



**APPROVED**

A meeting of the West Virginia Infrastructure and Jobs Development Council (Council) was held **Wednesday, January 6, 2021, beginning at 9:30 a.m.** in the Infrastructure & Jobs Development Council Public Hearing Room at 1009 Bullitt Street, Charleston, West Virginia.

**Quorum**

A quorum was constituted of the following members present:

**Chair** Ann Urling, (by phone)

**Voting members present:**

Marie Prezioso, WV Water Development Authority

**Voting members (by phone):**

John Reisenweber, Vice-Chair

Stephanie Hickerson, WV DHHR-Bureau for Public Health

Charlotte Lane, WV Public Service Commission

Kathy Emery, WV Department of Environmental Protection

Erica Boggess, WV Housing Development Authority

Matthew McComas, Public Member

Louis Spatafore, Public Member

**Voting members that were not present:**

Caren Wilcher, WV Economic Development Authority

Joseph Freeland, Public Member

Andy McKenzie, Public Member

John Boyle, Public Member

**Advisory Members present:**

None

**Advisory Members present (by phone):**

Senator Glen Jeffries

Honorable Brent Boggs, WV House of Delegates

**Advisory Members not present:**

Senator Chandler Swope

**Invitees present:**

None

**Invitees (by phone):**

Alan Harris, USDA  
David Cramer, WV Division of Highways  
Roger Earle, WV DEP – Abandoned Mine Lands

**Invitees not present:**

Sherry Risk, WV Development Office - CDBG  
Todd Hooker, WV Development Office  
Leslie Stone Smith, US Army Corp. of Engineers  
James Bush, WV ARC  
Tracy Rowan, US Economic Development Authority

**Others in attendance:**

Wayne Morgan, WV Infrastructure & Jobs Development Council  
Kristi Ritchie, WV Infrastructure & Jobs Development Council

**Others in attendance by phone:**

Brandon Crace, WV Infrastructure & Jobs Development Council  
Randy Lengyel, WV Infrastructure & Jobs Development Council  
Samme Gee, Jackson Kelly PLLC  
Jonathan Fowler, WV Public Service Commission  
Fred Rader, MOVRC  
Jason Billups, WV Department of Environmental Protection  
Kelly Goes, Jackson Kelly PLLC  
Pam Keplinger, Region 8 Planning & Development Council  
Seth Devault, Region 6 Planning & Development Council  
Barb Zimnox, BHJ-MPC  
Lisa Miller, Region 1 Planning & Development Council  
Lesley Taylor, Region 4 Planning & Development Council  
Jeff Johnson, Region 1 Planning & Development Council  
Chris Arrington, WV DHHR-Bureau for Public Health  
Jeff Brady, WV Department of Environmental Protection  
Kristin Shaffer, WV Housing Development Authority  
Ryan Halsey, CDBG Project Manager  
Betsy Orndoff-Sayers, Mayor of the Town of Wardensville  
Stacy Fowler, Thomas & Litton  
Kennon Chambers, Ghosh Engineers  
Matt Youngblood, Thrasher Group  
Kylea Radcliff, Thrasher Group  
Shane Whitehair, Region 7 Planning & Development Council  
Kathy Elliott, Region 2 Planning & Development Council

**Call to Order**

Chair Ann Urling called the meeting to order and noted a quorum is present.

**Approval of Minutes**

Ms. Urling asked for approval of the draft minutes of **December 2, 2020**. Matt McComas moved for approval and John Reisenweber seconded the motion. The motion passed.

**Projects Recommended  
to Pursue Infrastructure  
Fund Assistance:**

**Follansbee, City of (2020C-109) – Blosser Lane Line Replacement - District-1 - (Critical Needs)**

Kathy Emery described the request.

The Funding Committee recommends the City of Follansbee be approved to pursue a \$374,281 IJDC Critical Needs Grant.

Marie Prezioso moved that the recommendation be approved, Erica Boggess seconded the motion. The motion passed.

**Nutter Fort, Town of (2020S-1917) - System Improvements - District-1 - (New Application)**

Ms. Emery described the application, and it is technically feasible.

The Funding Committee recommends the Town of Nutter Fort pursue a \$815,000 CWSRF Principal Forgiveness Loan and a \$815,000 IJDC District 1 Grant for an estimated project cost of \$1,630,000.

