



**WEST VIRGINIA**

**Infrastructure & Jobs Development Council**

**APPROVED**

A meeting of the West Virginia Infrastructure and Jobs Development Council (Council) was held **Wednesday, October 4, 2023, beginning at 9:30 a.m.** in the Infrastructure & Jobs Development Council Public Hearing Room at 1009 Bullitt Street, Charleston, West Virginia.

**Voting Members that were present:**

**Quorum** A quorum was constituted of the following members present:

**Chair** Ann Urling, Governor's Office

**Voting Members in person:**

Marie Prezioso, WV Water Development Authority  
Meredith Vance, WV Bureau for Public Health  
James Ellars, WV Public Service Commission  
Kris Warner, WV Economic Development Authority  
Kathy Emery, WV Department of Environmental Protection  
Virginia King, Public Member  
Erica Boggess, WV Housing Development Authority

**Voting Members via phone:**

John Reisenweber, Vice Chair/Public Member  
Louis Spatafore, Public Member

**Voting Members not present:**

Don Rigby, Public Member  
John Boyle, Public Member  
Matt McComas, Public Member

**Advisory Members present in person:**

None

**Advisory Members present via phone:**

None

**Invitees present or via phone:**

Roger Earle, WV DEP – WV Abandoned Mine Lands & Reclamation  
Jason Billups, WV Department of Environmental Protection  
Janna Lowery, USDA Rural Development

**Invitees not present:**

Tracy Rowan, US Economic Development Authority  
James Bush, WV ARC  
Lesli Stone Smith, US Army Corp. of Engineers

**Others in attendance:**

Wayne Morgan, WV Infrastructure & Jobs Development Council  
Rachel Hill, WV Infrastructure & Jobs Development Council  
P.E. Bauchem, Capitol City Police  
Samme Gee, Jackson Kelly PLLC  
Kelly Goes, Jackson Kelly PLLC  
Julie Merow, Jackson Kelly PLLC  
Jesse Alden, The Thrasher Group  
Todd Hooker, WV Department of Economic Development  
Todd Grinstead, WVRWA  
Amanda Cochran, WVRWA  
Brad Sergent, WV WDA  
Veronica Lewis, WV WDA  
Bob Bragg, Potesta & Associates  
Mariah Horton, USDA Rural Development  
Alan Harris, USDA Rural Development  
Cam Siegriest, Bowles Rice LLP  
Greg Belcher, Chapman Tech Group

**Others in attendance by phone:**

Mike Duminiak, WV Infrastructure & Jobs Development Council  
Elizabeth Atkinson, WV Infrastructure & Jobs Development Council  
Stacy Fowler, Thomas & Litton  
Eric Combs, Region 1  
Michael Griffith, CPA – Griffith & Associates

**Call to Order** Ann Urling called the meeting to order and noted a quorum was present.

**Approval of Minutes** Ann Urling asked for approval of the draft minutes of **September 6, 2023**, meeting. Virginia King moved for approval and Erica Boggess seconded the motion. The motion passed.

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

**Elk Valley PSD-Disinfectant Upgrade (New application)** **2023S-2427**  
Kathy Emery described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends Elk Valley PSD pursue a \$600,000 CWSRF Principal Forgiveness, a \$50,000 Kanawha County Commission Grant, and a \$500,000 IJDC Grant for an estimated project cost of \$1,150,000.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Mason, Town of-Dist Sys Imprvs (New application)** **2023W-2397**  
Meredith Vance described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the Town of Mason pursue a \$1,220,000 DWTRF Loan (0.5%, 40 yrs., 0.25 AF%), a \$1,000,000 DWTRF Principal Forgiveness Loan, a \$30,000 Town Contribution, and a \$500,000 IJDC Grant for an estimated project cost of \$2,750,000.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Ravencliff McGraws Saulsville PSD-WTP Imprvs (Cost and funding change) 2022W-2199**

Wayne Morgab described the request.

