayor Lang stated he doesn't think it would be longer than six months from application. Hinkle would like to make a commitment if Trecost and Thomas are willing. Hinkle moved to pledge $1.4 million from the Financial Stabilization Fund. Trecost would like to table for 8 days. Hinkle stated that everyday somebody submits applications. Bob Steptoe, board member from Harrison County Economic Development Corporation, spoke via Zoom in favor of the project. Hinkle made a motion to pledge $1.4 million as noted previously. Motion passed.

Thomas asked Willie Parker if a meeting could be held with Rycon on Friday in regards to the GSA Building in regards to the construction schedule.

New Business: Action Items for Consideration or Approval:

1. Public Comment Period - None

2. Consent Agenda – Thomas had a question about a few requisitions. Thomas stated she would like to see expense sheets used instead of just receipts. Trecost made a motion to approve. Motion carried.

3. Payroll Changes Notices – Trecost made a motion to move forward. Motion carried.
    1. Megan Rowand – Pay Step Increase – Corporal – Effective 1-25-2021 – 911
    2. Steve Martin – Pay Step Increase – Sergeant – Effective 1/25/2021 – 911
    3. Jason McDaniel – Pay Step Increase – Corporal – Effective 1/25/2021 – 911
    4. Lindsay Atha – Pay Step Increase – Corporal – Effective 1/25/2021 – 911
    5. Trevor Link – Resignation – Effective 1/8/2021 – Law Enforcement
    6. Ethan Kesling – Pay Step Increase – Effective 1/10/2021 – Staging
    7. Gregory Scolopio – Retirement Resignation – Effective 1/8/2021 – Law Enforcement

4. Exonerations – Corrective Tickets – Joint Property Application – Hinkle made a motion to approve. Motion carried.

5. Consolidation of Land – Segregation of Land – None

6. Consideration of approval of a Project Fund Requisition for the payment of costs associated with the project to be financed from proceeds of the Series 2019 Bond issued for the Charles Pointe Economic Opportunity Development District, Series 2015 A & B (Development District No. 3 White Oaks Project No 2) & Series 2008 A (Charles Pointe Project No. 2 –North Land Bay Improvements) – Willie Parker **reviewed the requisitions and associated invoices.** ~~**went over contractors and amounts of the invoices.**~~ Hinkle made a motion to approve requisitions. Motion carried.

7. Consideration of Approval of Project Fund Requisitions for the payment of costs associated with the General Services Administration Building Project to be financed from proceeds of the Series 2020 Bonds issued for the Harrison County Building Commission – None

8. Review – Discuss – Consider Matters Related to the Amended Petition of Appeal from Action of the Harrison County Commission – Case #20-P-223-2 – Dismissal Order by the Harrison County Commission of the General Election Complaint. Such Matters to Include Consideration to Engage Legal Counsel for Hearing(s) – Hinkle said this would be an item that would go to Mr. Simmerman. **Commission concurred.**

9. Review – Discuss – Consider Approval on the Transfer of Leave per Policy Approved by the Harrison County Commission – Willie Parker stated ~~**everyone**~~ **the employees** on the list ~~**has**~~ **have** been verified. Hinkle made a motion to approve. Motion carried.

10. Review – Discuss – Consider Engagement Letter for Legal Services from Simmerman Law Office, LLC – Hinkle **made a point of order and** stated there is nothing in the minutes where the previous Commission agreed to hire Mr. Simmerman for legal counsel for the Commission. Thomas recalls an advertisement was done for an attorney. Thomas believes there is a need available for legal advice for local and county government issues. Hinkle did not see any qualifications with the letter **and requested staff to follow-up and bring back recommendations**. Trecost made a motion to hire ~~**Mr.**~~ Simmerman **Law Office PLLC and engage their service as legal counsel for the County Commission as outlined in the engagement letter.** ~~**as county attorney.**~~ Trecost and Thomas voted yes. Hinkle voted no. Motion carried **with two in favor and one against. Hinkle expressed his concern regarding action on this matter being in compliance with the Open Governmental Meetings Act.**

11. Review – Discuss – Consider Appointment of a Clerk of the County Commission of Harrison County, West Virginia Pursuant to the Statues of West Virginia; In Particular §3-10-7 and §3-10-1 as Amended. The Office of the County Commission has received Correspondence from the Following Individuals Interested in the Position:
    1. Ronald Watson – Received November 23, 2020
    2. John Spires – Received December 29, 2020

    Note: A Third Individual Submitted Correspondence on January 5, 2021 but Withdrew on January 7, 2021

    Trecost made a motion to approve John Spires as the ~~permanent~~ County Clerk to fulfill the remaining two years on the term. Motion carried.

12. Review – Discuss – Consider Order Dismissing Cross Petitions of Fiduciaries; Removing Michael Lloyd Lantz and Nikola Michelle Gibson as Fiduciaries for Estate; and Appointing Janet L. Cox as the Sole Executrix of the Estate of Dana Lee Lloyd Lantz – Trecost made a motion to approve the order and affix the signature. Trecost and Thomas voted yes. ~~Motion~~ Hinkle voted no. Motion carried with two in favor and one against.

13. Review – Discuss – Consider Hearing Dates for the Board of Review and Equalization (B.O.R.E.) for February 2021 – Willie Parker stated that Friday, February 19, 2021 at 10:00 am needs added to the list for minerals. Willie Parker suggested that the time on February 17, 2021 be 11:30 am in order for the meeting to held after the regularly scheduled meeting. Trecost made a motion to approve dates. Motion carried.

    Monday – February 1, 2021 – 10:00 am
    Wednesday – February 3, 2021 – 11:30 am
    Monday – February 8, 2021 – 10:00 am
    Wednesday – February 10, 2021 – 11:30 am
    Tuesday, February 16, 2021 – 10:00 am
    Wednesday, February 17, 2021 – 10:30 am – Changed to 11:30 a.m.
    Monday – February 22, 2021 – 10:00 am
    Tuesday, February 23, 2021 – 10:00 am
    Wednesday, February 24, 2021 – 11:30 am

14. Review – Discuss – Consider Board Appointments Made During the January 6, 2021 Meeting – Thomas read a letter from Chad Riley declining board appointment to the Benedum Airport Authority. Trecost made a motion to replace Chad Riley with David Hinkle. Motion carried. Hinkle discussed his board appointments and future plans on board involvements. Hinkle asked why board appointments were changed. Thomas stated that Hinkle has served well, but that it was time for someone else to step up. Hinkle asked if his duties on the Harrison County Economic Development Corporation ~~Development Authority~~ continues till August 1, 2021, which is the term of office under

HCEDC by-laws, or if his duties end today. Trecost made a motion to table change in appointment to HCEDC and Commissioner Hinkle continue ~~Development Authority appointment~~ until a legal opinion could be given. Trecost and Thomas voted yes. Motion carried.

15. Review – Discuss – Consider Engagement of Legal Services for the Following:
    A. Personnel or HR Related Matters – Trecost made a motion to move to ~~Mr.~~ Simmerman Law Office, PLLC. Thomas moved to table until discussion could be held with Mr. Simmerman in regards to general legal work.
    B. Agreements Related to Harvest Medical Care Project – Trecost made a motion to move to ~~Mr.~~ Simmerman Law Office PLLC to write the agreement. Thomas moved to table until discussion could be held with Mr. Simmerman in regards to general legal work.

    Administrative staff will coordinate with Simmerman Law Office and request attendance at the next meeting to review these matters

16. Review – Discuss – Consider the Restructuring of Duties of Department Heads and Personnel – May Require Executive Session per WV Code 6-9A-4
    Trecost would like to move to executive session. Hinkle asked what basis Trecost wanted to move to executive session. Trecost asked for the Prosecuting Attorney to make a decision on whether executive session is required. Greg Dale, Director of Maintenance Buildings – Grounds & Central Garage, respectively requested that he be present in the meeting for anything involving him. Hinkle made a motion to request a 10 minute recess. Motion carried. At approximately 11:35 a.m., Hinkle made a motion to go back in session. Motion carried. Based upon discussion in open session, Rachel Romano, Prosecuting Attorney, advised against going into executive session. ~~Prosecutor~~ Romano stated each individual employee can be asked if they want to go into executive session. Trecost asked Greg Dale if he wanted to go into executive session. Greg Dale stated he did not want to go to executive session. Trecost stated he doesn't think we need a full time Maintenance Director and ~~maintenance person.~~ ~~Trecost~~ suggested moving Greg Dale to the 911 Center. Greg Dale would like to know what has changed with the performance of his duties compared to what he was doing ~~before~~ previously. Greg Dale has had good feedback in the past. Hinkle asked if Dale has had bad evaluations. The County Administrator noted that Greg Dale has performed the duties of the position in an excellent fashion. Hinkle asked if this was a budget saving request. Hinkle made a motion to keep Greg Dale in the same position at the same salary. Trecost voted no. Thomas and Hinkle voted yes. Motion carried with two in favor and one against. Rocky Romano, Assessor, spoke in favor and support of Greg Dale.

Trecost also asked about hiring a civil engineer~~ing firm~~ to work with the planning department. Mr. Parker stated that the cost would be at least ~~could be about~~ $100,000.00 for a full-time position. Trecost said he was thinking the cost would be $100,000.00 - $125,000.00. Hinkle stated that the County would not need a full-time engineer unless building codes and/or zoning was in place. Thomas asked that the Commission ~~we~~ table the matter to allow time to review ~~look into it further~~. Trecost made a motion to table. Thomas and Trecost voted yes. Hinkle voted no. Motion carried with two in favor and one against.

17. Review – Discuss – Consider Priorities of Projects: Trecost said he think the number #1 project is to get the email up. No. 2 is to get the rubber roof on the 911 center. No. 3 remodeling at 609. No. 4 is to replace window on 6th floor to probation office. Trecost made a motion to move forward with the window replacement, pending court approval. Thomas and Trecost voted yes. Hinkle voted no. Motion carried with two in favor and one against. Trecost ~~made a motion~~ would like to move the Planning Commission off of the 6th floor to the conference room on the 3rd floor and allocate that space to the Probation Department. Discussion was held on additional space for two probation officers. Hinkle suggested moving bookkeeping to the County Clerk's break room. Thomas asked if this could be tabled until more time to look into all options. Hinkle made a motion that everything stays as is unless the court system makes a request for consideration by the Commission. ~~Thomas and Hinkle voted yes.~~ Motion carried.
    a. Law Enforcement Building at 609 West Main Street – Hinkle asked if architects have inspected the building. Trecost would like to see a Harrison County architect on the project. Hinkle made a motion to move this matter to the special meeting for Friday, January 15, 2021 and directed the staff to have a recommendation. Motion carried.
    b. Public Safety Building at 420 Buckhannon Pike – Hinkle made a motion to let Thrasher continue design work and to only look at rubber roof design estimate. Motion carried.
    c. County Storage – Law Enforcement Equipment & Evidence Storage at 633 West Pike – Hinkle recommend having an engineering firm evaluate load capacity and structural issues of the building. Hinkle made a motion to move this matter to the special meeting for Friday, January 15, 2021. Motion carried.
    d. Probation Office – Replacement Window
    e. Window Replacement – Grant – Courthouse Facilities Improvement Authority – Mr. Parker said specifications need finalized and will continue the process of obtaining bids. Gina Jones, Director of Grants and Special Projects, noted the granted has been approved but no work could begin before January 1, 2021.

f. Rail-Trail Projects – Hinkle made a motion to approve surveyor. Motion carried.
   a. Northern Trail
      i. Repair of Landside – North View – Grant Approved & Match Paid
      ii. Tygart Valley Soil Conservation District – North View to Spelter
      iii. Survey & Related to Lease Property – Glenn Falls Area – Coal Ovens
      iv. Appraisal for Possible Purchase – Spelter to Haywood – Hinkle made a motion to use grant money for possible purchase of property. Motion carried.
      v. Other Improvements If Property Purchased – Spelter to Haywood
      vi. Connect with Marion Rail-to-Trail
   b. Southern Trail
      i. Improvements from Custer Addition – Two Lick Area – Grant Approved & Match Paid
      ii. Five (5) Bridge Crossings Need Decking – Improvements – Charlotte spoke on getting estimates on repair and purchase of railroad maps. Hinkle made a motion to approve up to $300 for railroad maps. Motion carried.

g. Wallace Old Bank Property Clean-Up – Thomas asked if owner would be willing to sign over a deed for the property. ~~Mr. Parker~~ Administrative staff will contact owner and check to see what the back taxes are on the property.

h. Parks & Recreation Projects
   a. Playground Locations & Equipment
   b. Long Term Major Projects

Mike book and Doug Comer spoke about disc golf course, beach volleyball court, nature trail extensions, outdoor classrooms, outdoor activities and estimates associated with the projects.

Hinkle made a motion to spend $10,000.00 to expand disc golf. Motion carried.

Hinkle made a motion not to exceed $5,000.00 on nature trail. Motion carried.

Hinkle made a motion to build a beach ball volleyball court at Parks and Recreation main office not to exceed $7,000.00. Motion carried.

Hinkle made a motion to build Ga-Ga courts at all four parks for $4,000 max. Motion carried.

18. Commissioner Comments – Questions – Trecost stated Olymbec parking is being blocked by construction. Trecost asked if Thrasher could be present at Friday's meeting. Hinkle asked if Mr. Parker could talk with Frontier/Verizon to discuss leasing their parking lot.

Trecost made a motion to adjourn ~~dismiss.~~

With no further business to come before the Commission, meeting adjourned.

_____ _____

Susan J. Thomas, President Date

United States of America

State of West Virginia

County of Harrison, ss:

Clerk's Fiduciary Report

Estate from Wednesday, January 6, 2021, through Tuesday, January 12, 2021

The County Commission of Harrison County this day proceeded to examine the report of the Clerk of the Commission of the Fiduciary and Probate matters had before his during the vacation of the Commission, and it appearing to the Commission that all of the proceedings had therefore ordered that the said report and matters thereto contained be and the same is hereby ratified and confirmed. Said report is in words and figures as follows, to -wit:

On, Wednesday, January 6, 2021, the following matters were disposed of in the presence of the Clerk:

The said estate of **KATHLEEN C BERRY**, deceased was referred to **NORMAN T FARLEY**, a FIDUCIARY COMMISSIONER for the Harrison County, for settlement thereof.

The said estate of **HARLON EUGENE CURREY**, deceased was referred to **JAMES C TURNER**, a FIDUCIARY COMMISSIONER for the Harrison County, for settlement thereof.

The last will and testament of **BETTY LOUISE GROGAN**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

JAMES M GROGAN, who was named in the last will and testament of **BETTY LOUISE GROGAN**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

The last will and testament of **BARBARA KAY STUART**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

LEA ANN STUART SANDERS, who was named in the last will and testament of **BARBARA KAY STUART**, deceased, as CO EXECUTRIX thereof, qualified as such. No bond was required.
DENNIS JAMES STUART, who was named in the last will and testament of **BARBARA KAY STUART**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

The last will and testament of **GENEVIEVE MUSCI**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

PAUL A ROMANO, who was named in the last will and testament of **GENEVIEVE MUSCI**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

The last will and testament of **JOHN ANTHONY ALESSIO**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

CAROL LEE ALESSIO, who was named in the last will and testament of **JOHN ANTHONY ALESSIO**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Thursday, January 7, 2021, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **WILLIAM A TODD**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

JUDITH A TODD, who was named in the last will and testament of **WILLIAM A TODD**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

More than 31 days since the date of death or the surviving spouse or heir, upon a motion, **KENNETH SCOTT WILLIS** was appointed and qualified as ADMINISTRATOR of the estate of **KENNETH ROY WILLIS**, deceased. Bond was 2,000.00.

The last will and testament of **SHIRLEY A MATHENY**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

JASON M MATHENY, who was named in the last will and testament of **SHIRLEY A MATHENY**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

The last will and testament of **ARLENE FAY QUEEN**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

APRIL SUE SPITZNOGLE, who was named in the last will and testament of **ARLENE FAY QUEEN**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Friday, January 8, 2021, the following matters were disposed of in the presence of the Clerk:

The said estate of **SHIRLEY VIRGINIA TAYLOR DOLAN**, deceased was referred to **JAMES A VARNER**, a FIDUCIARY COMMISSIONER for the Harrison County, for settlement thereof.

The last will and testament of **ROBERT GLENN UPTON**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

TIMMY DWAIN HOLTZ, who was named in the last will and testament of **ROBERT GLENN UPTON**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

On, Monday, January 11, 2021, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **MICHAEL EARL FETTY**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

TAMMY K FETTY, who was named in the last will and testament of **MICHAEL EARL FETTY**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

The last will and testament of **MELVIN L OSBORNE**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

STEVEN L OSBORNE, who was named in the last will and testament of **MELVIN L OSBORNE**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

More than 31 days since the date of death or the surviving spouse or heir, upon a motion, **MICHAEL PATRICK STUMPO II** was appointed and qualified as ADMINISTRATOR of the estate of **NANCY ROSALEE STUMPO**, deceased. Bond was 1,000. 00.

The last will and testament of **ROBERT B KESLING**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

ROBERT B KESLING JR, who was named in the last will and testament of **ROBERT B KESLING**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

A duly certified copy of the last will and testament of **JAMES C ROBISON**, deceased, late a resident of Lewis, West Virginia, was admitted to record.

The last will and testament of **KIMBERLY SUE ROLLINS**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

BEVERLY K ROLLINS, who was named in the last will and testament of **KIMBERLY SUE ROLLINS**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

The last will and testament of **MARY ALICE HAFER**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

SUZANNE H NELSON, who was named in the last will and testament of **MARY ALICE HAFER**, deceased, as ANCILLARY ADMINISTRATOR thereof, qualified as such. No bond was required.