Ms. Prezioso moved that the recommendation be approved, Charlotte Lane seconded the motion. The motion passed.

**Tunnelton, Town of (2020S-1893) - System Improvements – District-1 - (New Application)**

Ms. Emery described the application, and it is technically feasible.

The Funding Committee recommends the Town of Tunnelton pursue a \$635,000 USDA Grant, a \$245,000 USDA Loan (1.12%, 38 yrs.), and a \$500,000 IJDC District 1 Grant for an estimated project cost of \$1,380,000.

Ms. Prezioso moved that the recommendation be approved, Ms. Lane seconded the motion. The motion passed.

**Buffalo, Town of (2020S-1901) - Krystal Lane Extension – District-2 - (New Application/  
Critical Needs)**

Ms. Emery described the application, and it is technically feasible.



The Funding Committee recommends the Town of Buffalo pursue a \$332,788 IJDC Critical Needs Grant.

Ms. Prezioso moved that the recommendation be approved, Ms. Boggess seconded the motion. The motion passed.

**Wardensville, Town of (2020W-1879) - System Improvements – District-2 - (New Application)**

Stephanie Hickerson described the application, and it is technically feasible.

The Funding Committee recommends the Town of Wardensville pursue a \$960,000 USDA Grant, a \$1,460,738.50 USDA Loan (2%, 30 yrs.), a \$157,000 IJDC District 2 Design Loan (2%, 30 yrs.), a \$453,261.50 IJDC District 2 Grant, a \$46,738.50 IJDC District 2 PFA Grant, and a \$46,738.50 Town Contribution for an estimated project cost of \$3,124,477.

Ms. Prezioso moved that the recommendation be approved, Ms. Lane seconded the motion. The motion passed.

**Bluewell PSD (2016W-1629) - Browning Extension – District-3 - (Engineering Fee Variance)**

Ms. Hickerson described the request.

The Funding Committee recommends the Bluewell PSD engineering total fee variance request be approved.

Ms. Prezioso moved that the recommendation be approved, Mr. McComas seconded the motion. The motion passed.

Mr. Reisenweber asked if we typically do engineering fee waivers for State Historic Preservation Office (SHPO) and fish and wildlife studies. He stated he did not recall doing those.

Wayne Morgan responded stating, when you have special services that are outside the ASCE curves we use to look at these fees, these fees would not typically be required on all projects. It will vary from review to review related to what special services might be beyond the scope of the ASCE curves to what would normally be included. These studies would be something that is out of the ordinary, not required for every project, and not necessarily be reflected underneath the curves.

Ms. Hickerson added on previous reviews these have been listed as special services.

Mr. Reisenweber offered his thanks for the clarification.

**Mingo Co. PSD (2018S-1776) - Chattaroy Ext./Rehab. – District-3 - (Scope, Cost & Funding Change)**

Ms. Emery described the request, and it is technically feasible.

The Funding Committee recommends the Mingo Co. PSD pursue a \$1,050,000 ACE Grant, a \$1,192,000 WV DEP LCAP Grant, a \$748,520 ARC Grant, a \$500,000 IJDC District 3 Grant, and a \$891,110 CWSRF Loan (0.5%, 30 yrs.) for an estimated project cost of \$4,381,630.

Ms. Prezioso moved that the recommendation be approved, Ms. Emery seconded the motion. The motion passed.

**Projects Recommended  
to Pursue Funding  
Sources Other Than  
Infrastructure Fund  
Assistance:**

**Crab Orchard-MacArthur PSD (2020S-1919) - Harpers-Eccles Extension – District-3 - (New Application)**

Ms. Emery described the application, and it is technically feasible.

The Funding Committee recommends the Crab Orchard-MacArthur PSD pursue a \$7,647,398 AML Pilot Grant and a \$1,997,602 CDBG (SCBG) Grant for an estimated project cost of \$9,645,000.

Ms. Prezioso moved that the recommendation be approved, Ms. Lane seconded the motion. The motion passed.

**Gary, City of (2019S-1853) – System Improvements – District-3 - (New Application)**

Ms. Emery described the application, and it is technically feasible.

The Funding Committee recommends the City of Gary pursue a \$1,586,000 ARC Grant and a \$1,000,000 CDBG (SCBG) Grant for an estimated project cost of \$2,586,000.

Ms. Prezioso moved that the recommendation be approved, Ms. Boggess seconded the motion. The motion passed.