The Technical Review and Funding Committee recommends the Ravencliff McGraws Saulsville PSD pursue a \$722,000 DWTRF Principal Forgiveness, a \$242,000 WDA EEGF, and a \$500,000 IJDC Grant for an estimated project cost of \$1,464,000.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Salt Rock Sewer PSD-Service Fox Fire Resort (Cost & funding change) 2022S-2121**

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Salt Rock Sewer PSD pursue a \$194,765 CDS Grant, \$48,690 CDS Match, a \$7,000 Salt Rock Sewer PSD Contribution, and a \$122,545 IJDC Grant for an estimated project cost of \$373,000.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Salt Rock PSD-Phase II Pump Station Imprvs (Cost & funding change) 2022S-2169**

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Salt Rock Sewer PSD pursue a \$1,221,235 CDS Grant, a \$305,310 CDS Match, and a \$423,455 IJDC Grant for an estimated project cost of \$1,950,000.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Wayne, Town of-Sys Imprvs (New application) 2022S-2281**

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

The Technical Review and Funding Committee recommends the Town of Wayne pursue a \$1,000,000 CDS, a \$200,000 CDS Match, a \$1,000,000 US ACE Grant, a \$2,500,000 CWSRF Principal Forgiveness Loan, a \$2,900,000 CWSRF Loan (0.25%, 40 yrs, 0.25% AF) a \$2,250,000 WDA EEGF, a \$1,000,000 Wayne County Commission ARPA Grant, and a \$1,000,000 IJDC Grant for an estimated project cost of 11,850,000.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Welch, City of-Main repl (New application) 2023W-2423**

Meredith Vance described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the City of Welch pursue a \$1,864,000 CDBG, a \$1,500,000 ARC Grant, a \$1,500,000 USDA Grant and a \$500,000 IJDC Grant for an estimated project cost of \$5,364,000.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

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

**Beech Bottom, Village of-Dist Sys Imprvs (New application) 2023W-2426**  
Meredith Vance described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the Village of Beech Bottom pursue a \$1,957,000 CDS Grant.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Belmont, City of - Sys Imprvs (Engineering Fee Variance) 2023S-2400**  
Kathy Emery described the request.

The Technical Review and Funding Committee recommends the City of Belmont request for a total engineering fee variance be approved.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Projects Requesting Infrastructure Fund Binding Commitment:**

**Davis, Town of-Interim WWTP Imprvs (Binding commitment) 2023S-2389**  
Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Town of Davis receive a \$178,000 IJDC Grant and \$178,000 IJDC Loan (2%, 30 yrs.) binding commitment.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Fairview, Town of-Sys Imprvs I (Binding commitment) 2020W-1861**  
Wayne Morgan described the request.

The Technical Review and Funding Committee recommend the Town of Fairview receive a \$1,000,000 IJDC Grant binding commitment.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Fairview, Town of-Sys Imprvs II (Binding commitment) 2022W-2087**  
Wayne Morgan described the request.

The Technical Review and Funding Committee recommend the Town of Fairview receive a \$1,000,000 IJDC Grant binding commitment.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Hinton, City of-CSO Abatement (Bid overrun req./cost & funding chg./bind com ext.) 2015S-1585**  
Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the City of Hinton receive a \$165,000 IJDC Bid Overrun Grant binding commitment including extending the \$500,000 IJDC Grant binding commitment until February 15, 2024.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Lashmeet PSD-Mary Br Ext, 47 cust (Binding commitment extension) 2018W-1728**  
Wayne Morgan described the request.

The Technical Review and Funding Committee recommends Lashmeet PSD receive a binding commitment extension until October 15, 2024.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Logan Co PSD-Upper Huff Ck Ext, 87 cust (Binding commitment extension) 2017W-1690**  
Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Logan County PSD receive a binding commitment extension until January 15, 2024.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**McDowell Co PSD-Elkhorn III, 13 cust (Binding commitment ext) 2021W-1961**  
Wayne Morgan described the request.

The Technical Review and Funding Committee recommends McDowell County PSD receive a binding commitment extension until October 15, 2024.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Mountain Top PSD-WTP & Sys Imprvs (Use of bid underrun incl cost & funding upd) 2021W-2016**  
Meredith Vance described the request.