On, Tuesday, January 12, 2021, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **RALPH EDWIN HURST**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

ROGER HURST, who was named in the last will and testament of **RALPH EDWIN HURST**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

The last will and testament of **DIANE KATHERINE JONES**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

WADE MICHAEL JONES JR, who was named in the last will and testament of **DIANE KATHERINE JONES**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

The last will and testament of **HARRY LEE DEAN**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

RODNEY LEE DEAN, who was named in the last will and testament of **HARRY LEE DEAN**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

More than 31 days since the date of death or the surviving spouse or heir, upon a motion, **ROBERTA C CASTO** was appointed and qualified as ADMINISTRATRIX of the estate of **ROBERT GLEN TANNEHILL**, deceased. No bond was required.

The last will and testament of **JOHN JOSEPH FOSTER**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

ROBERT L SHINGLETON, who was named in the last will and testament of **JOHN JOSEPH FOSTER**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

John R Spires
Clerk of the Harrison County Commission

Wednesday, January 20, 2021

Confirmed

RECEIVED
JAN 15 2021
HARRISON COUNTY
COMMISSION

E-1

EAST VIEW PUBLIC SERVICE DISTRICT
1655 PHILIPPI PIKE
CLARKSBURG, WV 26301

BOARD MEETING

JANUARY 12, 2021 AT NOON

Reading and approval of the November 10, 2020 meeting minutes.

Those in attendance: Michael Blake, James Harbert, Dawn Hogue, Laura Guzzi, Thurman Shingleton, Dave Layton and Jane Bryant.

FINANCIAL:

1. WV Municipal Bond - $2838
2. USDA Rural Development Loan - $1081
3. Clarksburg Water Board - $1664.63
4. Clarksburg Sanitary Board - $3938.95
5. Payroll – $5060
6. Bennett & Dobbins $500
7. CWCR Account - $657
8. HNB 2.5 % - $465
9. Tetrick and Bartlett - $1318.33
10. Frontier - $141.83
11. Dominion Energy - $123
12. US Cellular - $61.42
13. Unifirst - $90.88
14. Exponet-Telegram - $66
15. Safeguard - $70.83
16. Mon Power - $97.29
17. HNB - $41.75
18. Enterprise Sanitation - $38.35
19. Reliance Labs - $350
20. Federal Deposit - $779.08 (Withholdings)
21. State of WV Deposit - $148 (Withholdings)
22. The Town of Anmoore - $21.26
23. Miss Utility –$16.80
24. USPS - $186.65
25. Misc - $142.82

MB LG

NEW BUSINESS:

PROJECTS FOR 2021

1. Research the possibilities on replacing existing truck.
2. New sign for East View Public Service District and Community Center.
3. Drive through drop/lock box for bill payments.
4. Continue replacing older meters/repairing meter wells.
5. Stain/waterproofing on split rail fence.

Sent out bids for Financial and Compliance Audits, per the State Auditor's Office for 2020/2021 and 2022.

OLD BUSINESS:

Recap the 2019/2020 Year end

1. Had the interior hall/kitchen/office/bathrooms painted and tile around kitchen wall redone.
2. Replaced 8 older and/or stopped meters.
3. Purchased a new Chlorine tester.
4. Audits were completed for 2018 and 2019.
5. Had parking lot resealed and stripped. Signage to prevent Semi's from entering lot.

MONTHLY EXPENDITURES		PERIODICAL EXPENDITURES		
WV MUNICIPAL BOND	$2,838	MISC		$178.58
USDA RURAL DEVELOPMENT LOAN	$1,081	RLI		
CLARKSBURG SANITARY BOARD	$3,938.95	WV CoRP		
CLARKSBURG WATER BOARD	$1,664.63	BRICKSTREET		$0
PAYROLL	$5,060			
BENNETT AND DOBBINS PLLC	$500	Excavating/Line Repair		$0
ENTERPRISE SANITATION	$38	Tetrick and Bartlett		1318.33
DOMINION	$123			
MON POWER	$97.29	CORE & MAIN		$0
FRONTIER	$141.66	Reliance Labs	Lead and Copper/Tthm+HAA5	$350
UNIFIRST	$90.88	**MISC**		$143
US CELLULAR	$71.78	Federal and State Withholdings		$927
USPS	$186.65	Building Equipment/Maintenance/Supplies		
THE TOWN OF ANMOORE	$21	Hydrant Flushing		
MISS UTILITY	$17	WV RURAL WATER ASSO.		

FINANCIAL STATEMENT	MONTH/YEAR		DEC	2020

BANK STATEMENTS

MAIN ACCT	$32,434.37				
BOND ACCT	$17,916.18	Required	$34,055		
USDA ACCT	$13,272.12	Required	$12,972		
R & R ACCT	$9,611.50				
SECURITY DEPOSITS ACCT	$18,301.30			2.50%	$465
CWCR ACCT	$7,491.00			CWCR	$657

E-2

GREATER HARRISON COUNTY P.S.D.

"Meeting held in Town of West Milford Council Chambers"

Agenda
January 20, 2021 ~~2020~~

4:00 pm Board Meeting Convenes

4:05 pm Call for approval of minutes from 12/16/2020 ~~2021~~ regular board meeting

4:15 pm Public comment period

ACTION ITEMS

A. Kylea Radcliff/Logan Alastanos (Thrasher)

1. GHCPSD Water Project
2. GHCPSD Sewer Projects
    - A. Phase II/Rt. 73
        - a. Construction Updates
        - b. Pay Applications for Phase II Contract #1, Contract #3, Contract #4 and Enterprise
    - B. Enterprise Project
        - a. Construction Update
    - C. River Crossings
        - a. General Update
3. GHCPSD future projects
    - A. Steven's Run – General update
    - B. Water extension and upgrades – General update
4. General
    - A. Contract for WWTP Sludge Removal

B. Zack Dobbins (Accountant)/Ruth Ann Messenger

1. Water and Sewer Check Register and debit cards
2. Pay Requisitions
    - A. Phase II/Rt. 73
    - B. Enterprise
3. Approval of Admin agreement for Stevens Run Project

C. Bill Hoover (General Manager)

1. Water
    - A. Water Loss Report
    - B. Water leak Report
2. Sewer
    - A. General Update

B. Discussion on lack of progress for Contract #3
C. Notice of availability for Contract #2 – Laurel Park

3. Good of the District
    A. Application for Transfer of Assets of Coons Run PSD
    B. Election of officers

D. Richard Barnett (Earthtec)

1. Package Plant Report
2. Sewer Plant Report

E. Sam Harold

1. Legal

F. Executive Session

1. Personnel Issues
2. Attorney

GHCPSD - WATER DIVISION
INCOME STATEMENT
FOR THE PERIOD
12/01/2020 - 12/31/2020

	ACTUAL	BUDGET	VARIANCE	% OF TOTAL
INCOME				
DOMESTIC SERVICE/LATE CHGS	182,531.18	181,839.25	691.93	99.45%
FACILITIES CHARGE	-	-	-	0.00%
INTEREST INCOME	42.47	315.42	(272.95)	0.02%
MISCELLANEOUS/RECONNECT FEES	125.00	916.33	(791.33)	0.07%
QUIET DELL LEASE	500.00	500.00	-	0.27%
TAP FEES	350.00	933.33	(583.33)	0.19%
UNUSUAL CHARGE	-	-	-	0.00%
TOTAL INCOME	183,548.65	184,504.33	(955.68)	
EXPENSES				
ACCT, BILLING, & COLLECTING	3,785.54	4,362.92	(577.38)	2.04%
BRIDGEPORT SANITARY BOARD	-	-	-	0.00%
CHEMICALS	-	353.92	(353.92)	0.00%
CLARKSBURG SANITARY BOARD	-	-	-	0.00%
DEBT SERVICE	24,610.85	24,596.00	14.85	13.25%
DIRECTORS FEES	493.10	595.08	(101.98)	0.27%
EMP. BEN./GROUP INSURANCE/PENSION COSTS	6,173.83	5,470.42	703.41	3.32%
LAB SERVICE	1,618.59	553.00	1,065.59	0.87%
LABOR	29,558.12	27,340.00	2,218.12	15.91%
MAINTENANCE	9,663.08	11,040.75	(1,377.67)	5.20%
MISCELLANEOUS EXPENSE	275.00	-	275.00	0.15%
OFFICE SUPPLIES & EXPENSE	166.08	82.92	83.16	0.09%
OUTSIDE SERVICES/CONTRACT LABOR	4,121.63	6,035.83	(1,914.20)	2.22%
POWER PURCHASED	3,477.77	3,159.58	318.19	1.87%
PROPERTY/LIABILITY & INJURIES INSURANCE	11,994.21	2,944.42	9,049.79	6.46%
REGULATORY COMMISSION	-	547.83	(547.83)	0.00%
RENEWAL & REPLACEMENT	6,018.24	4,583.67	1,434.57	3.24%
RENT EXPENSE	2,500.00	2,500.00	-	1.35%
TAXES	2,556.78	2,401.83	154.95	1.38%
TRANSPORTATION	4,783.02	2,335.08	2,447.94	2.58%
UTILITIES	880.95	806.58	74.37	0.47%
WATER PURCHASED	73,051.72	79,265.58	(6,213.86)	39.33%
TOTAL EXPENSES	185,728.51	178,975.42	6,753.09	
NET SURPLUS (DEFICIT)	(2,179.86)	5,528.92	(7,708.78)	

GHCPSD - SEWER DIVISION
INCOME STATEMENT
FOR THE PERIOD
12/01/2020 - 12/31/2020

	ACTUAL	BUDGET	VARIANCE	% OF TOTAL
INCOME				
DOMESTIC SERVICE/LATE CHGS	150,581.82	162,239.25	(11,657.43)	92.41%
FACILITIES CHARGE	2,500.00	2,500.00	-	1.53%
INTEREST INCOME	59.22	60.25	(1.03)	0.04%
MISCELLANEOUS/RECONNECT FEES	-	28.67	(28.67)	0.00%
QUIET DELL LEASE	-	-	-	0.00%
TAP FEES	650.00	142.92	507.08	0.40%
UNUSUAL CHARGE	9,159.23	10,068.75	(909.52)	5.62%
TOTAL INCOME	162,950.27	175,039.83	(12,089.56)	
EXPENSES				
ACCT, BILLING, & COLLECTING	709.00	685.92	23.08	0.56%
BRIDGEPORT SANITARY BOARD	5,000.00	8,732.33	(3,732.33)	3.98%
CHEMICALS	-	1,920.08	(1,920.08)	0.00%
CLARKSBURG SANITARY BOARD	1,819.00	1,763.17	55.83	1.45%
DEBT SERVICE	40,099.49	40,099.50	(0.01)	31.88%
DIRECTORS FEES	106.90	499.17	(392.27)	0.08%
EMP. BEN./GROUP INSURANCE/PENSION COSTS	3,842.54	3,784.58	57.96	3.06%
LAB SERVICE	447.70	383.92	63.78	0.36%
LABOR	10,292.91	16,356.75	(6,063.84)	8.18%
MAINTENANCE	4,356.20	9,708.50	(5,352.30)	3.46%
MISCELLANEOUS EXPENSE	-	-	-	0.00%
OFFICE SUPPLIES & EXPENSE	842.55	1,135.50	(292.95)	0.67%
OUTSIDE SERVICES/CONTRACT LABOR	18,768.06	23,191.00	(4,422.94)	14.92%
POWER PURCHASED	13,001.43	10,317.08	2,684.35	10.34%
PROPERTY/LIABILITY & INJURIES INSURANCE	6,736.79	2,082.75	4,654.04	5.36%
REGULATORY COMMISSION	275.00	619.25	(344.25)	0.22%
RENEWAL & REPLACEMENT	15,567.97	37,500.00	(21,932.03)	12.38%
RENT EXPENSE	-	-	-	0.00%
TAXES	388.27	1,133.67	(745.40)	0.31%
TRANSPORTATION	2,976.92	1,477.42	1,499.50	2.37%
UTILITIES	535.20	634.25	(99.05)	0.43%
WATER PURCHASED	-	-	-	0.00%
TOTAL EXPENSES	125,765.93	162,024.83	(36,258.90)	
NET SURPLUS (DEFICIT)	37,184.34	13,015.00	24,169.34	

GHCPSD - COMBINED
INCOME STATEMENT
FOR THE PERIOD
12/01/2020 - 12/31/2020

	ACTUAL	BUDGET	VARIANCE	% OF TOTAL
INCOME				
DOMESTIC SERVICE/LATE CHGS	333,113.00	344,078.50	(10,965.50)	96.14%
FACILITIES CHARGE	2,500.00	2,500.00	-	0.72%
INTEREST INCOME	101.69	375.67	(273.98)	0.03%
MISCELLANEOUS/RECONNECT FEES	125.00	945.00	(820.00)	0.04%
QUIET DELL LEASE	500.00	500.00	-	0.14%
TAP FEES	1,000.00	1,076.25	(76.25)	0.29%
UNUSUAL CHARGE	9,159.23	10,068.75	(909.52)	2.64%
TOTAL INCOME	346,498.92	359,544.17	(13,045.25)	
EXPENSES				
ACCT, BILLING, & COLLECTING	4,494.54	5,048.83	(554.29)	1.44%
BRIDGEPORT SANITARY BOARD	5,000.00	8,732.33	(3,732.33)	1.61%
CHEMICALS	-	2,274.00	(2,274.00)	0.00%
CLARKSBURG SANITARY BOARD	1,819.00	1,763.17	55.83	0.58%
DEBT SERVICE	64,710.34	64,695.50	14.84	20.77%
DIRECTORS FEES	600.00	1,094.25	(494.25)	0.19%
EMP. BEN./GROUP INSURANCE/PENSION COSTS	10,016.37	9,255.00	761.37	3.22%
LAB SERVICE	2,066.29	936.92	1,129.37	0.66%
LABOR	39,851.03	43,696.75	(3,845.72)	12.79%
MAINTENANCE	14,019.28	20,749.25	(6,729.97)	4.50%
MISCELLANEOUS EXPENSE	275.00	-	275.00	0.09%
OFFICE SUPPLIES & EXPENSE	1,008.63	1,218.42	(209.79)	0.32%
OUTSIDE SERVICES/CONTRACT LABOR	22,889.69	29,226.83	(6,337.14)	7.35%
POWER PURCHASED	16,479.20	13,476.67	3,002.53	5.29%
PROPERTY/LIABILITY & INJURIES INSURANCE	18,731.00	5,027.17	13,703.83	6.01%
REGULATORY COMMISSION	275.00	1,167.08	(892.08)	0.09%
RENEWAL & REPLACEMENT	21,586.21	42,083.67	(20,497.46)	6.93%
RENT EXPENSE	2,500.00	2,500.00	-	0.80%
TAXES	2,945.05	3,535.50	(590.45)	0.95%
TRANSPORTATION	7,759.94	3,812.50	3,947.44	2.49%
UTILITIES	1,416.15	1,440.83	(24.68)	0.45%
WATER PURCHASED	73,051.72	79,265.58	(6,213.86)	23.45%
TOTAL EXPENSES	311,494.44	341,000.25	(29,505.81)	
NET SURPLUS (DEFICIT)	35,004.48	18,543.92	16,460.56	

GHCPSD - WATER DIVISION
INCOME STATEMENT
FOR THE PERIOD
07/01/20 - 12/31/20

	ACTUAL	BUDGET	VARIANCE	% OF TOTAL
INCOME				
DOMESTIC SERVICE/LATE CHGS	1,130,870.80	1,091,035.50	39,835.30	96.47%
FACILITIES CHARGE	-	-	-	0.00%
INTEREST INCOME	250.34	1,892.50	(1,642.16)	0.02%
MISCELLANEOUS/RECONNECT FEES	32,913.69	5,498.00	27,415.69	2.81%
QUIET DELL LEASE	3,000.00	3,000.00	-	0.26%
TAP FEES	5,250.00	5,600.00	(350.00)	0.45%
UNUSUAL CHARGE	-	-	-	0.00%
TOTAL INCOME	1,172,284.83	1,107,026.00	65,258.83	100.00%
EXPENSES				
ACCT, BILLING, & COLLECTING	23,004.98	26,177.50	(3,172.52)	2.10%
BRIDGEPORT SANITARY BOARD	-	-	-	0.00%
CHEMICALS	766.59	2,123.50	(1,356.91)	0.07%
CLARKSBURG SANITARY BOARD	-	-	-	0.00%
DEBT SERVICE	147,665.10	147,576.00	89.10	13.45%
DIRECTORS FEES	2,959.62	3,570.50	(610.88)	0.27%
EMP. BEN./GROUP INSURANCE/PENSION COSTS	37,494.41	32,822.50	4,671.91	3.41%
LAB SERVICE	4,662.33	3,318.00	1,344.33	0.42%
LABOR	172,539.12	164,040.00	8,499.12	15.71%
MAINTENANCE	62,755.49	66,244.50	(3,489.01)	5.72%
MISCELLANEOUS EXPENSE	13,133.03	-	13,133.03	1.20%
OFFICE SUPPLIES & EXPENSE	893.20	497.50	395.70	0.08%
OUTSIDE SERVICES/CONTRACT LABOR	25,006.75	36,215.00	(11,208.25)	2.28%
POWER PURCHASED	17,548.99	18,957.50	(1,408.51)	1.60%
PROPERTY/LIABILITY & INJURIES INSURANCE	21,938.42	17,666.50	4,271.92	2.00%
REGULATORY COMMISSION	6,668.76	3,287.00	3,381.76	0.61%
RENEWAL & REPLACEMENT	33,024.34	27,502.00	5,522.34	3.01%
RENT EXPENSE	15,000.00	15,000.00	-	1.37%
TAXES	14,924.63	14,411.00	513.63	1.36%
TRANSPORTATION	20,883.08	14,010.50	6,872.58	1.90%
UTILITIES	4,676.13	4,839.50	(163.37)	0.43%
WATER PURCHASED	472,428.19	475,593.50	(3,165.31)	43.03%
TOTAL EXPENSES	1,097,973.16	1,073,852.50	24,120.66	100.00%
NET SURPLUS (DEFICIT)	74,311.67	33,173.50	41,138.17	

