



WEST VIRGINIA

Infrastructure & Jobs Development Council

APPROVED

A meeting of the West Virginia Infrastructure and Jobs Development Council (Council) was held **Wednesday, October 13, 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, Governor's Office

Voting members present:

Marie Prezioso, WV Water Development Authority

John Reisenweber, Vice-Chair

Stephanie Hickerson, WV DHHR-Bureau for Public Health

Charlotte Lane, WV Public Service Commission

Matthew McComas, Public Member

Kris Warner, WV Economic Development Authority

Voting members (by phone):

Erica Boggess - WV Housing Development Authority

Kathy Emery, WV Dept. of Environmental Protection

Louis Spatafore, Public Member

Don Rigby, Public Member

Voting members that were not present:

Joseph Freeland, Public Member

John Boyle, Public Member

Advisory Members present:

Advisory Members present not present:

Senator Chandler Swope

Senator Glen Jeffries

Invitees present:

Jonathan Fowler, WV Public Service Commission

Invitees (by phone):

Janna Lowery, USDA

Roger Earle, WV DEP – Abandoned Mine Lands

David Cramer, WV Division of Highways

Jeff Brady, WV DEP

Chris Arrington, WV DHHR - Bureau for Public Health
Christopher Thomas, WV DHHR - Bureau for Public Health
Jason Billups, WV Department of Environmental Protection
Todd Hooker, WV Development Office

Invitees not present:

James Bush, WV ARC
Lesli Stone Smith, US Army Corp. of Engineers
Tracy Rowan, US Economic Development Authority
Ryan Halsey, CDBG Project Manager
Alan Harris, USDA

Others in attendance:

Wayne Morgan, WV Infrastructure & Jobs Development Council
Kristi Ritchie, WV Infrastructure & Jobs Development Council
Samme Gee, Jackson Kelly PLLC
Kelly Goes, Jackson Kelly PLLC

Others in attendance by phone:

Brandon Crace, WV Infrastructure & Jobs Development Council
Mike Duminiak, WV Infrastructure & Jobs Development Council
Leanna Atkinson, WV Infrastructure & Jobs Development Council
Cindy Williams, WV Water Development Authority
Cary Smith, Region 7 Planning & Development Council
Whytni Cline, Jackson Kelly PLLC
Dan Ferrell, The Thrasher Group
John Cole, RK & K
Fred Hypes, Dunn Engineering
Stacy Fowler, Thompson & Litton Inc.
A C Wiethe, Belomar
Michael Griffith, Griffith & Associates PLLC

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 **September 1, 2021**. Matt McComas moved for approval and John Reisenweber seconded the motion. The motion passed.

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

Chestnut Ridge PSD (2019W-1835) System Improvements – District 1 (Scope, Cost & Funding Change)

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

The Technical Review & Funding Committee recommends the Chestnut Ridge PSD pursue a \$500,000 DWTRF Principal Forgiveness Loan, a \$1,902,500 DWTRF Loan (0.5%, 40 yrs.), a \$1,000,000 IJDC District 1 Grant, and a \$1,897,500 IJDC Loan (1%, 40 yrs.) for an estimated project cost of \$5,300,000.

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

Fairview, Town of (2020W-1861) System Improvements – District 1 (Scope, Cost & Funding Change)

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

The Technical Review & Funding Committee recommends the Town of Fairview pursue a \$700,000 DWTRF Principal Forgiveness Loan, a \$1,479,430 DWTRF Loan (0.5%, 40 yrs.), and a \$1,000,000 IJDC District 1 Grant for an estimated project cost of \$3,179,430.

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

Fairview, Town of (2020W-1861) System Improvements – District 1 (Engineering Fee Variance)

Ms. Hickerson described the request.

The Technical Review & Funding Committee recommends the Town of Fairview Engineering Fee Variance request for total engineering fees be approved.