The Technical Review and Funding Committee recommends the Mountain Top PSD \$465,740 (additional main replacement, telemetry, and contingency) bid underrun request be approved.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Philippi, City of-Little Laurel Run Dam (Binding commitment extension) 2019W-1855**  
Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the City of Philippi receive a binding commitment extension until July 15, 2024.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Pocahontas Co PSD-Headworks (Bid overrun req./cost & funding chg./bind com) 2021S-2034**

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Pocahontas County PSD receive a \$165,000 IJDC Bid Overrun Grant binding commitment.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Richwood, City of-Sys Imprvs (Binding commitment ext) 2018S-1779**

Wayne Morgan described the request.

The Technical Review and Funding Committee recommend the City of Richwood receive a binding commitment extension until September 15, 2024.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Wardensville, Town of-Sys Imprvs (Binding commitment extension) 2020W-1879**

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Town of Wardensville pursue a \$3,718,889 DWTRF Loan (0.5%, 40 yrs.), a \$25,950 DWTRF Loan Lead pgm (0.5%, 40 yrs.), a \$975,070 DWTRF Principal Forgiveness Loan, a \$24,930 DWTRF PF Loan Lead pgm, a \$1,103,000 WDA EEGF, a \$46,738 Wardensville Contribution and a \$1,000,000 IJDC Grant for an estimated project cost of \$6,894,577; and receive and IJDC Binding Commitment Extension until July 15, 2024.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Critical Needs:**

**New Haven, Town of-Park LS Repl (New CN application) 2023S-2444**

Kathy Emery described the request.

The Technical Review and Funding Committee recommends the Town of New Haven's request to pursue a \$25,000 Town Contribution and a \$471,000 IJDC Critical Immediate Need Grant to replace the Park Lift Station be approved; and receive a \$471,000 contingent binding commitment (upon receipt of required documentation) be approved.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Nitro, City of-Hub Ind Park Imprvs (New CN application) 2023S-2437**

Kathy Emery described the request.

The Technical Review and Funding Committee recommends the City of Nitro's request to pursue a \$764,900 (\$799,900 - \$35,000) IJDC Critical Immediate Need Grant to replace two (2) pumps stations at Hub Industrial Park be approved; and receive a \$764,900 (\$799,900 - \$35,000) contingent binding commitment (upon receipt of required documentation) be approved.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**WV Division of Corrections and Rehabilitation (New CN application and cont bind com)2023S-TBD**

Kathy Emery described the request.

The Technical Review and Funding Committee recommends the WV Division of Corrections and Rehabilitation's request to pursue an up to \$700,000 IJDC Critical Immediate Need Grant to replace a sewer line at the Jail be approved; and receive an up to \$700,000 contingent binding commitment (upon receipt of required documentation) be approved.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**Economic Development  
Assistance:**

**Council  
Action**

**Hardy County Rural Development Authority (Funding request)**

**2023E-214**

Kris Warner described the request.

RE: The Hardy County Rural Development Authority has requested a grant for the relocation of utility lines associated with an Industrial Access Road project that serves the American Woodmark facility in Moorefield.

**MOTION:**

I MOVE THAT a grant to the Hardy County Rural Development Authority (2023E-214) in the amount of \$100,000 for the relocation of utility lines associated with the Industrial Access Road project that serves the American Woodmark facility in Moorefield, BE APPROVED

Kris Warner moved that the recommendation be approved, Virginia King seconded the motion. The motion passed.

**WV Economic Development Authority Loan (Request from Jefferson Utilities, Inc.)**

**2017E-174**

Marie Prezioso described the request.

**Note:** Kris Warner recused himself during the voting and discussion. Marie Prezioso mentioned that Cam Siegriest was the representing council, and any question should be directed to him.