GHCPSD - SEWER DIVISION
INCOME STATEMENT
FOR THE PERIOD
07/01/20 -12/31/20

	ACTUAL	BUDGET	VARIANCE	% OF TOTAL
INCOME				
DOMESTIC SERVICE/LATE CHGS	1,077,551.85	973,435.50	104,116.35	91.42%
FACILITIES CHARGE	15,000.00	15,000.00	-	1.27%
INTEREST INCOME	380.16	361.50	18.66	0.03%
MISCELLANEOUS/RECONNECT FEES	-	172.00	(172.00)	0.00%
QUIET DELL LEASE	-	-	-	0.00%
TAP FEES	10,050.00	857.50	9,192.50	0.85%
UNUSUAL CHARGE	75,662.33	60,412.50	15,249.83	6.42%
TOTAL INCOME	1,178,644.34	1,050,239.00	128,405.34	100.00%
EXPENSES				
ACCT, BILLING, & COLLECTING	3,905.99	4,115.50	(209.51)	0.47%
BRIDGEPORT SANITARY BOARD	39,423.38	52,394.00	(12,970.62)	4.78%
CHEMICALS	9,838.00	11,520.50	(1,682.50)	1.19%
CLARKSBURG SANITARY BOARD	12,572.52	10,579.00	1,993.52	1.53%
DEBT SERVICE	238,613.94	240,597.00	(1,983.06)	28.96%
DIRECTORS FEES	1,640.38	2,995.00	(1,354.62)	0.20%
EMP. BEN./GROUP INSURANCE/PENSION COSTS	23,316.24	22,707.50	608.74	2.83%
LAB SERVICE	2,742.07	2,303.50	438.57	0.33%
LABOR	83,691.76	98,140.50	(14,448.74)	10.16%
MAINTENANCE	122,988.03	58,251.00	64,737.03	14.92%
MISCELLANEOUS EXPENSE	0.26	-	0.26	0.00%
OFFICE SUPPLIES & EXPENSE	5,975.12	6,813.00	(837.88)	0.73%
OUTSIDE SERVICES/CONTRACT LABOR	121,242.56	139,146.00	(17,903.44)	14.71%
POWER PURCHASED	69,517.79	61,902.50	7,615.29	8.44%
PROPERTY/LIABILITY & INJURIES INSURANCE	10,857.58	12,496.50	(1,638.92)	1.32%
REGULATORY COMMISSION	4,865.50	3,715.50	1,150.00	0.59%
RENEWAL & REPLACEMENT	57,551.93	225,000.00	(167,448.07)	6.98%
RENT EXPENSE	-	-	-	0.00%
TAXES	4,095.45	6,802.00	(2,706.55)	0.50%
TRANSPORTATION	8,845.10	8,864.50	(19.40)	1.07%
UTILITIES	2,360.42	3,805.50	(1,445.08)	0.29%
WATER PURCHASED	-	-	-	0.00%
TOTAL EXPENSES	824,044.02	972,149.00	(148,104.98)	100.00%
NET SURPLUS (DEFICIT)	354,600.32	78,090.00	276,510.32	

GHCPSD - COMBINED
INCOME STATEMENT
FOR THE PERIOD
07/01/20 -12/31/20

	ACTUAL	BUDGET	VARIANCE	% OF TOTAL
INCOME				
DOMESTIC SERVICE/LATE CHGS	2,208,422.65	2,064,471.00	143,951.65	93.94%
FACILITIES CHARGE	15,000.00	15,000.00	-	0.64%
INTEREST INCOME	630.50	2,254.00	(1,623.50)	0.03%
MISCELLANEOUS/RECONNECT FEES	32,913.69	5,670.00	27,243.69	1.40%
QUIET DELL LEASE	3,000.00	3,000.00	-	0.13%
TAP FEES	15,300.00	6,457.50	8,842.50	0.65%
UNUSUAL CHARGE	75,662.33	60,412.50	15,249.83	3.22%
TOTAL INCOME	2,350,929.17	2,157,265.00	193,664.17	100.00%
EXPENSES				
ACCT, BILLING, & COLLECTING	26,910.97	30,293.00	(3,382.03)	1.40%
BRIDGEPORT SANITARY BOARD	39,423.38	52,394.00	(12,970.62)	2.05%
CHEMICALS	10,604.59	13,644.00	(3,039.41)	0.55%
CLARKSBURG SANITARY BOARD	12,572.52	10,579.00	1,993.52	0.65%
DEBT SERVICE	386,279.04	388,173.00	(1,893.96)	20.10%
DIRECTORS FEES	4,600.00	6,565.50	(1,965.50)	0.24%
EMP. BEN./GROUP INSURANCE/PENSION COSTS	60,810.65	55,530.00	5,280.65	3.16%
LAB SERVICE	7,404.40	5,621.50	1,782.90	0.39%
LABOR	256,230.88	262,180.50	(5,949.62)	13.33%
MAINTENANCE	185,743.52	124,495.50	61,248.02	9.66%
MISCELLANEOUS EXPENSE	13,133.29	-	13,133.29	0.68%
OFFICE SUPPLIES & EXPENSE	6,868.32	7,310.50	(442.18)	0.36%
OUTSIDE SERVICES/CONTRACT LABOR	146,249.31	175,361.00	(29,111.69)	7.61%
POWER PURCHASED	87,066.78	80,860.00	6,206.78	4.53%
PROPERTY/LIABILITY & INJURIES INSURANCE	32,796.00	30,163.00	2,633.00	1.71%
REGULATORY COMMISSION	11,534.26	7,002.50	4,531.76	0.60%
RENEWAL & REPLACEMENT	90,576.27	252,502.00	(161,925.73)	4.71%
RENT EXPENSE	15,000.00	15,000.00	-	0.78%
TAXES	19,020.08	21,213.00	(2,192.92)	0.99%
TRANSPORTATION	29,728.18	22,875.00	6,853.18	1.55%
UTILITIES	7,036.55	8,645.00	(1,608.45)	0.37%
WATER PURCHASED	472,428.19	475,593.50	(3,165.31)	24.58%
TOTAL EXPENSES	1,922,017.18	2,046,001.50	(123,984.32)	100.00%
NET SURPLUS (DEFICIT)	428,911.99	111,263.50	317,648.49	

GREATER HARRISON COUNTY PSD - SEWER
Statement of Cash Flows
December 2020

OPERATING ACTIVITIES	
Net Income (Loss)	$ 37,184.34
Adjustments to reconcile Net Income to net cash provided by operations:	
Accounts Payable	$ (26,090.09)
Customer Deposits	$ 1,958.13
Payroll Liabilities	$ (843.80)
Due (From) To Water Fund	$ (57,085.08)
Net cash provided by Operating Activities	$ (44,876.50)
INVESTING ACTIVITIES	
1450 · WORK IN PROGRESS:Row's & Land	$ (27,852.00)
Fixed Assets Project	$ (1,076,582.32)
Net cash provided by Investing Activities	$ (1,104,434.32)
FINANCING ACTIVITIES	
	$ -
5.5 Agreements	$ -
Draw on Bond & Grants	$ 1,104,434.60
Net cash provided by Financing Activities	$ 1,104,434.60
Net cash increase for period	$ (44,876.22)
Cash at beginning of period	$ 1,263,016.80
Cash at end of period	**$ 1,218,140.58**
Unrestricted Cash	$ 533,726.54
Restricted Cash	
Construction Account	$ 1,702.49
Depreciation Reserve	$ 579,824.14
Rural Development Reserve	$ 25,263.54
Bond Commission Sweep	$ 40,419.99
Customer Deposits	$ 37,203.88
Total Restricted Cash	$ 684,414.04
Total Unrestricted & Restricted Cash	**$ 1,218,140.58**
	$ -

GREATER HARRISON COUNTY PSD - WATER
Statement of Cash Flows
December 2020

OPERATING ACTIVITIES		
Net Income (Loss)	$	(2,179.86)
Adjustments to reconcile Net Income		
to net cash provided by operations:		
Accounts Receivable	$	9,774.54
Accounts Payable	$	(30,300.16)
Customer Deposits	$	1,688.83
Due (From) To Sewer Fund	$	57,085.08
Net cash provided by Operating Activities	$	36,068.43
INVESTING ACTIVITIES		
Fixed Assets	$	-
	$	-
Net cash provided by Investing Activities	$	-
FINANCING ACTIVITIES		
5.5 Agreement	$	-
Grants	$	-
Net cash provided by Financing Activities	$	-
Net cash increase for period	$	36,068.43
Cash at beginning of period	$	983,531.18
Cash at end of period	**$**	**1,019,599.61**
Unrestricted Cash	$	691,900.72
Restricted Cash		
Depreciation Reserve	$	251,254.80
Bond Commission Sweep	$	26,503.00
Customer Deposits	$	49,941.09
Total Restricted Cash	$	327,698.89
Total Unrestricted & Restricted Cash	**$**	**1,019,599.61**
	$	-

E3

CHARLES POINTE
COMMUNITY ENHANCEMENT DISTRICT BOARD

MINUTES OF REGULAR MEETING OF BOARD

The members of the Charles Pointe Community Enhancement District Board (the "Board") met in regular session, pursuant to notice duly given, on December 4, 2020, via video and telephonic conference duly noticed, at the hour of 3:00 p.m.

PRESENT: Doug Miley
John Walker
Terri Scoville
Joe Carbacio

ABSENT: James Dufford

ALSO PRESENT: Mark A. Imbrogno, Jackson Kelly PLLC, Counsel for the Board
Thomas L. Aman, Jr., Steptoe & Johnson PLLC, Counsel for the Harrison County Commission
James R. Christie, Counsel for Genesis Partners Limited Partnership
Morgan Steiner, Municap, Inc.

John Walker, Chairman, announced that a quorum of members was present and that the meeting was open for any business properly before it.

As the first item of business, the Board considered for approval of the minutes of the meeting of the Board held on October 27, 2020, which had been provided to the Board members for review prior to the meeting. Upon motion by Joe Carbacio, seconded by Terri Scoville, the minutes were approved.

As the second order of business, the Board then considered approval of the reallocation of CED Assessments on the parcels of land located in the Charles Pointe Community Engagement District (the "District") and assessed for real estate tax purposes as Tax Map 289, Parcel 13.2, Tax Map 289, Parcel 14.4 and Tax Map 289, Parcel 14, to reflect the subdivision of such parent tracts in accordance with schedules and related information relating to same prepared by MuniCap, Inc., as administrator of the District.

Prior to any action being taken on the reallocation, Jim Christie provided an update on the status of development in the District and background on the need for the proposed reallocations. Tom Aman than discussed a proposed agreement regarding how payment of the reallocated CED Assessments would be addressed, and that such agreement would be forthcoming

in short order for consideration by the Board. Morgan Steiner then provided an overview of the reallocation schedules prepared by Municap, Inc.

After hearing the explanation of and discussion of the reallocation schedules, upon motion by Ms. Scoville, seconded by Doug Miley, the reallocation of CED Assessments on the parcels of land located in the District and assessed for real estate tax purposes as Tax Map 289, Parcel 13.2, Tax Map 289, Parcel 14.4 and Tax Map 289, Parcel 14, to reflect the subdivision of such parent tracts in accordance with schedules and related information relating to same prepared by MuniCap, Inc., as administrator of the District, was approved.

Mr. Christie then discussed the proposed agreement regarding payment of the reallocated CED Assessments and noted that the agreement will need approved by the Board at another meeting to be held prior to the end of 2020.

There being no further business to come before the meeting, on motion by Ms. Miley, seconded by Mr. Carbacio, it was unanimously ordered that the meeting adjourn.

[The remainder of this page intentionally left blank; signatures follow.]

Dated: December 4, 2020.

Chairman

Secretary

[Signature Page to Minutes of Regular Meeting of Charles Pointe CED Board held December 4, 2020.]

CHARLES POINTE
COMMUNITY ENHANCEMENT DISTRICT BOARD

MINUTES OF SPECIAL MEETING OF BOARD

The members of the Charles Pointe Community Enhancement District Board (the "Board") met in special session, pursuant to notice duly given, on December 18, 2020, via video and telephonic conference duly noticed, at the hour of 3:00 p.m.

PRESENT: John Walker
Terri Scoville
James Dufford

ABSENT: Doug Miley
Joe Carbacio

ALSO PRESENT: Mark A. Imbrogno, Jackson Kelly PLLC, Counsel for the Board
Thomas L. Aman, Jr., Steptoe & Johnson PLLC, Counsel for the Harrison County Commission
James R. Christie, Counsel for Genesis Partners Limited Partnership
Morgan Steiner, Municap, Inc.

John Walker, Chairman, announced that a quorum of members was present and that the meeting was open for any business properly before it.

As the first item of business, the Board considered for approval of the minutes of the meeting of the Board held on December 4, 2020, which had been provided to the Board members for review prior to the meeting. Upon motion by Terri Scoville, seconded by Jim Dufford, the minutes were approved.

As the second order of business, the Board then considered approval of Resolution Approving a Second Amendment to Forbearance Agreement By and Among The County Commission of Harrison County, the Charles Pointe Community Enhancement District, UMB Bank, National Association and Genesis Partners, Limited Partnership, Regarding the Payment of Community Enhancement District Assessments for the Charles Pointe Community Enhancement District; Authorizing the Execution and Delivery of the Second Amendment to Forbearance Agreement; Approving the Supplement to Thirteenth Revised Special Assessment Roll; Approving the Replacement of a Portion of the Thirteenth Revised Special Assessment Roll; Approving the Providing of Certain Notices With Respect to CED Assessments; and Authorizing the Taking of All Other Actions Relating to the Second Amended Forbearance Agreement.

As a part of the Board's consideration of the Resolution, Tom Aman provided an explanation of the Resolution and the need for the Second Amendment to Forbearance Agreement. Ms. Scoville then asked Mr. Aman follow-up questions regarding the forbearance plan and how it will be addressed in 2021, and Mr. Aman and Jim Christie responded with details of the plan and provided additional overview of the status of development in the District and restructuring of the existing bonds, and how that may impact assessments in the future.

After hearing the explanations of the Resolution and details of the forbearance arrangement, upon motion by Mr. Dufford, seconded by Ms. Scoville, the Resolution was adopted.

There being no further business to come before the meeting, on motion by Ms. Scoville, seconded by Mr. Dufford, it was unanimously ordered that the meeting adjourn.

[The remainder of this page intentionally left blank; signatures follow.]

Dated: December 18, 2020.

John Walsh

Chairman

Theresa Scoville

Secretary



HARRISON COUNTY COURT HOUSE

Harrison County Assessor

Joseph R. "Rocky" Romano

301 West Main Street

Clarksburg, WV 26301

Phone (304) 624-8510 Fax (304) 626-1066

F [redacted]

January 6, 2021

Honorable Harrison County Commission
Susan J. Thomas, President
301 W Main Street
Clarksburg, WV 26301

RE: Certification of Notices Mailed

Dear Commissioners,

In accordance with SB 401 passed March 13, 2010 (effective May 14, 2010), §11-3-15b requires the assessor to send a notice of increase in the assessment of personal property by January 15 if the value of business and personal property has:

1. An assessed value of tangible personal property greater than 10% of the prior year's assessed value and;
2. The aggregate assessed value of the property has increased one hundred thousand dollars ($100,000) or more over the prior years assessed value.

Pursuant to §11-3-15b (d), no later than the 16th day of the tax year, the assessor shall certify to the county commission and to the Tax Commissioner the date on which all notices under this section were mailed.

This letter is to certify receipt of a letter from the Tax Department and a list of taxpayers in Harrison County that will receive an increase letter for commercial business returns that were processed for the 2020 tax year. According to the Department of Tax and Revenue, these increase notices were mailed December 18, 2020.

I hereby certify that we have complied with the legislation and the West Virginia State Tax Department verifies this task was completed.

Joseph R. "Rocky" Romano
Assessor of Harrison County

cc: Dale W. Steager, Tax Commissioner
WV Department of Tax and Revenue

Taken, subscribed, and sworn to before me this 6th day of January 2021.

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
Christina Murphy
Harrison County Assessor's Office
301 W. Main Street
Clarksburg, WV 26301
My Commission Expires January 10, 2025

Notary Public

My commission expires: Jan. 10, 2025

WEST VIRGINIA
SOLID WASTE MANAGEMENT BOARD

601 57th St. SE
Charleston, WV 25304
(304)926-0448

Mark D. Holstine, PE, Executive Director
www.state.wv.us/swmb

December 17, 2020

Mike Grunau, Chairman
Harrison County Solid Waste Authority
P.O. Box 1396
Clarksburg, WV 26301

Chairman Grunau:

The Harrison County Commercial Solid Waste Facility Siting Plan update was approved at the December 16, 2020 meeting of the Solid Waste Management Board (SWMB). Within sixty (60) days, your Authority must now submit four copies of your final plan, to the SWMB. A copy of this letter should be included in all copies of the final plan.

In addition, each authority must transmit one copy of the plan to each appropriate regional planning and development council, county commission and to the office of each appropriate county clerk, who shall file the plan in the appropriate manner and make it available for public inspection. We also ask that an electronic version, in WORD format, be forwarded to the SWMB on a flash drive or by email.

If you have any questions, please feel free to contact me.