Ms. Prezioso stated there was an additional recommendation.

The Funding Committee recommends the City of Gary design and total engineering fee variance be approved.



Ms. Prezioso moved that the recommendation be approved, Ms. Emery seconded the motion. The motion passed.

Mr. Reisenweber asked if this was for a waiver for the City of Gary project.

Ms. Emery responded with yes, this is for the design and total engineering fee variance because the costs have exceeded the curve on this project. We are funding the design for two phases, but currently only constructing one phase. This way they can proceed ahead to do the second phase of work while they find the funding for it.

#### **Hillsboro, Town of (2020S-1902) - WWTP Improvements – District-3 - (New Application)**

Ms. Emery described the application, and it is technically feasible.

Ms. Emery further stated the PSC noted the proposed rates will still provide a cash flow deficit despite the funding being 100% grant. It is advised the Town work with the Public Service Commission on rate setting.

The Funding Committee recommends the Town of Hillsboro pursue a \$1,033,200 CDBG (SCBG) Grant.

Ms. Prezioso moved that the recommendation be approved, Mr. McComas seconded the motion. The motion passed.

#### **Mt. Hope, City of (2020S-1918) - Rt. 16 Bypass Ext. – District-3 - (New Application)**

Ms. Emery described the request, and it is technically feasible.

Ms. Emery noted there was a part of the TRC Review that the Council should be aware of. Ms. Emery continued stating this application was last received in 2014. At that time, the project cost was approximately \$1.3 million to serve the exact same number of customers and were requesting Small City Block Grants then as well. However, as noted, they are requesting quite a bit more with this application and over the past six years, the costs have increased by \$657,000. So, while the City was waiting on the Block Grant, the costs have gone up substantially. If the City does not receive the Grant this year, they should consider other funding scenarios to serve these same customers. It was also noted during the PSC review that the proposed rates will still provide a cash flow deficit. They will need to work with the PSC on rate setting.

The Funding Committee recommends the City of Mt. Hope pursue a \$2,000,000 CDBG (SCBG) Grant.

Ms. Prezioso moved that the recommendation be approved, Mr. Reisenweber seconded the motion. The motion passed.

**Projects Requesting an  
Infrastructure Fund  
Binding Commitment:**

**Tucker Co. Development Authority (2020S-1925) - Treatment Improvements – District-1 -  
(PFA Binding Commitment)**

Mr. Morgan described the request.

Shane Whitehair noted the US EDA application has been filed and received by EDA. It is his understanding EDA will be reviewing the application this month. The whole idea is to have the IJDC funds committed once they review it, so it will help the competitiveness of that application.

The Funding Committee recommends the Tucker County Development Authority receive a \$50,000 District 1 PFA Funding Binding Commitment contingent upon receipt of the \$50,000 US EDA Grant.

Ms. Prezioso moved that the recommendation be approved, Mr. Reisenweber seconded the motion. The motion passed.

**Ravenswood, City of (2020W-1860) - System Improvements – District-2 - (Binding  
Commitment)**

Mr. Morgan described the request.

The Funding Committee recommends the City of Ravenswood receive a \$1,138,800 IJDC District 2 Loan (3%, 20 yrs.) binding commitment.

Ms. Prezioso moved that the recommendation be approved, Ms. Boggess seconded the motion. The motion passed.

**Wardensville, Town of (2020W-1879) - System Improvements – District-2 - (Design Loan  
Binding Commitment)**

Mr. Morgan described the request.

Mr. Morgan stated this is a success story that Jonathan Fowler with the PSC worked with us. They were able to use preliminary funding assistance to drill a well; and find a well that was not under the influence of surface water. The funding sheet shows the \$4 million project has been reduced in cost by over a million dollars by being able to do that investigation. The design loan will allow this project to move forward.

The Funding Committee recommends the Town of Wardensville receive a binding commitment for the \$157,000 IJDC District 2 Design Loan (2%, 30 yrs.).



Ms. Prezioso moved that the recommendation be approved, Ms. Lane seconded the motion. The motion passed.

**Pocahontas Co. PSD (2017S-1707) - Frank & Barlow Ext. – District-3 - (Binding Commitment)**

Mr. Morgan described the request.