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

Grant Town, Town of (2021W-2000) System Improvements – District 1 (New Application)

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

The Technical Review & Funding Committee recommends the Town of Grant Town pursue a \$1,000,000 IJDC District 1 Grant and a \$2,825,000 IJDC District 1 Loan (1%, 40 yrs.) for an estimated project cost of \$3,825,000.

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

New Creek PSD (2021S-2004) WWTP Improvements & Extension – District 1 (New Application)

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

The Technical Review & Funding Committee recommends the New Creek PSD pursue a \$1,000,000 CWSRF Principal Forgiveness Loan, a \$1,000,000 IJDC District 1 Grant, a \$300,000 Mineral County Grant, a \$1,000,000 USDA Grant, and a \$1,350,700 USDA Loan (1.5%, 38 yrs.) for an estimated project cost of \$4,650,700.

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

Parsons, City of (2021S-2006) System Improvements – District 1 (New Application)

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

The Technical Review & Funding Committee recommends the City of Parsons pursue a \$50,000 contribution from the city, a \$500,000 IJDC District 1 Grant, a \$720,000 USDA Grant, and a \$1,190,000 USDA Loan (1.75%, 38 yrs.) for an estimated project cost of \$2,460,000.

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

Preston County PSD (2021S-2009) Sewer System Improvements– District 1 (New Application)

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

The Technical Review & Funding Committee recommends the Preston County PSD Sewer pursue a \$1,000,000 CWSRF Green Debt Forgiveness Loan and a \$1,000,000 IJDC District 1 Grant for an estimated project cost of \$2,000,000.

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

Rivesville, Town of (2019W-1803) System Improvements – District 1 (Cost & Funding Change)

Wayne Morgan described the request.

The Technical Review & Funding Committee recommends the Town of Rivesville pursue a \$222,994 IJDC District 1 Grant and a \$775,000 IJDC District 1 Loan (2%, 30 yrs.) for an estimated project cost of \$997,994.

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

Rowlesburg, Town of (2021C-124) Force Main & Gravity Line Failure / Critical Need– District 1 (New Application)

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

The Technical Review & Funding Committee recommends the Town of Rowlesburg's \$299,000 Critical Need Funds request for replacing a failed force main and gravity line be approved.

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

Norton Harding Jimtown PSD (2016S-1663) Norton Extension – District 2 (Cost & Funding Change)

Mr. Morgan described the request.

Janna Lowery (USDA) stated there are no anticipated issues with the USDA funding for this project. The PSD is eligible for the additional funding. USDA is currently operating under a continuing resolution and do not have access to funds. Once the funds are accessible, the additional grant funding will be committed.

The Technical Review & Funding Committee recommends the Norton Harding Jimtown PSD pursue a \$650,000 USDA Grant, a \$700,000 USDA Loan (3.375%, 40 yrs.), and a \$500,000 IJDC District 2 Grant for an estimated project cost of \$1,850,000.

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

Tomlinson PSD (2018W-1731) System Improvements – District 1 (Cost & Funding Change)

Ms. Hickerson described the request.

The Technical Review & Funding Committee recommends the Tomlinson PSD pursue an additional \$2,764,000 DWTRF Loan (1%, 0.25% adm. fee, 40 yrs.), a \$7,571,000 DWTRF Loan (1%, 0.25% adm. fee, 40 yrs.), an additional \$300,000 DWTRF Principal Forgiveness Loan, a \$500,000 DWTRF Design Loan (0.75%, 0.50% adm. fee, 30 yrs.), a \$50,000 IJDC Soft Cost Grant, and a \$165,000 IJDC District 1 (Bid Overrun) Grant for an estimated project cost of \$11,350,000.

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

Kenova, City of (2015W-1599) Prichard Extension – District 3 (Cost & Funding Change)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the City of Kenova pursue a \$1,284,000 US EDA Grant, a \$1,450,000 US ACE Grant, a \$1,500,000 ARC Grant, a \$450,000 Wayne County Commission Grant, and a \$1,450,122 IJDC District 2 Loan (2.75%, 20 yrs.) for an estimated project cost of \$6,134,122.