Sincerely,

Carol Ann Throckmorton
Environmental Resource Specialist III

SOLID WASTE AUTHORITY

OF

HARRISON COUNTY

COMMERCIAL SOLID WASTE

FACILITY SITING PLAN

September 12, 1997 – Original

Revised April 1, 2020 - Revised

Michael L. V. Grunau, Chairman, Harrison County Solid Waste Authority

TABLE OF CONTENTS

INTRODUCTION 3

PURPOSE OF THE PLAN 4

SITING PLAN RATIONALE 5

PROCEDURES, METHODOLOGIES AND CONCLUSIONS 7

TRANSPORTATION FACILITIES 10

PROPERTY VALUES 10

GROUNDWATER, SURFACE WATER AND WETLAND INVOLVMENT 11

GEOLOGICAL AND HYDROLOGICAL CONDITIONS 11

AESTHETIC AND ENVIRONMENTAL CONSIDERATIONS 11

HISTORIC AND CULTURAL RESOURCES 12

PRESENT AND POTENTIAL LAND USES 12

PUBLIC HEALTH, WELFARE AND 12

NARRATIVE DESCRIPTIONS OF ZONES FOR CLASSED LANDFILLS 13

PROVISIONS OF THE COMPREHENSIVE LITTER AND SOLID WASTE CONTROL PLAN 18

UPDATE AND AMENDMENT PROCESS 18

APPENDICES

APPENDIX A	Title 54 Legislative Rules Solid Waste Management Board
APPENDIX B	Commercial Solid Waste Facility Siting Maps
APPENDIX C	Public Participation Process Documentation
APPENDIX D	Minutes of Harrison County Solid Waste Authority Meeting

INTRODUCTION

West Virginia Division of Natural Resources, Solid Waste Division, and the Solid Waste Management Board adopted legislative rules, which direct regional and county solid waste authorities to develop a draft-siting plan for their areas by February 28, 1991. The responsibility for solid waste was later transferred from the Division of Natural Resources to the Department of Environmental Protection and Title 47CSR38 as amended became Title 33CSR1. The Solid Waste Management Board (hereafter referred to as the Board) is given this authority by WV Code §22C-4-24. Harrison County Solid Waste Authority (hereafter referred to as the Authority) has developed a siting plan based upon the criteria adopted under Title 54, Legislative rules Solid Waste Management Board Series 4, "Commercial Solid Waste Facility Siting Plans," (see Appendix A) for siting commercial solid waste facilities within Harrison County.

It must be noted that this siting plan is county wide and, therefore, cannot contain the detail required for a specific site assessment. Approval of an area for a commercial solid waste facility (regardless of size) does not relieve the developer of the necessary environmental baselines needed for a specific location. In addition, the Commercial Solid Waste Facility Siting Plan is based upon readily available information, as per 54CSR4-5.5.a., and does not cover the political or technical considerations that may arise due to its implementation. Other forums have been provided for those considerations.

PURPOSE OF THE PLAN

The life of this Revised Plan is expected to serve Harrison County for the next fifteen years, through the year 2035; however, economic growth in Harrison County and 54CSR4 realistically dictates a five-year review and update.

SITING PLAN RATIONALE

The siting plan for Harrison County conforms to WV Code, Chapter §22C-4-24, and to Title 54, Series 4, Rules. The County has been zoned for the following facilities:

A. Class A Landfills

B. Class B and C Landfills

C. Class D Landfills

D. Solid Waste Transfer Station

E. Recycling Facilities

F. Energy Recovery Facilities and Incinerators (Banned State Wide - WV Code 22-15-19)

G. Materials Recovery Facilities

H. Composting Facilities

The County was zoned as either "authorized", "tentatively prohibited," or "prohibited" for each of the above facilities. Rationale for each zoning classification is found in that respective narrative. A detailed map showing the zoned categories accompanies this site plan (Appendix B).

In order for a zone to be approved, the area has to be evaluated by the following criteria:

1. Efficient disposal of solid waste

2. Economic development

3. Transportation facilities

4. Property values

5. Groundwater, surface water and wetland involvement

6. Geological and hydrological conditions

7. Aesthetic and environmental quality considerations

8. Historical and cultural resources

9. Present and potential land uses for residential, commercial, and recreational

10. Public health, welfare, and convenience

In addition to the above criteria, there are areas where facilities are prohibited by Title 54-4-5.3 as listed below.

A. within 300 feet of any surface water

B. within 300 feet of any wetland

C. within a perennial stream

D. within a 100-year flood plain

E. within 1,200 feet of any public or private water supply in existence at the time of zone establishment

F. within 1,000 feet of right-of-way of state trunk, interstate or federal aid highway or public park unless screened.

G. within six (6) miles of any airport facility used by turbojet aircraft. (Federal Rule 49USC14718.d)

H. within 500 feet of any dwelling occupied at the time of siting as a zone

I. over or within 200 feet of deep mined areas which have demonstrated subsidence problems or surface mines (reclaimed) with documented water quality problems.

J. active surface mine areas

Rationale for developing each of these points is given in the following sections.

It must be emphasized again that the above criteria is county wide. When an individual site is to be zoned for a commercial solid waste facility then these criteria are applied to that localized area.

All applications for certificate of site approval will be analyzed on a site-specific basis.

PROCEDURES, METHODOLOGIES AND CONCLUSIONS FOR COUNTY- WIDE ZONE DEVELOPMENT

The complexity of the siting criteria dictate that other local and county agencies be involved in the siting process. These agencies will be asked to furnish information in order to secure the latest and most accurate status of transportation systems, public utilities, and future planning needs within the county. The agencies and organizations contacted will be listed under their appropriate sections.

If any of the information received back from these agencies and organizations indicate a problem exists within the area and after careful review by the Harrison County Solid Waste Authority, the area may be denied based on the failure of the area to satisfy siting criteria.

Advice, prior to ruling, will be sought from either legal counsel for the Solid Waste Authority; the State Attorney Generals office; the Department of Environmental Protection; or the Solid Waste Management Board in the following events: (1) interpretation of criteria objectives are unclear; (2) definitions are lacking; (3) legal questions exist; or (4) overall status of information is not enough to make an informed decision on any one of the criteria.

Given below is a review of each criteria along with the methodology used to develop that criteria.

I. EFFICIENT DISPOSAL OF SOLID WASTE

In February 1990, a report entitled "Solid Waste Study and Comprehensive Plan (Draft); Harrison County, WV was jointly issued by the Harrison County Planning Commission and the Harrison County Solid Waste Authority. This draft report outlined the status of solid waste collection and landfills within the county. It also attempted to assess the future needs of the county with the available resources and steps for dealing with illegal dumps and cleanup cost for these dumps. This study was an aid in developing our first siting and comprehensive plan and is available for review in our office.

Harrison County has had in effect since June, 1990, a county wide referendum to recycle selected solid waste (i.e. steel, bi-metal, and aluminum cans, plastic containers (with necks) that once contained a liquid and are made of PET (#1) or HDPE (#2) resin, paper and newspaper). Harrison County has nine (9) curbside recycling collection programs that furnish services. One recycling material drop-off facility and one commercial composting center which operate within the county.

Siting of new commercial solid waste facilities must take into consideration the existing recycling centers, landfills and composting facility. Existing landfills may be able to support the Harrison County area and a new facility may not be economically feasible.

It must be emphasized that landfills cost the residents in both development and operational expenses. Since the cost must be borne by the customer then it is imperative to consider

efficient disposal of solid waste to reduce the monthly fees.

II. ECONOMIC DEVELOPMENT

Harrison County has two economic development organizations. The Harrison County Development Authority and the Harrison County Planning Commission both promote economic development within the county.

The siting of a commercial solid waste facility produces both a positive and negative economic impact for the county. The positive aspect is that if the facility is privately owned then county and state taxes are generated and regardless of ownership (either county or private) salaries and jobs are created which aid local economy. A properly designed, constructed, and maintained facility by a responsible company can produce desirable land and increase surrounding property values. This has taken place in a number of states.

The negative impacts are that an improperly designed, constructed, and maintained facility can have a serious devaluation of surrounding property value and produce land that may not be suitable or desirable for any purpose. The cost of monitoring by the county authority may be so large that all tipping fees and tax revenues are consumed just for monitoring. One of the long-term problems is that a badly sited commercial solid waste facility can prevent industrial development for years after closure of the facility.

It is imperative that input from both economic development agencies be considered when siting zones to ensure that the maximum positive impact of solid waste facilities is realized. In addition, input from these agencies will be requested on local siting applications to ensure continued economic development within the county.

If after careful study, it is found that establishing a zone in a pertinent area will result in a negative impact, that area will be zoned as tentatively prohibited or prohibited depending on the findings.

III. CONCLUSION

Executive Summary - Harrison County has in existence two active landfill sites, Meadowfill Landfill and S & S Landfill.

Since our original siting plan was approved by the West Virginia Solid Waste Management Board on April 29, 1992, the City of Clarksburg has opened a yardwaste compost facility on the site of its former landfill. This yardwaste compost facility is open to residents countywide.

Additionally, since our original siting plan was approved by the West Virginia Solid Waste Management Board on April 29, 1992, Enterprise Sanitation, Inc has opened a commercial recycling center that serves Harrison County and other areas of North Central West Virginia. The recycling center is open to anyone wishing to drop off recyclable materials.

The Solid Waste Authority recognizes that some areas zoned "tentatively prohibited" may

need to be re-classed in the future if economic or demographic considerations warrant or a site closes. However, the prohibited zones will remain intact.

Based upon the current facilities located within the county and the delineation of the zoned areas, it is the conclusion of the Solid Waste Authority that the northwestern, western, and southwestern areas of the county hold the most potential for any new development. Again, the Authority would need to review the siting requests on a site-by-site basis.

TRANSPORTATION FACILITIES

The Harrison County Solid Waste Authority will rely on the expertise of the West Virginia Division of Highways to render a decision as to whether increased truck traffic will be damaging to the existing roads in the requested site area. The West Virginia Department of Public Safety (State Police) and the Harrison County Sheriff's Office will be relied on to determine if the increased truck traffic will represent a substantial increase in accident potential based upon the past listing of the roads in question. Local law enforcement (city police) may or may not be contacted for input depending on the size of the municipality involved. However, concerns from municipalities will be heard if they wish to make statements during the public participation process.

Harrison County does have a railway system, but it extends to only limited areas of the county. Most of the rail system is in place to serve the coal or power generation industries with some of the rail network under private ownership.

Commercial waterway systems exist only in the northern part of the county and serve a power generation plant.

Interstate 79 and US Route 50 meet near Bridgeport which allows easy access from any of the major interstate routes. These roads combined with US Rt 19 and State Rt 20 allows several key access points. Other highways serving the county are WV Route 131, WV Route 58, WV Route 98, WV Route 279 and WV Route 76 as well as numerous secondary roads.

PROPERTY VALUES

Countywide siting plans that zone areas as "authorized" or "tentatively prohibited" could decrease property values in those areas. It is expected that the only areas that will be zoned as "authorized" or "tentatively prohibited" will be rural where the land use will most likely be farming. Because of the requirements of establishing a boundary of five hundred feet (500 ft.) from an occupied dwelling (occupied at the time of zoning) without written permission of the owner, it is expected that property values will find their own levels within the affected zones. (54-4-5.3.i and 33-1-3.2.h.)

Property values from urban and industrial/commercial areas cannot be compared with rural areas. Rural areas have been historically lower than urban and commercial/industrial areas. There is the possibility that after closure of a properly designed, constructed, maintained, and operated landfill that usable real estate would be created that would increase surrounding property values.

GROUND WATER, SURFACE WATER, AND WETLAND INVOLVEMENT

Protection of both ground and surface water is a high priority concern in Harrison County. The 2010 United States Census Bureau reports Harrison County as having a population of 69,099 residents. Figures show that more than half of the population of Harrison County rely on ground water (water wells) for domestic drinking water supplies. The urban areas receive these raw water supplies from surface water through reservoirs or large rivers. The protection of surface and groundwater quality is important to insure adequate supplies during low flow periods. In addition, the raw water quality can affect the treatment costs of the public water distribution systems. The lower the water quality the higher and more complex the treatment costs.

Zones located upstream of a stream or drainage feeding a public water treatment plant are zoned as "tentatively prohibited." Site-specific criteria 54-4-5.3.e.2.A dictates that zones be prohibited within three hundred feet (300 ft.) of any surface water and twelve hundred feet (1,200 ft.) of any public or private water supply well in existence at the time of zone establishment (54-4-5.3.e.2.E). Prohibited zones will be established in all 100-year flood plains of any stream (54-4-5.3.e.2.D.)

Wetlands will be zoned on a site-by-site basis due to the extent of the extreme number of small wetlands encountered on the USGS Fish and Wildlife Maps. A prohibited zone will be established within three hundred feet (300 ft.) of any wetland mapped or unmapped (54-4-5.3.e.2.B.)

GEOLOGICAL AND HYDROLOGICAL CONDITIONS

Geology and hydrology are variable across the county, therefore, evaluation of the geology and hydrology will be determined on a site-by-site basis. The county is, therefore, zoned "tentatively prohibited" until site-specific information is developed, by the applicant and submitted for review to the Harrison County Solid Waste Authority.

AESTHETIC AND ENVIRONMENTAL QUALITY CONSIDERATION

Harrison County does support a public park system with one state park within the county boundaries, Watters - Smith State Park. Most of the local park facilities are located within various city limits and, therefore, will be in a prohibited zone. Facilities that are outside of city limits will have a one thousand (1,000 ft.) tentative prohibited zone established from its boundaries unless the permission of the parks commission can be obtained in writing and providing suitable screening of the facility (54-4-5.3.g.1) can be established. Any state or federal parks and recreation facility or forest, such as Watters Smith State Park, will be afforded the same protection under (54-4-5.3.g.1)

The Harrison County Airport Authority will have a prohibited zone established 6 miles from its boundaries due to the presence of turbojet aircraft used by the fixed-base operators and corporate aviation flight service under Federal Rule 49USC44718.d. This prohibited zone can be wavered.

Aesthetic and environmental quality will be established on a site for site basis. Some areas can be zoned prohibited based on the aesthetics such as locating a dump area next to a major public retail facility.

HISTORIC AND CULTURAL RESOURCES

Historical and cultural resources will be determined on a site basis. However, established historical and cultural landmarks will be zoned prohibited. The Harrison County Historical Society will be used to establish the historical importance on a site-by-site basis.

PRESENT AND POTENTIAL LAND USES

Most of the land within the county is in private ownership and rural in nature. Siting of commercial landfills will affect the use of not only the proposed landfill site but the land use surrounding the facility. Because of the situation with boundaries ownership, the county is largely zoned tentatively prohibited for landfills, which may affect the present and potential land uses.

It is conceivable that a landfill can create usable land after the fill is completed. However, this could not be considered justification for the positive impact on land use while the commercial landfill is active. Each site will be considered as requested.

PUBLIC HEALTH, WELFARE, AND CONVENIENCE

Public health, welfare, and convenience must be considered when siting a commercial solid waste facility. An example of this would be denying the siting of a commercial solid waste disposal facility upstream of a public water supply which could be contaminated by runoff from the facility either directly or by discharge through tributaries if a problem developed with the liner system or leachate collection system. Each site will be evaluated for these considerations on a case-by-case basis. The county has been zoned as tentatively prohibited pending review of the site.

ZONES & RATIONALE

Class A Landfill

A Class A facility means a commercial solid waste facility which handles an aggregate of between ten and thirty thousand (10,000 -30,000) tons of solid waste per month. A Class A facility includes two or more Class B solid waste landfills owned or operated by the same person in the same county, if the aggregate tons of solid waste handled per month by such landfills exceeds nine thousand nine hundred ninety-nine (9,999) tons of solid waste per month.

Authorized: Meadowfill Landfill.

Prohibited: The areas that are prohibited are denoted on Appendix B. These areas are prohibited because of one or more of the criteria established in Title 54 Legislative Rules, Series 4, including: (1) perennial streams, (2) 100-year floodplains, (3) other surface waters, including areas within three hundred (300) feet of the water, (4) property within one thousand (1000) feet of the right-of-way of any state trunk highway, interstate or federal aid primary highway, (5) water supply wells and springs, including areas within twelve hundred (1200) feet of wells and springs, and (6) public parks and recreation areas. Although presently unmapped, any area identified as follows shall also be zoned as prohibited: (1) wetlands, and areas within three hundred (300) feet of wetlands, and (2) airports, including areas within six (6) miles.

Tentatively Prohibited: All other areas are tentatively prohibited until it can be determined whether the area is suitable or unsuitable on a site-specific basis.

Class B Landfill

A Class B facility means a commercial solid waste facility which receives, or is expected to receive, an average daily quantity of mixed solid waste equal to or exceeding one hundred (100) tons each working day; or serves, or is expected to serve, a population equal to or exceeding forty thousand (40,000) persons, but which does not receive solid waste exceeding an aggregate of ten thousand (10,000) tons per month. A Class B facility does not include construction/demolition facilities: Provided, That the definition of Class B facility may include such reasonable subdivisions or sub classifications as the secretary may establish by legislative rule proposed in accordance with the provisions of WV Code §29A-1-1 et seq.

Authorized: S & S Landfill

Prohibited: The areas that are prohibited are denoted on Appendix B. These areas are prohibited because of one or more of the criteria established in Title 54 Legislative Rules, Series 4, including: (1) perennial streams, (2) 100-year floodplains, (3) other surface waters, including areas within three hundred (300) feet of the water, (4) property within one thousand (1000) feet of the right-of-way of any state trunk highway, interstate or federal aid

primary highway, (5) water supply wells and springs, including areas within twelve hundred (1200) feet of wells and springs, and (6) public parks and recreation areas. Although presently unmapped, any area identified as follows shall also be zoned as prohibited: (1) wetlands, and areas within three hundred (300) feet of wetlands, and (2) airports, including areas within six (6) miles.

Tentatively Prohibited: All other areas are tentatively prohibited until it can be determined whether the area is suitable or unsuitable on a site-specific basis.

Class C Landfill

A Class C facility means a commercial solid waste facility which receives, or is expected to receive, an average daily quantity of mixed solid waste of less than one hundred (100) tons each working day; and serves, or is expected to serve, a population of less than forty thousand (40,000) persons. A Class C facility does not include construction/demolition facilities.