The Funding Committee recommends Pocahontas Co. PSD receive a \$273,000 IJDC District 3 Grant Binding Commitment, pending the transfer of loan funds to grant funds later in this meeting, for a total IJDC District 3 Grant of \$500,000 (\$227,000 was provided at the meeting of Council for IJDC on December 2, 2020.)

Ms. Prezioso moved that the recommendation be approved, Ms. Emery seconded the motion. The motion passed.

**Projects Requesting Ancillary Project Expenditure:** None

**Projects Recommended for Infrastructure Fund Economic Development Assistance:**

**Raleigh County Memorial Airport Authority** 2020E-191  
Mr. Reisenweber described the request.

Mr. Reisenweber recommended the Raleigh County Memorial Airport request for an additional \$239,000 from the IJDC Council be approved. The funds would be used as a match for US Economic Development Administration and Appalachian Regional Commission funding that has been secured for the water and sewer projects in support of the site development at the Airport Industrial Park.

Mr. Reisenweber moved that the recommendation be approved, Mr. McComas seconded the motion. The motion passed.

**Putnam Co. Dev. Corp. (loan maturity ext.)** 1999E-037  
Mr. Reisenweber described the request.



Mr. Reisenweber recommended the request for the Development Office to extend the maturity date of the Putnam Co. Development Corporation loan to February 1, 2035 be approved. This will allow the entity more time to lease or sell the properties.

Mr. Reisenweber moved that the recommendation be approved, Mr. McComas seconded the motion. The motion passed.

**Barbour Co. Dev. Auth. (loan maturity ext.)** 1999E-039  
Mr. Reisenweber described the request.

Mr. Reisenweber recommended the request for the Development Office to extend the maturity date for Barbour Co. Development Authority loan to February 1, 2035 be approved. This will allow the entity more time to lease or sell the properties.

Mr. Reisenweber moved that the recommendation be approved, Mr. McComas seconded the motion. The motion passed.

**Huntington Industrial Corp. (loan maturity ext.)** 2004E-087  
Mr. Reisenweber described the request.

Mr. Reisenweber recommended the request for the Development Office to extend the maturity date for Huntington Industrial Corporation loan to February 1, 2035 be approved. This will allow the entity more time to lease or sell the properties.

Mr. Reisenweber moved that the recommendation be approved, Mr. McComas seconded the motion. The motion passed.

### **Business Items:**

Resolution to transfer up to 30% of Congressional District 3 Loan Funds to Grant Funds

Mr. Morgan stated, similar to last year, we have run out of grant funds in Congressional District 3. With the low MHI's in that part of the state, they qualify for grant funds and have utilized that to get several projects underway. As was mentioned earlier with Pocahontas County PSD, there is an

additional request for \$273,000. We need \$208,000 transferred. This Resolution also provides for transfer for the City of Smithers which will be in next month asking for its binding commitment on a grant and allows the Council to make transfers between now and the end of the fiscal year to be able to continue to provide binding commitments in Congressional District 3. Mr. Morgan ended by stating Samme Gee is on the phone if there are any questions.

Mr. Reisenweber asked what the dollar figure is for 30% of those remaining funds.

Ms. Gee responded referring to the Resolution included in the packet and the revised Resolution Mr. Morgan sent out last night. The 30% amount is \$10,818,848.76. Ms. Gee further stated because there is a balance of \$65,000 and some change, it is well within the \$10 million and the Resolution caps the amount the Council can move over during the remaining part of this fiscal year to that amount.

Mr. Reisenweber moved to approve the Resolution to transfer up to 30% of Congressional District 3 loan funds to grant funds. Mr. McComas seconded the motion. The motion passed.

### **Informational Items:**

#### Funding Agency Updates

Mr. Morgan stated the funding program updates were included in the packet. He asked if anyone had any questions and welcomed the Funding Agencies to provide any updates at this time.

Ms. Emery – WV DEP - notified the Council that it appears the next federal budget will allow similar appropriations to both the Clean Water and Drinking Water SRFs.

Ms. Prezioso – WV WDA - provided a quarterly resolution update on deferrals for Economic Development loans due to COVID. There are 7 deferred until April 1<sup>st</sup>. One is paying off. One has never used their deferral and the others are not that far behind.