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

Lincoln County PSD (2019W-1806) Alum Creek Tank – District 3 (Tabled – Scope, Cost & Funding Change)

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

The Technical Review & Funding Committee recommends the Lincoln County PSD pursue a \$250,000 Lincoln County Commission Grant, a \$250,000 DWTRF Principal Forgiveness Loan, and a \$500,000 IJDC District 3 Grant for an estimated project cost of \$1,000,000.

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

Mason County PSD (2021W-2005) J2Y35 System Improvements - District 3 (New Application)

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

The Technical Review & Funding Committee recommends the Mason County PSD pursue a \$500,000 DWTRF Principal Forgiveness Loan, a \$400,000 Mason County Commission Grant, and a \$500,000 IJDC District 3 Grant for an estimated project cost of \$1,400,000.

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

Oceana, Town of (2019W-1840) System Improvements – District 3 (Scope, Cost & Funding Change)

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

The Technical Review & Funding Committee recommends the Town of Oceana pursue a \$1,500,000 ARC Grant, a \$700,000 DWTRF Principal Forgiveness Loan, a \$350,000 DWTRF Design Loan (0.5%, 30 yrs.), a \$1,950,000 DWTRF Loan (0.5%, 30 yrs.), and a \$500,000 IJDC District 3 Grant for an estimated project cost of \$5,000,000.

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

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

Union PSD (2021S-1989) System Improvements – District 2 (New Application)

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

The Technical Review & Funding Committee recommends the Union PSD pursue a \$5,460,000 CWSRF Wrap Loan (2.5%, 20 yrs.).

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

Oceana, Town of (2021S-1990) System Improvements – District 3 (New Application)

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

The Technical Review & Funding Committee recommends the Town of Oceana pursue a \$361,000 CWSRF Debt Forgiveness Loan and \$1,444,000 Legislative Appropriation for an estimated project cost of \$1,805,000.

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

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

Davis, Town of (2021S-2022) System Improvements – District 1 (PFA Binding Commitment)

Mr. Morgan described request.

The Technical Review & Funding Committee recommends the Town of Davis receive a \$90,000 IJDC PFA Funds binding commitment for a SSES and Application for a Collection System Improvements Project (City using ARPA funds for its \$90,000 match).

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

There was a discussion regarding the existing sewer system rehabilitation work that is required regardless of potential consolidation.

Enlarged Hepzibah PSD (2019W-1819) System Improvements – District 1 (Binding Commitment Extension)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the Enlarged Hepzibah PSD receive a one-month extension of its IJDC binding commitment until November 10, 2021 (to submit updated cost & funding change request).

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

Grandview-Doolin PSD (2021W-1950) Robinson Ridge Extension – District 1 (Binding Commitment)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the Grandview-Doolin PSD receive a \$413,500 IJDC District 1 Grant and a \$163,500 IJDC District 1 Loan (2%, 30 yrs.) binding commitment.

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

Rivesville, Town of (2019W-1803) System Improvements – District 1 (Binding Commitment)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the Town of Rivesville receive a \$222,994 IJDC District 1 Grant and a \$775,000 IJDC District 1 Loan (2%, 30 yrs.) binding commitment.

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

Tomlinson PSD (2018W-1731) System Improvements – District 1 (Bid Overrun Binding Commitment)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the Tomlinson PSD receive a \$165,000 IJDC District 1 (bid overrun) Grant binding commitment.

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

Worthington, Town of (2019W-1810) System Improvements – District 1 (Binding Commitment)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the Town of Worthington receive a \$500,000 IJDC District 1 Grant binding commitment.

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

Beverly, Town of (2020S-1897) System Improvements – District 2 (Binding Commitment Extension)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the Town of Beverly receive a one-month (November 10th) binding commitment extension to allow the sponsor time to provide additional required documentation.