Authorized: None.

Prohibited: The areas that are prohibited are denoted on Appendix B. These areas are prohibited because of one or more of the criteria established in Title 54 Legislative Rules, Series 4, including: (1) perennial streams, (2) 100-year floodplains, (3) other surface waters, including areas within three hundred (300) feet of the water, (4) property within one thousand (1000) feet of the right-of-way of any state trunk highway, interstate or federal aid primary highway, (5) water supply wells and springs, including areas within twelve hundred (1200) feet of wells and springs, and (6) public parks and recreation areas. Although presently unmapped, any area identified as follows shall also be zoned as prohibited: (1) wetlands, and areas within three hundred (300) feet of wetlands, and (2) airports, including areas within six (6) miles.

Tentatively Prohibited: All other areas are tentatively prohibited until it can be determined whether the area is suitable or unsuitable on a site-specific basis.

Class D Landfill

A Class D facility means any commercial solid waste facility for the disposal of only construction/demolition waste, and does not include the legitimate beneficial reuse of clean waste concrete/masonry substances for the purpose of structural fill or road base material.

Authorized: S&S Landfill and Meadowfill Landfill.

Prohibited: The areas that are prohibited are denoted on Appendix B. These areas are prohibited because of one or more of the criteria established in Title 54 Legislative Rules, Series 4, including: (1) perennial streams, (2) 100-year floodplains, (3) other surface waters, including areas within three hundred (300) feet of the water, (4) property within one thousand (1000) feet of the right-of-way of any state trunk highway, interstate or federal aid

primary highway, (5) water supply wells and springs, including areas within twelve hundred (1200) feet of wells and springs, and (6) public parks and recreation areas. Although presently unmapped, any area identified as follows shall also be zoned as prohibited: (1) wetlands, and areas within three hundred (300) feet of wetlands, and (2) airports, including areas within six (6) miles.

Tentatively Prohibited: All other areas are tentatively prohibited until it can be determined whether the area is suitable or unsuitable on a site-specific basis.

Solid Waste Transfer Stations

A transfer station means a combination of structures, machinery, or devices at a place, or facility where solid waste is taken from collection vehicles and placed in other transportation units (such as a walking floor, or other method of transfer as determined by the secretary) for movement to another solid waste management facility. Provided, when the initial generator of solid waste disposes of said waste into a container such as a roll-off, greenbox or bin which is temporarily positioned (not more than five days) at a specific location for transport by a transportation unit, such container shall not be considered a transfer station. Under any circumstances, leachate, litter, and windblown materials must be properly managed.

Authorized: None.

Prohibited: The areas that are prohibited are denoted on Figure No.1. These areas are prohibited because of one or more of the criteria established in Title 54 Legislative Rules, Series 4, including: (1) perennial streams, (2) 100-year floodplains, (3) other surface waters, including areas within three hundred (300) feet of the water, (4) property within one thousand (1000) feet of the right-of-way of any state trunk highway, interstate or federal aid primary highway, (5) water supply wells and springs, including areas within twelve hundred (1200) feet of wells and springs, and (6) public parks and recreation areas. Although presently unmapped, any area identified as follows shall also be zoned as prohibited: (1) wetlands, and areas within three hundred (300) feet of wetlands, and (2) airports, including areas within five thousand (5,000) feet of any runway utilized by piston-type aircraft, or ten thousand (10,000) feet if turbojet aircraft.

Tentatively Prohibited: All other areas are tentatively prohibited until it can be determined whether the area is suitable or unsuitable on a site-specific basis.

Energy Recovery Facilities and Incinerators

Energy recovery facility means any solid waste facility at which solid wastes are incinerated with the intention of using the resulting energy for the generation of steam, electricity, or any other use not specified herein.

Incinerator means an enclosed device using controlled flame combustion to thermally break down solid waste, including refuse-derived fuel, to an ash residue that contains little or no combustible materials.

Authorized: None.

Prohibited: West Virginia Code §22-15-19 states "...it shall be unlawful to install, establish or construct a new solid waste facility for the purpose of municipal solid waste incineration. The law became effective May 1, 1993.

Tentatively Prohibited: None.

Materials Recovery Facility

Materials recovery facility any solid waste facility at which source-separated materials or materials recovered through a mixed waste processing facility are manually or mechanically shredded or separated for purposes of reuse and recycling, but does not include a composting facility. All other areas are tentatively prohibited until it can be determined whether the area is suitable or unsuitable on a site-specific basis.

Authorized: None.

Prohibited: The areas that are prohibited are denoted on Appendix B. These areas are prohibited because of one or more of the criteria established in Title 54 Legislative Rules, Series 4, including: (1) perennial streams, (2) 100-year floodplains, (3) other surface waters, including areas within three hundred (300) feet of the water, (4) property within one thousand (1000) feet of the right-of-way of any state trunk highway, interstate or federal aid primary highway, (5) water supply wells and springs, including areas within twelve hundred (1200) feet of wells and springs, and (6) public parks and recreation areas. Although presently unmapped, any area identified as follows shall also be zoned as prohibited: (1) wetlands, and areas within three hundred (300) feet of wetlands, and (2) airports, including areas within five thousand (5,000) feet of any runway utilized by piston-type aircraft, or six miles if turbojet aircraft.

Tentatively Prohibited: All other areas are tentatively prohibited until it can be determined whether the area is suitable or unsuitable on a site-specific basis.

Recycling Facility

A Recycling facility means any solid waste facility for the purpose of recycling at which neither land disposal nor biological, chemical or thermal transformation of solid waste occurs; Provided, that mixed waste recovery facilities, sludge processing facilities and composting facilities are not considered to be reusing or recycling solid waste within the meaning of WV Code §22-15-1 et seq. and §22C-4-1 et seq.

Authorized: Enterprise Sanitation, Inc.

Prohibited: The areas that are prohibited are denoted on Appendix B. These areas are prohibited because of one or more of the criteria established in Title 54 Legislative Rules, Series 4, including: (1) perennial streams, (2) 100-year floodplains, (3) other surface waters, including areas within three hundred (300) feet of the water, (4) property within one thousand (1000) feet of the right-of-way of any state trunk highway, interstate or federal aid primary highway, (5) water supply wells and springs, including areas within twelve hundred (1200) feet of wells and springs, and (6) public parks and recreation areas. Although presently unmapped, any area identified as follows shall also be zoned as prohibited: (1) wetlands, and areas within three hundred (300) feet of wetlands, and (2) airports, including

areas within five thousand (5,000) feet of any runway utilized by piston-type aircraft, or six miles if turbojet aircraft.

Tentatively Prohibited: All other areas are tentatively prohibited until it can be determined whether the area is suitable or unsuitable on a site-specific basis

Composting Facilities

A Commercial composting facility means any solid waste facility processing solid waste by composting, including sludge composting, organic waste or yard waste composting, but does not include a composting facility owned and operated by a person for the sole purpose of compositing waste created by that person or such person and other persons on a cost-sharing or non-profit basis and shall not include land upon which finished or matured compost is applied for use as a soil amendment or conditioner.

Authorized: City of Clarksburg Commercial Yardwaste Composting Facility.

Prohibited:(1) perennial streams, other surface waters and areas within three hundred (300) feet of surface waters; (2) areas within the 100-year floodplain; (3) wetlands and areas within three hundred (300) feet of wetlands; (4) areas within three hundred (300) feet of any spring; (5) geologically unstable areas; (6) public parks and recreation areas; (7) sites where topography exceeds six (6) percent grade; (8) sites of insufficient area and terrain to allow for proper management of run-on, run-off, and leachate; (9) areas within two thousand (2000) feet of any health care facility, school, church or similar type of institution; (10) areas within two hundred (200) feet of drinking water supply wells, other water supplies, and occupied dwellings; (11) areas within fifty (50) feet of a federal or state highway right-of-way or twenty-five (25) feet of a city street right-of-way; (12) areas within one hundred (100) feet of an adjacent property owner's property line; (13) sites where run-off drains into a sinkhole; (14) sites with a seasonal high ground water table, less than two (2) feet from land surface; (15) sites having less than twenty (20) inches of soil over bedrock or an impervious pan; (16) solely residential areas; (17) municipalities, and (18) sites within five thousand (5,000) feet of any airport runway utilized by piston-type aircraft, or six miles if turbojet aircraft.

Tentatively Prohibited: All other areas are tentatively prohibited until it can be determined whether the area is suitable or unsuitable on a site-specific basis.

PROVISIONS OF THE COMPREHENSIVE LITTER AND SOLID WASTE CONTROL PLAN

The Solid Waste Authority of Harrison County Commercial Solid Waste Facility Siting Plan is consistent with the provisions of the Harrison County Comprehensive Litter and Solid Waste Management Plan, as submitted to the West Virginia Solid Waste Management Board pursuant to WV Code §22C-4-8, regarding collection and disposal of solid waste.

UPDATE AND AMENDMENT PROCESS

Each authority shall review the plan for its county every five years. A public hearing on the update and any amendments must be held in the same manner as outlined in Title 54-Series 4 Commercial Solid Waste Facility Siting Plans. Any changes or amendments necessary shall be submitted to the WV Solid Waste Management Board for approval.

At the time of the five year review the authority shall, in addition to any other amendments considered necessary, extend the period of time covered by the plan to include the next 20 years following the five-year review date.

The plan may be amended at any time by the county authority that originated the plan. Amendments must meet all requirements of the original plan, including that of holding a public hearing as detailed in the rules. No amendments may become effective until approved by the Board in the same manner as the original plan.

Upon application from any person or group, the authority may amend the siting plan by redesignating a zone or any portion of a zone. In such case, the person seeking the change has the burden to affirmatively and clearly demonstrate, based on all of the criteria set forth in the rule, that the requested redesignation is appropriate and proper and that any solid waste facility sited could be appropriately operated in the public interest at such location.

In order to make such demonstration, the person seeking the change shall make whatever examination is necessary and submit specific detailed information to the authority relating to the criteria in Title 54-Series 4 Rules.

APPENDIX A

Title 54 Legislative Rules Solid Waste Management Board

TITLE 54
LEGISLATIVE RULE
SOLID WASTE MANAGEMENT BOARD

SERIES 4
COMMERCIAL SOLID WASTE FACILITY SITING PLANS

§54-4-1. General.

1.1. Scope. -- The purpose of this rule is to establish minimum standards and requirements for the content, format, amendment, review, approval, and public participation process involved in county and regional solid waste facility siting plans, as required by W. Va. Code §22C-4-24. Such minimum standards and requirements are designed to protect the public health, safety, and environment throughout the state of West Virginia, and to ensure the fair and equitable evaluation of all sites proposed for use as solid waste facilities.

1.2. Authority. -- W. Va. Code §§22C-3-6 and 22C-4-24.

1.3. Filing Date. -- May 21, 2001.

1.4. Effective Date. -- May 21, 2001.

§54-4-2. Definitions.

The following words and terms, when used in this rule, shall have the following meaning, unless the context clearly indicates otherwise:

2.1. "Approved solid waste facility" means a commercial solid waste facility or practice which has a valid permit or compliance order under W. Va. Code §22-15-1 et seq.

2.2. "Authority" means any solid waste authority of any county or region in West Virginia, established by W. Va. Code §§22C-4-3 and 22C-4-4; or the county commission of any county which elected not to establish an authority, as allowed by W. Va. Code §22C-4-6.

2.3. "Board" means the West Virginia Solid Waste Management Board, as established by W. Va. Code §22C-3-4, or its authorized representatives.

2.4. "Class A facility" means a commercial solid waste facility which handles an aggregate of between ten and thirty thousand (10,000-30,000) tons of solid waste per month. "Class A facility" includes two or more Class B solid waste landfills owned or operated by the same person in the same county, if the aggregate tons of solid waste handled per month by such landfills exceeds nine thousand nine hundred ninety-nine (9,999) tons of solid waste per month.

2.5. "Class B facility" means a commercial solid waste facility which receives, or is expected to receive, an average daily quantity of mixed solid waste equal to or exceeding one hundred (100) tons each working day; or serves, or is expected to serve, a population equal to or exceeding forty thousand (40,000) persons, but which does not receive solid waste exceeding an aggregate of ten thousand (10,000) tons per month. "Class B facility" does not include construction/demolition facilities: Provided, That the definition of Class B facility may include such reasonable subdivisions or subclassifications as the director may establish by legislative rule proposed in accordance with the provisions of W. Va. Code §29A-1-1 et seq.

2.6. "Class C facility" means a commercial solid waste facility which receives, or is expected to receive, an average daily quantity of mixed solid waste of less than one hundred (100) tons each working day; and serves, or is expected to serve, a population of less than forty thousand (40,000) persons. "Class C facility" does not include construction/demolition facilities.

2.7. "Class D facility" means any commercial solid waste facility for the disposal of only construction/demolition waste, and does not include the legitimate beneficial reuse of clean waste concrete/masonry substances for the purpose of structural fill or road base material.

2.8. "Commercial recycler" means any person, corporation, or business entity whose operation involves the mechanical separation of materials for the purpose of reselling or recycling at least seventy percent (70%) by weight of the materials coming into the commercial recycling facility.

2.9. "Commercial solid waste facility" means any solid waste facility which accepts solid waste generated by sources other than the owner or operator of the facility, and does not include an approved solid waste facility owned and operated by a person for the sole purpose of disposal processing, or compositing of solid wastes created by that person or such person and other persons on a cost-sharing or nonprofit basis, and does not include land upon which reused or recycled materials are legitimately applied for structural fill, road base, mine reclamation, and similar applications.

2.10. "Compliance order" means an administrative order issued pursuant to W. Va. Code §22-15-10, authorizing a solid waste facility to operate without a solid waste permit.

2.11. "Commercial composting facility" means any solid waste facility processing solid waste by composting, including sludge composting, organic waste or yard waste composting, but does not include a composting facility owned and operated by a person for the sole purpose of compositing waste created by that person or such person and other persons on a cost-sharing or non-profit basis and shall not include land upon which finished or matured compost is applied for use as a soil amendment or conditioner.

2.12. "Construction/demolition waste" means waste building materials, packaging, and grubbing waste resulting from construction, remodeling, repair, and demolition operations on houses, commercial and industrial buildings, and other structures and pavements, including, but not limited to: wood, plaster, metals, asphaltic substances, bricks, blocks and concrete, other masonry materials, trees, brush, stumps, and other vegetative materials, but shall not include asbestos waste.

2.13. "Endangered or threatened species" means any endangered or threatened species, as defined in 50CFR17, of animal or plant, and includes those species listed as endangered or threatened in 50CFR17.

2.14. "Energy recovery incinerator" means any solid waste facility at which solid wastes are incinerated with the intention of using the resulting energy for the generation of steam, electricity, or any other use not specified herein.

2.15. "Incineration technologies" means any technology that uses controlled flame combustion to thermally break down solid waste, including refuse-derived fuel, to an ash residue that contains little or no combustible materials, regardless of whether the purpose is processing, disposal, electric or steam generation; or any other method by which solid waste is incinerated.

2.16. "Incinerator" means an enclosed device using controlled flame combustion to thermally break down solid waste, including refuse-derived fuel, to an ash residue that contains little or no combustible materials.

2.17. "Karst region" means a type of topography which is formed over limestone or dolomite by dissolution of the formation, and is characterized by sinkholes, caves, and similar features.

2.18. "Landfill" means any solid waste facility for the disposal of solid waste on or in the land for the purpose of permanent disposal. Such facility is situated, for the purpose of this rule, in the county where the majority of the spatial area of such facility is located.

2.19. "Materials recovery facility" means any solid waste facility at which source-separated materials or materials recovered through a mixed waste processing facility are manually or mechanically shredded or separated for purposes of reuse and recycling, but does not include a composting facility.

2.20. "Open dump" means any solid waste disposal which does not have a permit under W. Va. Code §22-15-1 et seq., or is in violation of state law, or where solid waste is disposed in a

manner that does not protect the environment.

2.21. "Person" or "persons" means any industrial user, public or private corporation, institution, association, firm, or company organized or existing under the laws of this or any other state or country; the state of West Virginia; governmental agency, including federal facilities; political subdivision; county commission; municipal corporation; industry; sanitary district; public service district; drainage district; soil conservation district; watershed improvement district; partnership; trust; estate; person or individual; group of persons or individuals acting individually or as a group; or any legal entity whatever.

2.22. "Plan" or "Siting plan" means the commercial solid waste facility siting plan required under W. Va. Code §22C-4-24.

2.23. "Recycle" or "Recycling" means the process by which recovered products are transformed into new products, and includes the collection, separation, recovery and sale or reuse of metals, glass, paper, tires, lead-acid batteries and other materials.

2.24. "Recycling facility" means any solid waste facility for the purpose of recycling at which neither land disposal nor biological, chemical or thermal transformation of solid waste occurs; Provided, That mixed waste recovery facilities, sludge processing facilities and composting facilities are not considered to be reusing or recycling solid waste within the meaning of W. Va. Code §§20-11-1 et seq., 22-15-1 et seq and 22C-4-1 et seq.

2.25. "Resource recovery facility" means any solid waste facility at which solid wastes are mechanically, biologically, chemically, or thermally transformed for the purpose of separating, removing, or creating any material or energy for reuse or sale, and at which land disposal of solid waste does not occur. "Resource recovery facility" includes composting facilities, environmentally acceptable incinerators, materials recovery facilities, energy recovery facilities and other such solid waste facilities not herein specified.

2.26. "Sludge" means any solid, semisolid, residue, or precipitate separated from or created by a municipal, commercial, or industrial waste treatment plant, water supply treatment plant, or air pollution control facility; or any other such waste having similar origin.