**Executive Director**

**Comments:**

**Projects Requiring  
Additional  
Information:**

Denver W. Assoc. - System Imprvs. (new app. - consol. com.)-1	2020W-1888
Thomas, City of – Cortland Ac. LS & LSA (crit. Needs/tbld.)-1	2020C-107
Reedy, Town of-System Imprvs. (binding com.-returned)-2	2014S-1507
Bradley PSD – NW Raleigh County Ext. (application/return)-3	2020S-1884
Hamlin, PSD – Sys. Imprvs. & Ind. Park Ext. (app./returned)-3	2020S-1889
McDowell PSD – Jolo Phase V (application/returned)-3	2019W-1838
Smithers, City of – System Imprvs. (binding commitment)-3	2020S-1871

**Requests Received:** (Applications by December 10, 2020 and requests to date)

**Sewer:**

Nitro Sanitary Board – System Imprvs. (new app.)-2	2020S-1921
Mason County PSD – Sandhill Road Ext. (new app.)-3	2020S-1922

**Water:**

Reedy, Town of – Middle Fork Water Ext. (fund. chg.)-1	2017W-1692
Central Hampshire PSD – Purgitsville Ext. (fund. chg.)-2	2020W-1874
Fort Gay, Town of – System Imprvs. (new application)-3	2020W-1904
Resolution to provide add. match for DWTRF Funding	

**Committee Reports:**

Consolidation  
Funding  
Infrastructure & Jobs Development Council  
Sewer Technical Review  
Water Technical Review

Erica Boggess  
Marie Prezioso  
Wayne Morgan  
Kathy Emery  
Stephanie Hickerson

**Other Reports:** None

US Army Corp of Engineers

Lesli Stone-Smith

US Department of Agriculture

Alan Harris

Abandoned Mine Lands

Roger Earle

Division of Highways

Dave Cramer

Funding Agency Reports (Projects bidding and closing)

Kathy Emery /Stephanie  
Hickerson

**Public Comment:** None

**Adjournment:**

The Chair entertained a motion to adjourn, Ms. Boggess moved the motion, Ms. Prezioso seconded the motion. The motion passed. Meeting was adjourned at 10:02 a.m.

Wayne D Morgan

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Wayne D. Morgan  
Secretary & Executive Director



**APPROVED**

**RESOLUTION CONVERTING LOAN MONEY  
TO GRANT MONEY**

**WHEREAS**, Section 10 of Chapter 31, Article 15A of the Code of West Virginia, 1931, as amended (the “Council Act”) provides that the West Virginia Infrastructure and Jobs Development Council (the “Council”) may recommend that the moneys held in the Infrastructure Fund (created in Section 9) be used for loans and grants for projects;

**WHEREAS**, Senate Bill 153 was passed by the West Virginian Legislature on March 7, 2019, signed by the Governor and became effective on June 7, 2019;

**WHEREAS**, Senate Bill 153 amends Section 10 of the Council Act, in part, so that if on January 1 of any year, the amount for grants in any congressional district is below \$150,000, the Council may convert up to thirty (30) percent of the funds available for loans in that congressional district to be used for grants within the congressional district, if and when needed to make an award;

**WHEREAS**, as of January 1, 2021, the amount available for grants in Congressional District 3 is \$65,242.68, which is below \$150,000;

**WHEREAS**, as of January 1, 2021, the amount available for loans in Congressional District 3 is \$36,972,829.20;

**WHEREAS**, the Council has received requests for binding commitments of \$273,000 in grants for projects in Congressional District 3; and

**WHEREAS**, the Council finds it in the best interest of the citizens of West Virginia and the promotion of water and sewer construction, extension and rehabilitation projects to convert funds available for loans in Congressional District 3 to be used for grants in Congressional District 3.

**NOW, THEREFORE**, be it resolved by the West Virginia Infrastructure and Jobs Development Council as follows:

1) Pursuant to the Council Act, the Council hereby redesignates \$208,000 of Congressional District 3 loan funds to Congressional District 3 grant funds. This redesignation does not exceed thirty (30) percent of the funds available for loans on January 1, 2021.

2) During the remainder of FY 2021 for any project being recommended for a grant binding commitment in District 3 and such grant amount is within the 30% (\$10,818,848.76 remains) the transfer shall be approved as part of the binding commitment approval.

3) Any funds remaining from the \$10,818,848.76 on June 30, 2021, shall be redesignated as Congressional District 3 loan funds.

4) This Resolution shall be effective immediately upon adoption.

Adopted this 6<sup>th</sup> day of January, 2021.

**Wayne D Morgan**

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Executive Secretary