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

Southern Jackson County PSD (2018S-1767) WWTP Improvements – District 2 (Binding Commitment)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the Southern Jackson County PSD receive a \$1,000,000 IJDC District 2 Grant binding commitment.

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

Crum PSD (2021W-2025) System Improvements – District 3 (PFA Binding Commitment)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the Crum PSD receive a \$12,500 IJDC PFA Funds binding commitment to file an application for a system improvements project including a source of supply study.

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

Kenova, City of (2015W-1599) Prichard Extension – District 3 (Contingent Binding Commitment Extension)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the City of Kenova receive a contingent (upon additional US EDA funding commitment) binding commitment extension until October 10, 2022.

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

Lashmeet PSD (2018W-1728) Mary Branch Extension – District 3 (Binding Commitment)

Mr. Morgan described the request.

The Technical Review and Funding Committee recommends the Lashmeet PSD receive a \$304,618 IJDC District 3 Loan (1%, 40 yrs.) and a \$1,000,000 IJDC District 3 Grant binding commitment.

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

McDowell County PSD (2021W-1961) Elkhorn Creek Extension III – District 3 (Contingent Binding Commitment)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the McDowell County PSD receive a \$856,500 IJDC District 3 Grant contingent (upon US EDA funding) binding commitment.

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

Pea Ridge PSD (2017S-1674) Rt. 2 Extension & WWTP Improvements – District 3 (Binding Commitment Extension)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the Pea Ridge PSD binding commitment be extended until December 10, 2021 (allows District time to determine appropriate funding for new cost estimate).

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

**Projects Requesting
Ancillary Project
Expenditure:**

Cowen PSD (2017W-1708) Emergency Tank Replacement – District 3 (Ancillary Funds Expenditure)

Ms. Hickerson described the request.

The Technical Review and Funding Committee recommends the Cowen PSD ancillary expenditure request to utilize \$35,873.00 to purchase and install a telemetry system update for the PSD's 8 sites, provide solar power for telemetry, and provide telemetry at the recently completed Glade Run Tank be approved.

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

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

ADO (loan approval)

2021E-199

Due to a potential conflict of interest, Kris Warner recused himself from any discussion or voting on the next motion. Mr. Warner left the meeting.

Mr. Reisenweber described the request.

The West Virginia Department of Economic Development is in receipt of a request for an Economic Development Bond fund loan.

Specifically, the request is for a loan not to exceed \$3,805,005.00 to finance ADO's expansion in Marshall County. The balance of the funding will be provided through equity from the company and a loan from WV Economic Development Authority.

The West Virginia Department of Economic Development recommends approval of this loan with the following terms and conditions:

1. A loan not to exceed \$3,805,000.00.

2. The interest rate will be set at the Wall Street Journal prime rate on the day of closing.
3. The term will not exceed 15 years and 6 months.
4. The loan proceeds may only be used for costs associated with land, the building and equipment at the facility.
5. Interest and principal payment will be deferred for six months. Interest will not accrue during this period.
6. The WV IJDC will have a shared first lien on the land and building and will reserve the right to take a shared first lien on all project assets once construction is completed.

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

There was a discussion regarding ADO (what it is, where they are based, what they manufacture, and the number of potential jobs to be created). Kelly Goes and Todd Hooker responded to the questions from the Committee.

Business Items:

None

Informational Items:

**Executive Director
Comments**

**Information
Report**

Funding Program Updates
None

Ravenswood, City of – Sys. Imprvs. (cost change)-2
Mr. Morgan described the bid underrun and funding change.

2020W-1860

Staff will record new City of Ravenswood funding scenario to pursue a \$5,062,245 DWTRF Loan (3.25%, 25 yrs.), a \$1,138,800 IJDC District 2 Loan (3%, 20 yrs.), and a \$198,795.18 City of

Ravenswood Contribution with an estimated project cost of \$6,399,840.18.