2.27. "Solid waste" means any garbage, paper, litter, refuse, cans, bottles, waste processed for the express purpose of incineration, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility; other discarded material, including offensive or unsightly matter, solid, liquid, semisolid, or contained liquid or gaseous material resulting from industrial, commercial, mining, or community activities, but does not include solid or dissolved material in sewage, or solid or dissolved material in irrigation return flows or industrial discharges which are point sources and have permits under W. Va. Code §22-11-1 et seq., or source, special nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, including any nuclear or byproduct material considered by federal standards to be below regulatory concern, or a hazardous waste either identified or listed under W. Va. Code §22-18-1 et seq., or refuse, slurry, overburden, or other waste or material resulting from coal-fired electric power or steam generation, the exploration, development, production, storage, and recovery of coal, oil and gas, and other mineral resources placed or disposed of at a facility which is regulated under W. Va. Code §§22-2-1 et seq., 22-3-1 et seq., 22-4-1 et seq., 22-6-1 et seq., 22-7-1 et seq., 22-8-1 et seq., 22-9-1 et seq., 22-10-1 et seq., or 22A-1-1 et seq., so long as such placement or disposal is in conformance with a permit issued pursuant to said chapters.

2.28. "Solid waste disposal" means the practice of disposing of solid waste, including placing, depositing, dumping, or throwing, or causing to be placed, deposited, dumped, or thrown any solid waste.

2.29. "Solid waste disposal shed" means the geographical area which the Solid Waste Management Board designates and files in the state register pursuant to W. Va. Code §22C-3-9.

2.30. "Solid waste facility" means any system, facility, land, contiguous land, improvements on the land, structures, or other appurtenances or methods used for processing, recycling, or disposing of solid waste, including landfills, transfer stations, materials recovery facilities, mixed waste processing facilities, sewage sludge processing facilities, commercial composing facilities and other such facilities not herein specified, but not including land upon which sewage sludge is applied in accordance with W. Va. Code §22-15-20 (b). Such facilities shall be deemed to be situated, for the purposes of this rule in the county where the majority of the spatial area of such facility is located. Provided, that a salvage yard licensed and regulated pursuant to the terms of W. Va. Code §17-23, is not a solid waste facility.

2.31. "Transfer station" means a combination of structures, machinery, or devices at a place, or facility where solid waste is taken from collection vehicles and placed in other transportation units (such as a "walking floor," or other method of transfer as determined by the director) for movement to another solid waste management facility. Provided, when the initial generator of solid waste disposes of said waste into a container such as a roll-off, greenbox or bin which is temporarily positioned (not more than five days) at a specific location for transport by a transportation unit, such container shall not be considered a transfer station. Under any circumstances, leachate, litter and windblown materials must be properly managed.

2.32. "Wetlands" means those naturally occurring areas, as defined under 40CFR232.2(r), that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. "Wetlands" generally include swamps, marshes, bogs, and similar areas.

2.33. "100-year flood" means a flood that has a one percent or greater chance of recurring in any given year, or a flood of a magnitude equaled or exceeded once in one hundred (100) years on the average, over a significantly long period of time.

§54-4-3. Procedure for Plan Development and Approval.

3.1. Submission to the Board. -- A commercial solid waste facility siting plan is to be submitted to the Board. The plan shall be updated and submitted every five years after any new or updated plan is approved by the Board or within ninety (90) days of the formation of a new authority.

3.2. Administrative Completeness Review.

3.2.a. If the Board finds the draft plan to be incomplete, ie., to not contain all of the information required by this rule, it shall return the plan to the Authority along with a written statement explaining how the plan is incomplete.

3.2.b. The authority shall have thirty (30) days to amend the plan by providing the remaining required information, and to submit the amended plan to the Board. No plan will be reviewed for technical merit until it is administratively complete.

3.3. Technical Review.

3.3.a. When a plan is determined to be administratively complete it will be subjected to a technical review of its contents, procedures, and processes.

3.3.b. The Board shall approve the final plan in writing if the Board determines that the plan complies with the purposes and requirements of applicable state and applicable federal law, if any, and the rules promulgated in this series.

3.3.c. If the Board determines that the plan should be rejected, it shall return the plan to the authority with a written statement of the insufficiencies in the plan.

3.3.d. Within ninety (90) days of receipt of a letter disapproving the plan, the authority shall revise the plan to eliminate the insufficiencies and submit the amended plan to the Board.

3.4. Final Submission to the Board. -- No later than sixty (60) days after approval, each county authority shall submit to the Board four (4) copies of its final plan. Each regional authority must submit one additional copy of the plan for each county within that region. Each authority shall transmit one copy of its plan to each appropriate regional planning and development council, county planning commission and to the office of each appropriate county clerk, who shall file the plan in the appropriate manner and make it available for public inspection.

3.5. Plans Developed by the Board. -- The Board shall develop a plan for any authority which fails to submit an update and for any new authority that fails to submit a plan within ninety (90) days of the due date under subdivision 3.2.a, provided that in preparing such plans, the Board may determine whether to prepare a regional- or county-based plan for those authorities which fail to complete such an update or for those new authorities that fail to complete a plan.

§54-4-4. Required Format of Commercial Siting Plan.

4.1. Required Format. -- In addition to the information required in section 5 of this rule, each plan submitted shall include:

4.1.a. A cover sheet which includes the name of the authority, the title of the plan, and the signature of the chairman of the authority;

4.1.b. A forward or preface which includes the purpose of the plan;

4.1.c. A table of contents indicating the major subdivisions of the plan;

4.1.d. A brief summary of the plan and its procedures, its methodology, and its conclusions;

4.1.e. The solid waste facility zones;

4.1.f. The rationale for establishing these zones;

4.1.g. The published announcement of all public hearings;

4.1.h. A brief summary of public comments and a statement describing how the authority responded to the public comments; and

4.1.i. Appropriate highway and topographical maps.

§54-4-5. Required Content of Commercial Siting Plan.

5.1. General Information. -- The plan shall include the following general information:

5.1.a. A description of the purposes and objectives to be met by the plan within a period of twenty (20) years.

5.1.b. The provisions of the comprehensive litter and solid waste control plan, as submitted to the Board pursuant to W. Va. Code §22C-4-8, regarding collection and disposal of solid waste and the requirements, if any, for additional commercial solid waste landfill and transfer station capacity.

5.2. Solid Waste Facility Zones.

5.2.a. Each plan shall contain a narrative description and appropriate topographical maps which delineate the zones in which:

5.2.a.1. Class A facilities (over 10,000 tons per month);

5.2.a.2. Class B and C facilities (under 10,000 tons per month);

5.2.a.3. Class D facilities (construction/demolition only);

5.2.a.4. Solid waste transfer stations;

5.2.a.5. Recycling facilities;

5.2.a.6. Energy recovery facilities, and environmentally acceptable incinerators,

5.2.a.7. Materials recovery facilities,

and

5.2.a.8. Composting facilities are "authorized," "tentatively prohibited," or "prohibited." Unless the readily available information clearly establishes that an area is suitable for the location of a commercial solid waste facility, or not suitable for such a facility, the area shall be designated as an area in which the location of a commercial solid waste facility is tentatively prohibited.

5.2.b. Each type of facility listed in subdivision 5.2.a shall be addressed separately in the narrative, along with the rationale for establishing the zone in accordance with subsection 5.3 of this rule. The separate zones may be displayed on a single topographical map or a series of topographical maps, as desired by the authority. All existing facilities listed in subsection 5.2.a will be listed in the plan and depicted on the map regardless of location in or out of an authorized zone. When a facility is located in more than one county, each affected county shall depict the facility on the map.

5.3. Rationale for Establishing Siting Zones. -- The rationale for establishing these zones shall be included in the narrative. This rationale shall consider the following criteria:

5.3.a. The efficient disposal of solid waste, including, but not limited to, all solid waste generated within the county or region, regardless of its origin. - Describe how the zones established by the plan will ensure the efficient collection, transfer, and disposal of solid waste.

5.3.b. Economic development. -- Describe how the zones established by the plan will have a positive or negative impact on the county or regional economy. Detail the specific impact and give reasoning behind the impact.

5.3.c. Transportation infrastructure. -- Describe how the transportation network will allow or prohibit the efficient transportation of solid waste into or through the established zones. Address all transportation routes, i.e., roads, river, and rail.

5.3.d. Property values. -- Describe how the zones established will have a positive or negative impact on property values.

5.3.e. Groundwater and surface waters -- Describe how the established zones will protect groundwater and surface waters in the area.

5.3.e.1. An authority shall establish a zone in which solid waste facilities are prohibited where the readily available information clearly establishes that the facilities will cause:

5.3.e.1.A. A significant adverse impact upon wetlands;

5.3.e.1.B. A significant adverse impact upon any surface water;

5.3.e.1.C. A significant adverse impact upon groundwater quality; or

5.3.e.1.D. A violation of surface water quality standards found in 47CSR3.

5.3.e.2. An authority shall establish a zone in which landfills are prohibited in the following areas, unless the readily available information clearly establishes that landfills may be located within the zone and not cause a significant adverse impact upon ground or surface water quality:

5.3.e.2.A. Within three hundred (300) feet of any surface water (facility drainage or sedimentation control structures are exempt from this distance calculation);

5.3.e.2.B. Within three hundred (300) feet of any wetlands (facility drainage or sedimentation control structures are exempt from this distance calculation);

5.3.e.2.C. Within a perennial stream;

5.3.e.2.D. Within a 100-year flood plain; and

5.3.e.2.E. Within twelve hundred (1,200) feet of any public or private water supply

well in existence at the time the zone is established.

5.3.f. Geological and Hydrological Conditions. -- Describe what geological and hydrological conditions prohibit or enable a zone to be suitable for siting a solid waste facility. Some of the factors which the authority shall consider are the existence of any known faults within two hundred (200) feet of the area, or other extreme hydrological or geological conditions, e.g., karst regions, solution cavities, extensive sandstone aquifers, shales, consolidated formations, aquitards, and the existence of any mining in the area. If the readily available information clearly establishes that any such conditions will cause a significant adverse impact on ground or surface water quality, the authority shall designate the area as prohibited for landfills.

5.3.f.1. For the purposes of this subsection, the term "mining" means the extraction of non-replenishable materials from the earth's crust, e.g., oil, gas, coal, minerals, sand, gravel, limestone, and other substances of a similar nature.

5.3.f.2. For the purposes of this subsection, the term "known fault" means a fault that has had displacement in Holocene time (i.e., during the last eleven thousand (11,000) years).

5.3.g. Aesthetic and Environmental Quality. -- Describe the positive or negative impacts the established zones will have on existing aesthetic and environmental conditions. For example, siting a recycling center at a former open dump might enable the reclamation of an unsanitary dump. Factors to be considered are the presence of public parks and recreation areas, state and national forests, and endangered or threatened species. An authority shall establish a zone in which landfills are prohibited in the following areas:

5.3.g.1. Within one thousand (1,000) feet of the nearest edge of the right-of-way of any state trunk highway, interstate, or federal aid primary highway, or the boundary of any public park, unless the facility is screened by natural objects, plantings, fences, or other appropriate means so that it is not readily visible from the highway or park; and

5.3.g.2. Within ten thousand (10,000) feet of any airport runway used or planned for use by turbojet aircraft, or within five thousand (5,000) feet of any airport runway used only by piston type aircraft, or within other areas where a substantial bird hazard to aircraft would be created.

5.3.h. Historic and Cultural Resources. -- Describe any effect the zones will have on specific historic and cultural sites. A description of each historic or cultural site, including its size and location, should be listed in the plan.

5.3.i. The present or potential land uses for residential, commercial, recreational, environmental conservation, or industrial purposes. -- Provide the present land uses for the different zones, and realistic potential land uses for the zones. Describe how siting a facility in a particular zone will affect the existing and potential land uses. Zones in which landfills are authorized shall not be established within five hundred (500) feet of a dwelling occupied at the time a zone is established unless written permission is obtained from the owner of the dwelling.

5.3.j. The Public Health, Welfare, and Convenience. -- Describe how the established zones will protect the public health, welfare, and convenience, and still allow for the proper collection, transportation, and disposal of solid waste.

5.4. An authority may base its decision to prohibit solid waste facilities in a particular zone upon one or more of the criteria listed in subsection 5.3 of this rule. However, a decision to authorize solid waste facilities in a particular zone shall be made only after consideration of all of the criteria listed in subsection 5.3 of this rule.

5.5. The zones shall be established based upon readily available information.

5.5.a. "Readily available information" means relevant information which currently exists and can be obtained by the authority upon request of the appropriate agency or other entity.

5.5.b. Examples of potential readily available information or sources of such information include, but are not limited to:

5.5.b.1. County highway maps;

5.5.b.2. United States Geological Survey maps;

5.5.b.3. West Virginia Geological and Economical Survey;

5.5.b.4. West Virginia Bureau of Environment;

5.5.b.5. County and regional planning commissions;

5.5.b.6. West Virginia Development Office;

5.5.b.7. Local libraries;

5.5.b.8. West Virginia Department of Culture and History;

5.5.b.9. Local chambers of commerce;

5.5.b.10. County tax assessor's office;

5.5.b.11. Existing solid waste facilities, to the extent such information is relevant; and

5.5.b.12. Local solid waste haulers in the area.

5.6. An authority shall "authorize" or "prohibit" solid waste facilities in a given zone only when the readily available information clearly establishes that the facility should be authorized or prohibited in that zone. Otherwise, the authority shall "tentatively prohibit" facilities in the zone.

5.7. The establishment of zones pursuant to this rule shall be consistent with the comprehensive plan prepared by the county

§54-4-7. Public Participation Process.

7.1. Public Notice and Hearing.

planning commission, if such plan exists.

§54-4-6. Review and Amendment Process.

6.1. Each authority shall review the plan for its county or region every five (5) years. A public hearing on any amendments must be held in the same manner as outlined in section 7 of this rule. Any changes or amendments necessary shall be submitted to the Board for approval.

6.2. At the time of the five-year review, the authority shall, in addition to any other amendments considered necessary, extend the period of time covered by the plan to include the next twenty (20) years following the five-year review date.

6.3. The plan may be amended at any time by the county or regional authority which originated the plan. Amendments must meet all requirements of the original plan, including that of holding a public hearing as detailed in section 7 of this rule. No amendments may become effective until approved by the Board in the same manner as the original plan.

6.4. Upon application from any person or group, the authority may amend the siting plan by redesignating a zone or any portion of a zone.

6.4.a. In such case, the person seeking the change has the burden to affirmatively and clearly demonstrate, based on all of the criteria set forth in subsection 5.3 of this rule, that the requested redesignation is appropriate and proper, and that any solid waste facility sited at such location could be appropriately operated in the public interest.

6.4.b. In order to make such demonstration, the person seeking the change shall make whatever examination is necessary and submit specific detailed information to the authority relating to the criteria in subsection 5.3 of this rule.

7.1.a. After submission of the draft plan to the Board, the authority shall publish notice and conduct at least one public hearing in each county affected to solicit ideas, opinions, and comments

concerning the plan from the general public.

7.1.b. The authority shall publish notice of the hearing at least thirty (30) days in advance of the hearing as a Class I legal advertisement published in a qualified newspaper, as defined in W. Va. Code §59-3-1, serving the county or counties, as appropriate, and by posting the public notice at the appropriate county courthouse or courthouses.

7.1.c. A copy of the public notice of the hearing shall be mailed to those persons requesting to be placed on a mailing list to be maintained by the authority.

7.1.d. The public notice shall include the date, time, and place scheduled for the public hearing; an invitation for written and oral comments; an address to which comments may be mailed; and, the locations in the area where a copy of the draft plan is available for public review.

7.1.e. The authority shall consider the public comments received at the public hearing, and shall record the proceedings of the hearing by mechanical means, and such recording and a copy of all written comments received and a written summary of the proceedings shall be retained by the authority for a period of three (3) years from the date of the public hearing.

7.1.f. At the public hearing, reasonable limits may be set upon the time allowed for oral statements. The submission of written comments shall be extended to ten (10) days after the public hearing date.

7.2. Public Review of the Plan. -- At least thirty (30) days prior to any public hearing on the plan, the authority shall place a copy of the draft plan for public review at the county clerk's office or offices, and at all public libraries and branch libraries in the county or counties.

7.3. Consideration of Public Comments.

7.3.a. The authority shall consider all public comments received, written and oral, in the development of the final plan.