On November 30, 2020, the West Virginia Water Development Authority ("WDA") acting on behalf of the West Virginia Infrastructure and Jobs Development Council ("IJDC") loaned West Virginia Economic Development Authority ("WVEDA") \$5,939,006 to purchase from Roxul USA Inc. certain water facilities located in Jefferson County, West Virginia providing water service to the Jefferson Orchards Industrial Park (the "Water Facilities"). (IJDC Project 2017E-174) Contemporaneously with the closing of such loan, WVEDA loaned Jefferson Utilities, Inc. ("JUI") \$5,939,006 to purchase the Water Facilities from the WVEDA. West Virginia-American Water Company ("WV American Water") and JUI have requested consent to the sale and conveyance of the Water Facilities to WV American Water and to the assumption by WV American Water of the loan by the WVEDA to JUI on same terms and conditions as currently set forth in the documentation for such loan except that (i) the monthly payments of \$2.88 per 1,000 gallons of water sold in the Jefferson Orchards Industrial Park shall be increased to \$5.76 per 1,000 gallons of water so sold; and (ii) WV American Water shall be generally obligated to pay any balance owed on the loan to JUI being assumed by WV American Water when it matures on January 20, 2061, unless such loan is renegotiated by the applicable parties. The balance of such loan is approximately \$5,871,513.32. The original loan was for 0% interest with a final maturity date of January 20, 2061.



## MOTION

RESOLVED: That in response to the request from West Virginia-American Water Company ("WV American Water") and Jefferson Utilities, Inc. ("JUI"), the West Virginia Infrastructure and Jobs Development Council ("WVIJDC") hereby consents (i) to the sale and conveyance by JUI to WV American Water of the water facilities financed with proceeds of the loan made by the West Virginia Economic Development Authority (the "WVEDA") to JUI on November 30, 2021, in the original principal amount of \$5,939,006 (the "JUI Loan"), which JUI Loan was made by the WVEDA with proceeds of a loan in a like amount made by the West Virginia Water Development Authority (the "WDA") acting on behalf of the WVIJDC to the WVEDA also made on November 30, 2021 (IJDC Project 2017E-174), and which JUI Loan is currently outstanding in the approximate amount of \$5,871,513.32, and (ii) to the assumption of the JUI Loan by WV American Water on same terms and conditions as is currently set forth in the documentation for such JUI Loan, with the following modifications: (i) the monthly payments of \$2.88 per 1,000 gallons of water sold to customers in the Jefferson Orchards Industrial Park shall be increased to \$5.76 per 1,000 gallons of water so sold; and (ii) WV American Water shall be generally obligated to pay any balance owed on the JUI Loan being assumed by WV American Water when it matures on January 20, 2061, unless such JUI Loan is renegotiated by the applicable parties.

The loan to the WVEDA shall continue to be a special, limited obligation of the WVEDA payable solely from the payments received on the promissory note executed by JUI with respect to the JUI Loan being assumed by WV Virginia American Water, which promissory note is further described below.

The repayment of the JUI Loan shall continue to be secured by a Credit Line Deed of Trust, Assignment of Rents, Security Agreement and Fixture Filing and all other collateral that currently secures the JUI Loan. The JUI Note, as assumed by WV American Water, shall be non-interest bearing and shall be payable on the twentieth (20th) day of each month in the amount of \$5.76 per

thousand gallons of water sold in the Jefferson Orchards Industrial Park during the immediately preceding calendar month. The JUI Note, Loan Agreement and collateral documents relating thereto together with all rights under any related reverter clause, which shall henceforth be applicable to WV American Water, shall be assigned by WVEDA to the WDA.

Any unpaid principal balance at maturity of the JUI Loan (January 20, 2061), as assumed by WV American Water, shall be due and payable by WV American Water as a general obligation of WV American Water Company unless such loan is renegotiated by the applicable parties.

The officers and employees of the WDA are each hereby authorized and directed to execute and deliver such documents and to take such other actions as may be necessary or convenient to effectuate the foregoing, which documents may contain such other terms and conditions as may be required by the WDA.

Marie Prezioso moved that the recommendation be approved, Virginia King seconded the motion.

**Voting Results:** Yes-8  
No-1 (John Reisenweber)  
Abstention-1 (Kris Warner)

The motion passed.

### **Business Items:**

None

### **Unfinished Business Items**

None



**Informational Items:**

**Information  
Report**

None

**Executive Director Comments:**

Update Consolidation Committee:

**Logan, City & County PSD**

**2022W-2155**

Wayne Morgan - An update was received this morning indicating the source of supply is good for 3,000 gallons per minute and that they are doing some follow up testing associated with the water quality. They may be listed as an agenda item on the October 24<sup>th</sup> Consolidation Committee meeting regarding the water treatment plant improvements.