Mr. Morgan noted no action is required; this is for informational purposes.

Smithers, City of – Sys. Imprvs. (cost change)-3 2020S-1871
Mr. Morgan described the funding change.

Staff will record new City of Smithers funding scenario to pursue a \$908,305 CWSRF Grant, a \$500,000 IJDC District 3 Grant, and a \$80,000 IJDC Soft Cost Grant with an estimated project cost of \$1,488,305.

The project is moving forward to bid.

2022 IJDC DRAFT Meeting Schedule Wayne Morgan
Mr. Morgan stated a copy of the DRAFT 2022 Meeting Schedule is included in the packet. This is for informational and review purposes only. The schedule will be presented at the November meeting for approval.

If anyone has any questions or feels changes are needed, they are to contact Mr. Morgan.

2021 IJDC Audit Wayne Morgan
Mr. Morgan stated the 2021 IJDC Audit has been completed and will be reported on next month by Brown Edwards.

Mr. Morgan noted there were no surprises, and the audit has been presented to the WDA Board.

US Senate Hearing Wayne Morgan
Mr. Morgan announced he will be testifying at the US Senate Environment and Public Works Committee tomorrow (Thursday, October 14th). It is hopeful something will happen on the federal level associated with infrastructure as that process moves forward.

USDA Update Janna Lowery
Ms. Lowery noted the USDA final funding report for fiscal year 2021 was submitted to the Committee for review. The report noted the projects that were funded from the regular

allocation and the three projects funded through the Persistent Poverty County set aside. They were able to access National Reserve Funds to use above and beyond the initial allocation. The USDA partnering with other state agencies allowed additional funds to be used.

Ms. Lowery noted the interest rates for the current quarter are Poverty at 1.25%, Intermediate at 1.75% and Market at 2.125%.

In addition, 2 notices regarding funding availability were included with Ms. Lowery's report. These are nationally competitive grant programs – one is the Solid Waste Program and the second is the Water and Waste Treatment Program. If anyone has questions on the information presented by Ms. Lowery, please reach out to her.

DEP-CWSRF

Kathy Emery

Ms. Emery noted she will be participating in an EPA Region 3 webinar discussing Environmental Justice with follow-up breakout sessions discussing CWSRF and funding programs.

If any changes are required, Ms. Emery will let the committee know.

**Projects
Requiring
Additional
Information:**

Denver W. Assoc.-Sys. Imprvs. (new app.-consol. Com.)-1	2020W-1888
Warm Springs PSD – Sys. Imprvs. (funding change)-2	2020S-1885
Marlinton, Town of – Sys. Imprvs. (tab. Nov. – new app.)-3	2020S-1907
McDowell PSD – Jolo Phase V (application/returned)-3	2019W-1838
Wilderness PSD–Snow Hill Ext. / Crit. Need (tab. app. Sept.)-3	2021W-1940

**Requests
Received:**

(Applications by September 10, 2021, and requests to date)

Sewer: Monongah, Town of – Walnut Block / Critical Need (new app.)-1	2021S-2019
North Beckley PSD – Piney View/Batoff Mtn. (new application)-3	2021S-2007
White Oak PSD – System Improvements (new application)-3	2021S-2001

Water: Hughes River Water Board – Sys. Imprvs. (new application)-1 2021W-2003
Mountain Top PSD – System Improvements (new application)-1 2021W-2016

Committee Reports:

Consolidation	Erica Boggess
Funding	Marie Prezioso
Infrastructure & Jobs Development Council	Wayne Morgan
Sewer Technical Review	Kathy Emery
Water Technical Review	Stephanie Hickerson

Other Reports:

US Army Corp. of Engineers	Lesli Stone-Smith
US Department of Agriculture	Jana Lowery
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, Mr. McComas moved the motion, Mr. Reisenweber seconded the motion. The motion passed. The meeting was adjourned at 10:16 a.m.

Wayne D. Morgan
Secretary & Executive Director