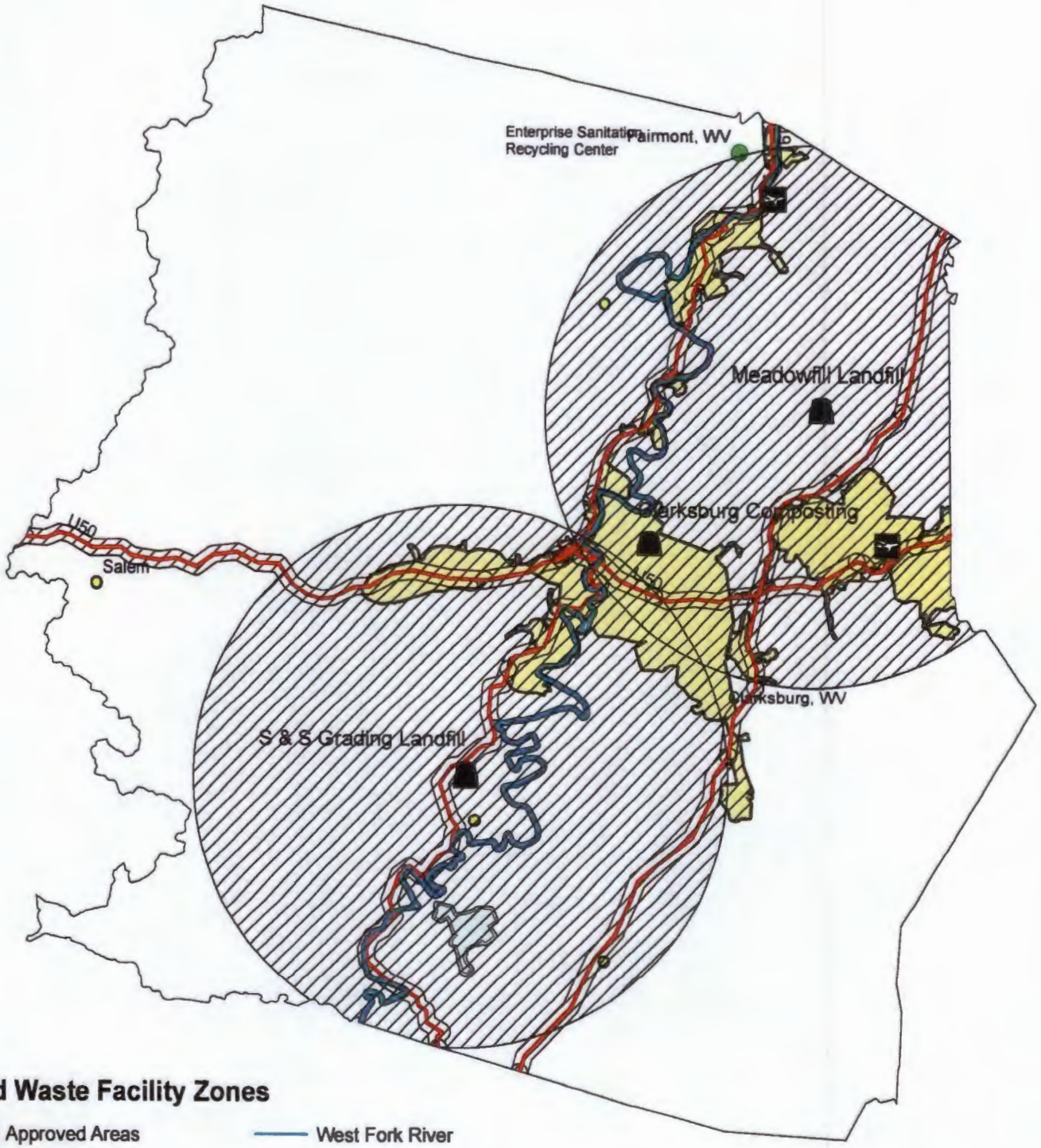
7.3.b. The authority shall prepare a written summary of the public comments received, and a statement explaining how it responded to the public comments in the development of the final plan. Such written summary and statement shall be submitted to the Board with the final plan.

7.3.c. If requested by the Board, the authority shall submit all or any part of the public comment record to the Board for its review.

APPENDIX B

Commercial Solid Waste Facility Siting Maps

Harrison County
Class A, B, C and D Landfills



Solid Waste Facility Zones

- Approved Areas
- Tentatively Prohibited Zones
- Prohibited Zones
- Populated Areas
- Watters Smith State Park
- West Fork River
- Major Roads
- Clarksburg Composting Ctr.
- Meadowfill Landfill
- S&S Landfill
- Airports

1 in = 3.5 miles

0 1 2 4 6 8 Miles

Figure 2: Harrison County Material Recovery Facilities

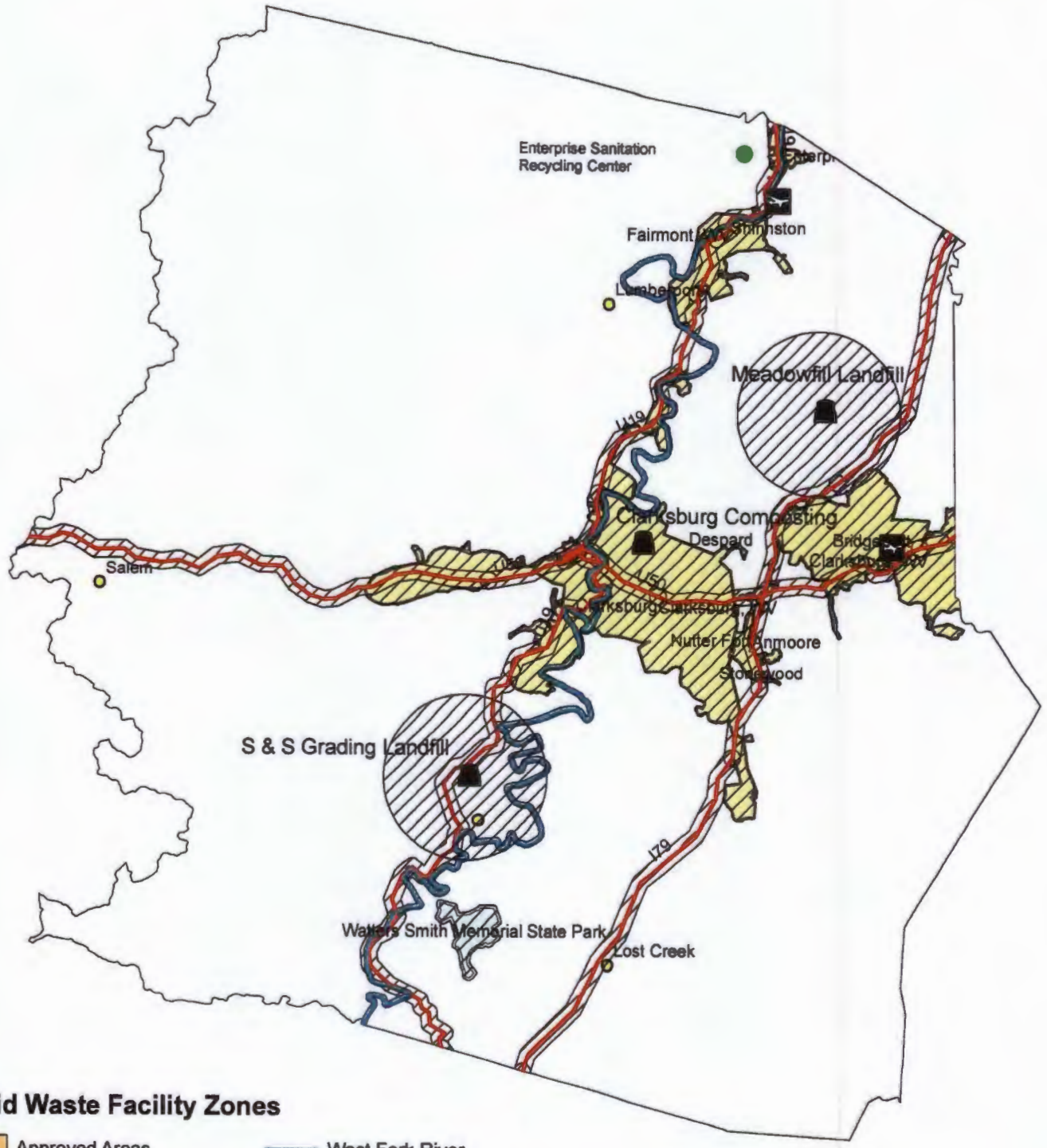
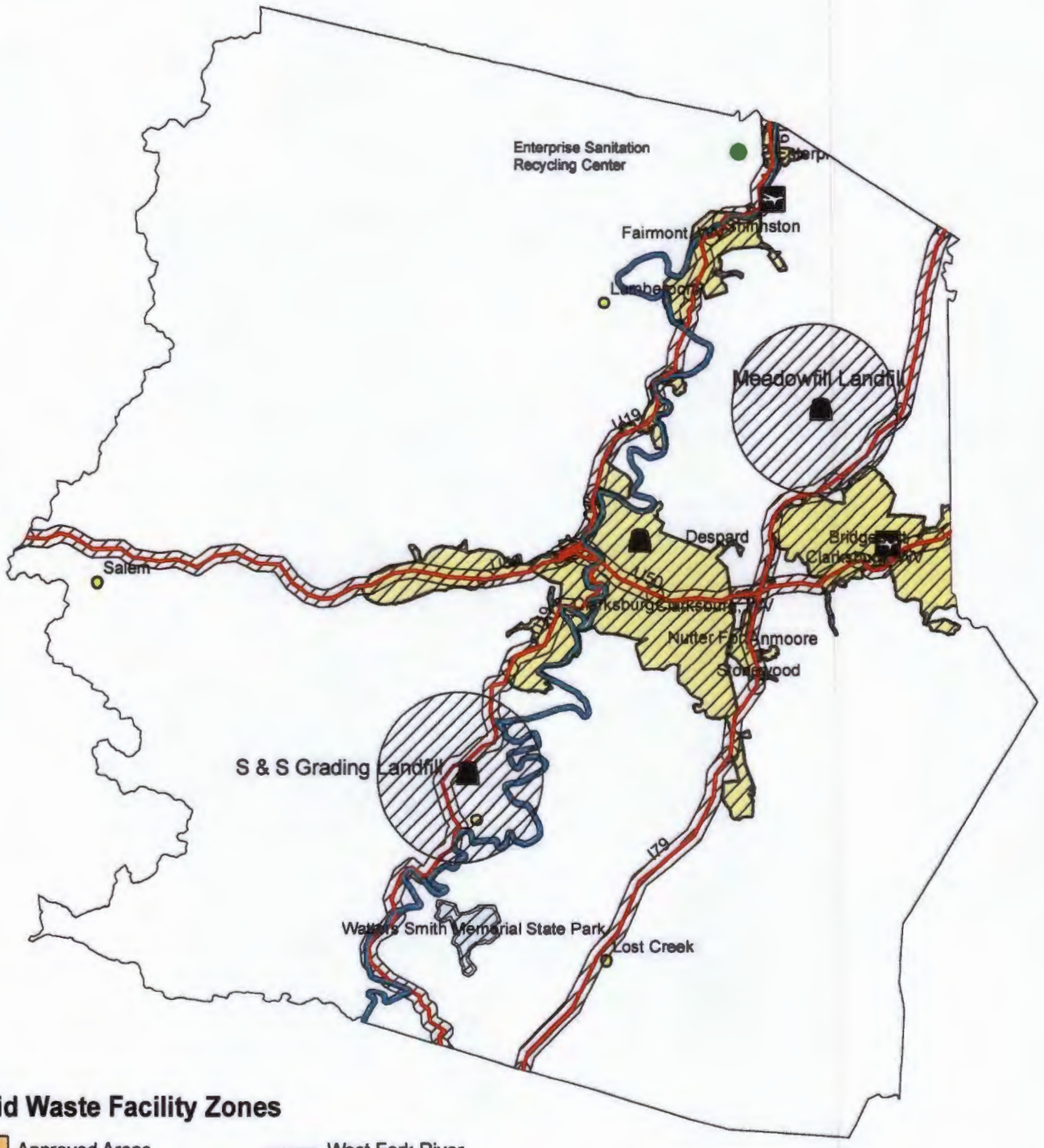


Figure 3: Harrison County Transfer Stations



Solid Waste Facility Zones

- Approved Areas
- Tentatively Prohibited Zones
- Prohibited Zones
- Populated Areas
- Watters Smith State Park
- West Fork River
- Major Roads
- Clarksburg Composting Ctr.
- Meadowfill Landfill
- S&S Landfill
- Airports

1 in = 3.5 miles

0 1 2 4 6 8 Miles

Figure 4: Harrison County Commercial Composting Facilities

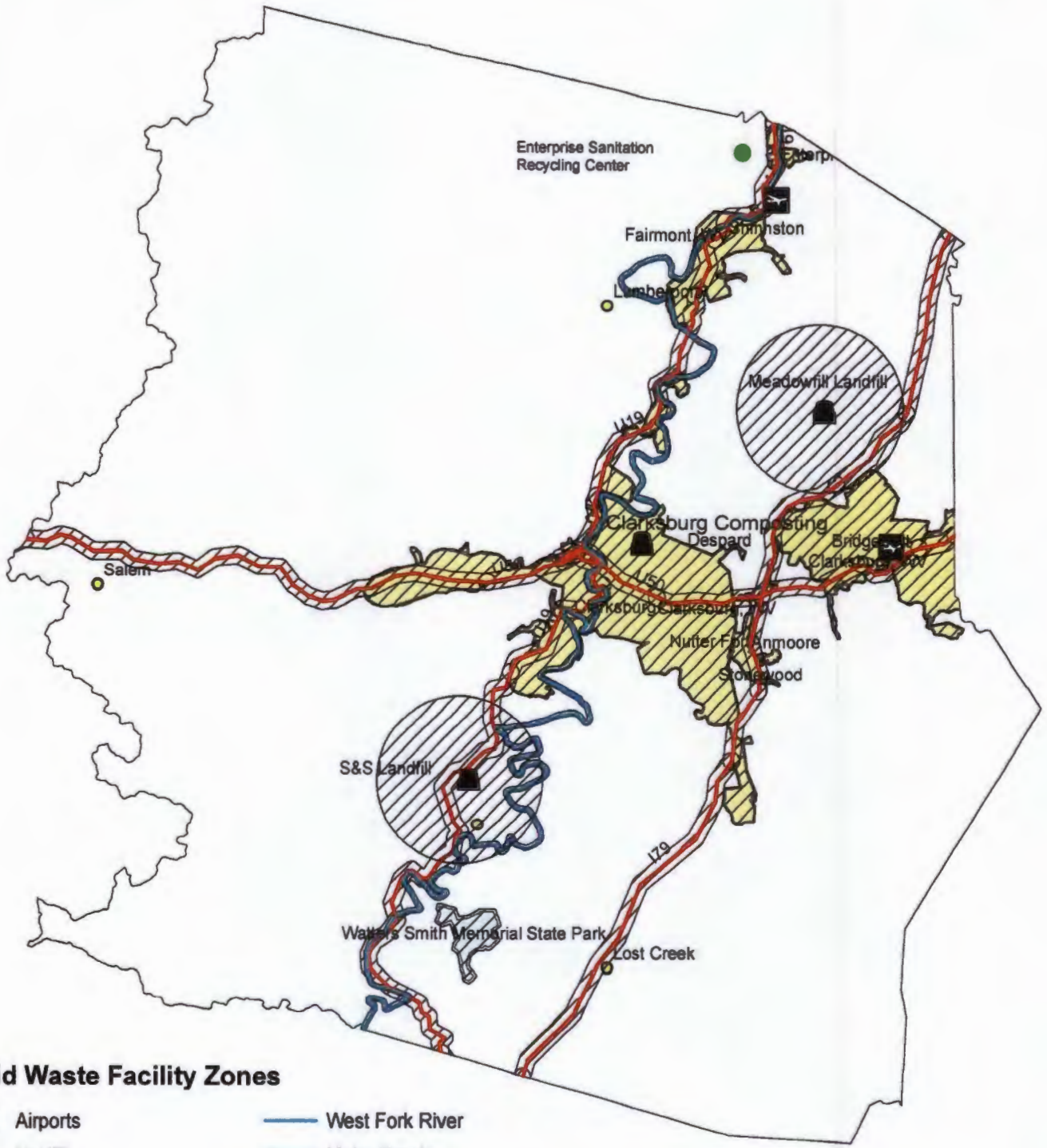


Figure 5: Harrison County Recycling Facilities

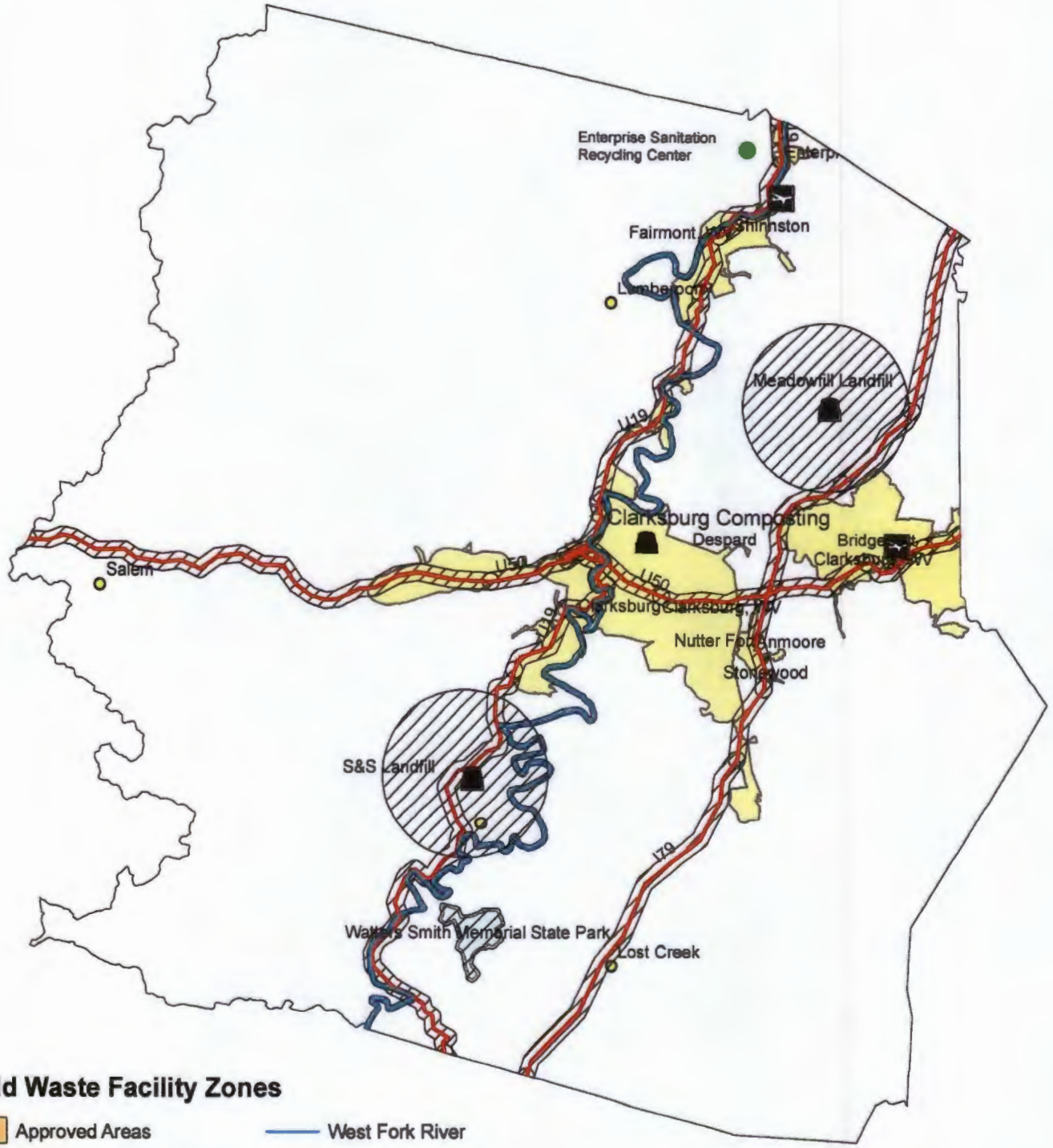


Figure 6: Harrison County Energy Recovery and Incineration Facilities



APPENDIX C

Public Participation Process Documentation

PUBLISHER'S CERTIFICATE

I, Bea Charnoplosky,
Classified Manager of THE EXPONENT TELEGRAM, a newspaper of general circulation published in the city of Clarksburg, County and state aforesaid, do hereby certify that the annexed:

NOTICE OF PUBLIC HEARING

was published in THE EXPONENT-TELEGRAM 1 time(s) commencing on 09/04/2020 and ending on 09/04/2020 at the request of

HARRISON COUNTY SOLID WASTE.