**Central Hampshire PSD**

**2023S-2340**

Wayne Morgan – There will be a Consolidation Committee on October 24<sup>th</sup> associated with Central Hampshire PSD and Romney regarding issues related to the sewer project.

**Hodgesville PSD - Murphy Station Road (Funding Change)**

**2023W-2317**

The Executive Director reported Hodgesville PSD will be closing (signing construction contract) in October on the project and will be reducing the commitment by \$98,649 (\$398,900 – \$300,251).

**Marshall County PSD – Dowler Road and Limestone Hill (Funding Change) 2023W-2362**

The Executive Director reported Marshall County PSD 3 will be closing (signing construction contract) in October on the project and will be reducing the IJDC Critical Need Grant commitment by \$289,466 (\$799,992 - \$510,526).

Funding program updates:

**Jana Lowery – USDA** – The new Federal fiscal year started October 1<sup>st</sup>. For fiscal year 2023 a list of projects will be provided for the next meeting. There were 13 water and sewer projects, \$13.2 million in loans and \$6.3 million in grants. 100% plus was utilized of the grant funding which means all funds allocated and those requested ending in 119% usage. The usage on the loan side was 70% used for funding with hope to improve next year and to work with IJDC to partner some projects to utilize the loan allocation. Update on the interest rates which increased in October, Poverty Rate 2 3/8, Intermediate Rate 3 1/8 and Market Rate 3 7/8, which is good until the end of December. There is no access to funding yet this fiscal year but will advise when this occurs.

**Leslie Stone Smith – US ACE** – Wayne Morgan shared that applications are still open and they received an increase in allocations.

**Projects Requiring  
Additional Information**

Birch River PSD-Sugar Tree Rdg CN Ext(Application tabled until January 2024)	2023W-2428
Brooke County PSD-Drovers Inn Ext, 12 customers (Application tabled until Oct 24th)	2023S-2407
Central Hampshire PSD-Harvest Hills Sys Imprv (Application referred to CC)	2023S-2340
East Bank, Town of – Collection Sys Imprvs (Application tabled until Oct 24th)	2023S-2415
Logan, City of-WTP Imprvs (Application referred to CC)	2022W-2155
Oak Hill, City of-Minden Collection Sys Imprvs (Cost and funding change/Binding com)	2020S-1859

## Requests Received: (Applications by September 10, 2023, and requests to date) Information Report

### Sewer

Bluewell PSD-Sys Imprvs (New application)	2022S-2232
Montgomery, City of-Sewer separation (New application)	2023S-2424
Poca, Town of-Stormwater Sys Imprvs (New application)	2023SS-2438
Ripley, City of-Klondyke Sewer Sys Imprvs (New application)	2023S-2449
Salt Rock Sewer PSD-UV Repl (New application)	2023S-2445

### Water

Clay County PSD-Ossia Rd & Moore Fk Ext, 50 cust (New application)	2023W-2435
Clay County PSD-Grassy Fk Ext, 40 cust (New application)	2023W-2436
Lincoln Co PSD-WTP Imprvs (SOS & Gen) (New application)	2023W-2446
Midland PSD-Maxwell Tank Repl (New application)	2023W-2441
Milton, City of-Sys Imprvs (New application)	2023W-2425
West Milford, Town of-Sys Imprvs (New application)	2023W-2447

### Committee Reports

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

### Other Reports

US Army Corps of Engineers	Lesli Stone Smith
US Department of Agriculture	Janna Lowery
Abandoned Mine Lands	Roger Earle
Division of Highways	Perry Keller
Funding Program Reports (projects bidding and closing)	Meredith Vance/ Kathy Emery

### Public Comment

None

### Adjournment

With no further business before the Committee, the Chair entertained a motion to adjourn. Kathy Emery moved to adjourn; Virginia King seconded the motion. The motion passed. The meeting was adjourned at **10:06 a.m.**

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Wayne D. Morgan  
Secretary & Executive Director