Given under my hand this 09/04/20.

The publisher's fee for said publication is: $21.85.

Bea Charnoplosky
Classified Manager of The Exponent-Telegram

Subscribed to and sworn to before me this 09/04/20

Racheal Plaugher
Notary Public in and for Harrison County, WV

My commission expires on

The 27 day of February 20 25

OFFICIAL SEAL
Notary Public, State of West Virginia
Racheal Plaugher
WV News
324 Hewes Ave.
Clarksburg, WV 26301
My Commission Expires February 27, 2025

Summary of Public Comments

We received no written public comments and no one attended the public hearing held on October 16, 2020.
Below are the minutes of the Public Hearing

Harrison County Solid Waste Authority
373 Wonder Bar Road
PO Box 1396
Clarksburg, WV 26301

Public Hearing- October 16, 2020---10:00 a.m.
Held at the Office of the Harrison County Solid Waste Authority

Harrison County Solid Waste Authority's Countywide Commercial Solid Waste Facility Siting Plan
Meeting Facilitator: Richard Barnett, Executive Director

Richard Barnett called the meeting to order at 10:00 a.m.

I. Call to Order- Executive Director Barnett, welcomed all to the hearing with the Harrison County Solid Waste Authority; Jennifer Stern (Administrative Secretary). Executive Director Barnett noted there was no one representing the public present.

II. Open Issues
Executive Director Barnett explained the meeting was to hear public comments on the Harrison County Solid Waste Authority's Countywide Solid Waste Facility Siting Plan Hearing.

III. Meeting Adjourned
Executive Director Barnett asked if there were any comments. With no comments, Executive Director Barnett stated since there were no comments, the meeting was adjourned at 10:30 a.m.

Respectfully Submitted,

Richard Barnett, Executive Director

Jennifer Stern, Administrative Secretary

HARRISON COUNTY SOLID WASTE AUTHORITY PUBLIC HEARING

Date: 16-Oct-20

Subject: Harrison County Solid Waste Authority's County-Wide Facility Siting Plan Update.

Please sign in below as a record of those who attended the hearing.
If you wish to speak during the hearing, check the appropriate area.

NAME	ADDRESS	PHONE	WISH TO SPEAK
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Jennifer Stern, Secretary, Treasurer

NOTE: PLEASE BE RECOGNIZED, THEN STAND AND STATE YOUR NAME AND COMMENTS. THANK YOU

APPENDIX D

Minutes of Harrison County Solid Waste Authority Meeting

Harrison County Solid Waste Authority
373 Wonderbar Road, Post Office Box 1396, Clarksburg, WV 26302-1396
Phone (304) 326-0086 - Fax (304) 326-0084
Monthly Board Meeting – November 18, 2020 - 5:30 p.m.

This regular meeting was properly advertised in accordance with the W. Va. Code, Chapter 6, Article 9. At 5:30 p.m., November 18, 2020 Vice Chairman Donald Wikert called the Regular Monthly Board Meeting to order. Members Elaine Lucente, Orpha Swiger and GaryKincade were present. Chairman Michael Grunau was excused due to a surgery.

Staff: Executive Director Richard Barnett and Administrative Assistant Jennifer Stern were also present.

Welcome Guests: None

Chairman Grunau presented the following Consent Agenda items:

1. Approval of September/October 2020 Minutes
2. Financial Report and Due Bills for September/October 2020

Vice Chairman Wikert stated that with no objections, the Consent Agenda was unanimously approved as presented.

NEW BUSINESS:

1. Paulette Basnett property cleanup in Anmoore-as per Gary – Gary provided pictures to the Board and explained that the cleanup would be one property consisting of trash inside and outside of the home. The house was vandalized and trashed while the owner was in the hospital. The Board discussed the options available and Vice Chairman Wikert made a recommendation to Gary to file a complaint online to the County Commission. Richard explained that we are unable to use public funds to clean up one individuals garbage. However, Richard also offered the use of the SWA's dump trailer to be placed on that property and he also offered to take it to the landfill to dispose of it. Gary said he will talk to the owner to see if she can pay for the dump fees and he will let us know.
2. Siting Plan – vote on the final copy – A motion was made to approve the final draft of the Harrison County Siting Plan and the motion moved and was unanimously accepted.

UNFINISHED BUSINESS: None

TABLED ITEMS: None

MEMBERS COMMENTS: Elaine made a comment that the County is lacking a good policy for open dumps and trash piles.
Elaine also explained that Morgantown had an electronic recycling event over the weekend.

DIRECTORS COMMENTS:

- Richard explained Mike Grunau's medical condition to the Board and he may be out for awhile.
- Richard gave an update on the replacement vehicle that was ordered and it has not been built yet.
- Richard said our tipping fees are up about $700 from last month, but it's still not a real big change.
- Richard also explained that we are about $40,000 less from last year on our tipping fees so far.
- Richard informed the Board that the ATV will need a new battery for the winter. If we get snow we will need it to plow the driveway and parking lot.
- Richard reminded Gary to go to the County Commission to get sworn in as soon as possible.

PUBLIC COMMENTS: None

CHAIRMAN'S COMMENTS: Vice Chairman Wikert made a recommendation to move our Board meeting time to 10:00 a.m. for the next couple of meetings. This decision was made for our members due to the winter weather coming and to avoid driving after dark.

EXECUTIVE SESSION: None

ADJOURNMENT – Vice Chairman Wikert stated that since there is no further business the meeting is adjourned. Adjournment 6:07 p.m.

Michael Grunau, Chairman

Jennifer Stern, Treasurer/Secretary

Next scheduled meeting will be on January. 20, 2021 – 10:00 a.m. at the office of the HCSWA



HARRISON COUNTY COURT HOUSE

Harrison County Assessor
Joseph R. "Rocky" Romano
301 West Main Street
Clarksburg, WV 26301
Phone (304) 624-8510 Fax (304) 626-1066

January 13, 2021

Susan J Thomas, President
Harrison County Commission
301 W, Main Street
Clarksburg, WV 26301

RE: County Commission of Harrison County
Development District No. 7
North Central Crossroads Project No. 1
2021 Preliminary Taxable Base Assessed Values

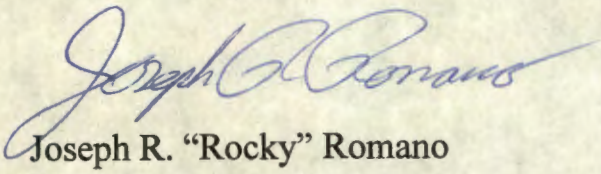
Dear Commissioners:

Attached you will find in compliance with WV Code §7-11B-8(b)6, I hereby certify according to my best judgement from all sources available, the preliminary taxable base assessed value of the real and personal property having a tax situs in the above-referenced development district, Development District No. 7 and North Central Crossroads Project No. 1.

These preliminary amounts are for the purpose of inclusion in the project plan.

If additional information is needed, please contact our office.

Respectfully Submitted,



Joseph R. "Rocky" Romano
Harrison County Assessor

cc: Carrie Cecil, Frost Brown Todd LLC

NORTH CENTRAL CROSSROADS CLASSES

DIST/MAP/PARCEL	OWNER	CLASS	TAXABILITY	GROSS ASSESSED LAND	GROSS ASSESSED BLDG	GROSS ASSESSED MINERALS	GROSS ASSESSED TOTAL	NET ASSESSED TOTAL	COMBINED WITH OTHER PARCELS	BASE YEAR	TIF NO
01 101013900000000	HOGUE WILLIAM F & LINDA L	2	T	840	2880	0	3720	3720		2021	7
01 101013900010000	HOGUE WILLIAM F & LINDA L	2	T	1140	0	0	1140	1140		2021	7
01 308009200000000	MARSHALL HERMAN TESTAMENTARY TRUST	3	T	3960	0	0	3960	3960		2021	7
01 308009300000000	POLING ERICA M	3	T	840	0	0	840	840		2021	7
01 308009300010000	POLING ERICA M	3	T	2700	3840	0	6540	6540		2021	7
01 308009500010000	POLING ERICA M	3	T	480	0	0	480	480		2021	7
01 308009500020000	POLING ERICA M	3	T	720	0	60	780	780		2021	7
01 308010200000000	POLING ERICA M	3	T	200	0	0	200	200		2021	7
01 101007500000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101005700000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101005000000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101007600000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101005900000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101005800000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101005100000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101000100000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101000200000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101000300000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101000400000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101000500000000	POLING ERICA M	3	T	120	0	0	120	120	COMBINED V	2021	7
01 101000600000000	POLING ERICA M	3	T	6300	1680	0	7980	7980		2021	7
01 101000700000000	POLING ERICA M	3	T	10620	1440	0	12060	12060	COMBINED V	2021	7
01 308010300000000	POLING ERICA M	3	T	6960	0	40	7000	7000		2021	7
01 308012400000000	POLING ERICA M	3	T	1200	0	0	1200	1200		2021	7
01 308007300010000	RONALD LANE INC	3	T	1440	0	0	1440	1440		2021	7
01 308007500010000	RONALD LANE INC	3	T	1440	0	0	1440	1440		2021	7
01 308010500000000	RONALD LANE INC	3	T	117420	0	0	117420	117420		2021	7
01 328000200010000	GLADDEN GENE R & KRISTINA A	2	T	9600	0	0	9600	9600		2021	7
01 328000200010000	GLADDEN GENE R & KRISTINA A	3	T	2700	6780	0	9480	9480		2021	7

01 328000200000000	TJM LLC	3	T	189960	0	0	189960	189960		2021	7
01 328011300000000	POLING ERICA M	3	T	1560	3540	0	5100	5100		2021	7
01 308010600000000	RONALD LANE INC	3	T	105420	0	100	105520	105520		2021	7
01 308010600020000	COMPTON PHILIP ALAN	3	T	1680	0	0	1680	1680		2021	7
DISTRICT #01 CLASS 2				11580	2880	0	14460	14460			
DISTRICT #01 CLASS 3				457040	17280	200	474520	474520			
TOTAL DIST#01				468620	20160	200	488980	488980			
15 308005000000000	RONALD LANE INC	3	T	241080	0	0	241080	241080		2021	7
15 308005000020000	SBA PROPERTIES INC	3	T	41160	0	0	41160	41160		2021	7
15 308005000030000	REXROAD DAVID R	3	T	4680	0	0	4680	4680		2021	7
TOTAL DIST#15				286920	0	0	286920	286920			
CLASS		**2**					**14460**				
CLASS		**3**					**474520**				
TOTAL REAL ESTATE ASSESSED VALUE				**755540**	**20160**	**600**	**775900**				

DIST/MAP/PARCEL DIST #01	OWNER	CLASS	AXABILI	GROSS ASSESSED LAND	GROSS ASSESSED BLDG	GROSS ASSESSED MINERALS	GROSS ASSESSED TOTAL	NET ASSESSED TOTAL	BASE YEAR	TIF NO
3061076	BEACON TOWERS VA LLC	3	T				58840	58840	2021	7
3007446	LLOYD HOFF HOLDING CORP	3	T				6444	6444	2021	7
3061062	S B A TOWERS LLC	3	T				52066	52066	2021	7
3032949	SPECTRA SITE COMMUNICATION	3	T				22163	22163	2021	7
SELTZER PARTNERS NO LONGER HAS SITE OR TOWER										
USCC ASSD BPW										
EAST OHIO IS DOMINION ASSD BPW										
TOTAL DISTRICT #01							139513	139513		
TOTAL PERSONAL PROPERTY ASSESSED VALUE		**3**					**139513**	**139513**		

NORTH CENTRAL CROSSROADS

DIST/MAP/PARCEL	OWNER	CLASS	TAXABILITY	GROSS ASSESSED LAND	GROSS ASSESSED BLDG	GROSS ASSESSED MINERALS	GROSS ASSESSED TOTAL	COMBINED WITH OTHER PARCELS	BASE YEAR	TIF NO
01 101013900000000	HOGUE WILLIAM F & LINDA L	2	T	840	2880	0	3720		2021	7
01 101013900010000	HOGUE WILLIAM F & LINDA L	2	T	1140	0	0	1140		2021	7
01 308009200000000	MARSHALL HERMAN TESTAMENTARY TRUST	3	T	3960	0	0	3960		2021	7
01 308009300000000	POLING ERICA M	3	T	840	0	0	840		2021	7
01 308009300010000	POLING ERICA M	3	T	2700	3840	0	6540		2021	7
01 308009500010000	POLING ERICA M	3	T	480	0	0	480		2021	7
01 308009500020000	POLING ERICA M	3	T	720	0	60	780		2021	7
01 308010200000000	POLING ERICA M	3	T	200	0	0	200		2021	7
01 101007500000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101005700000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101005000000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101007600000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101005900000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101005800000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101005100000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101000100000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101000200000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101000300000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101000400000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101000500000000	POLING ERICA M	3	T	120	0	0	120	COMBINED WIT	2021	7
01 101000600000000	POLING ERICA M	3	T	6300	1680	0	7980		2021	7
01 101000700000000	POLING ERICA M	3	T	10620	1440	0	12060	COMBINED WIT	2021	7
01 308010300000000	POLING ERICA M	3	T	6960	0	40	7000		2021	7
01 308012400000000	POLING ERICA M	3	T	1200	0	0	1200		2021	7
01 308007300010000	RONALD LANE INC	3	T	1440	0	0	1440		2021	7
01 308007500010000	RONALD LANE INC	3	T	1440	0	0	1440		2021	7
01 308010500000000	RONALD LANE INC	3	T	117420	0	0	117420		2021	7
01 328000200010000	GLADDEN GENE R & KRISTINA A	2	T	9600	0	0	9600		2021	7

01 328000200010000	GLADDEN GENE R & KRISTINA A	3	T	2700	6780	0	9480		2021	7
01 328000200000000	TJM LLC	3	T	189960	0	0	189960		2021	7
01 328011300000000	POLING ERICA M	3	T	1560	3540	0	5100		2021	7
01 308010600000000	RONALD LANE INC	3	T	105420	0	100	105520		2021	7
01 308010600020000	COMPTON PHILIP ALAN	3	T	1680	0	0	1680		2021	7
15 308005000000000	RONALD LANE INC	3	T	241080	0	0	241080		2021	7
15 308005000020000	SBA PROPERTIES INC	3	T	41160	0	0	41160		2021	7
15 308005000030000	REXROAD DAVID R	3	T	4680	0	0	4680		2021	7

TOTAL REAL ESTATE ASSESSED VALUE **755540** **20160** **200** **775900**

DIST/MAP/PARCEL	OWNER	CLASS	TAXABILITY	GROSS ASSESSED LAND	GROSS ASSESSED BLDG	GROSS ASSESSED MINERALS	GROSS ASSESSED TOTAL	BASE YEAR	TIF NO
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SELTZER PARTNERS NO LONGER HAS SITE OR TOWER									
USCC ASSD BPW									
EAST OHIO IS DOMINION ASSD BPW									

TOTAL PERSONAL PROPERTY ASSESSED VALUE **139513**

T-1

Susan

1. Harrison County Senior Citizens
2. Harrison County Community Corrections Advisory Board
3. Mid Atlantic Aerospace Complex
4. Harrison County Emergency Squad
5. Harrison County 911 Advisory Board
6. Harrison County local Emergency Planning Committee
7. Harrison County Development Authority

David

1. Area Council on Aging/Region VI – HINKLE DECLINED
2. Harrison County Juvenile Crime Enforcement Coalition – HINKLE DECLINED
3. Local Elected Officials (LEO) Board
4. Harrison County Emergency Ambulance Authority – HINKLE DECLINED
5. Region VI Workforce Investment Board
6. Region VI Planning & Development Council – HINKLE DECLINED

Patsy

1. Harrison Clarksburg Board of Health
2. Harrison County Park & Recreation
3. Farmland Protection Board of Harrison County
4. Harrison County Planning Board
5. WVU Cooperative Extension Service

Michael Romano

BENEDUM

1. ~~Benedon~~ Airport Authority

Mike Jenkins

1. Harrison County Economic Development Corp

TABLE – QUESTION AS TO APPOINTMENT OF DAVID L. HINKLE AUGUST 2021 – LEGAL TO REVIEW

Clay Riley

BENEDUM

1. ~~Benedon~~ Airport Authority RILEY DECLINED

DAVID L. HINKLE APPOINTED 01-13-2021