



WEST VIRGINIA

Infrastructure & Jobs Development Council

APPROVED

A meeting of the West Virginia Infrastructure and Jobs Development Council (Council) was held **Wednesday, August 4, 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

Jason Billups, WV Dept. of Environmental Protection - Designee

Jonathan Fowler, WV Public Service Commission

Matthew McComas, Public Member

Kris Warner, WV Economic Development Authority

Voting members (by phone):

Louis Spatafore, Public Member

Don Rigby, Public Member

Voting members that were not present:

Erica Boggess - WV Housing Development Authority

Joseph Freeland, Public Member

John Boyle, Public Member

Advisory Members present:

Senator Glen Jeffries

Senator Chandler Swope

Advisory Members not present:

None

Invitees present:

Todd Hooker, WV Development Office

Chris Arrington, WV DHHR-Bureau for Public Health

Fred Rader, MOVRC

Todd Grinstead – WV Rural Water Association

Invitees (by phone):

Janna Lowery, USDA
Tracy Rowan, US Economic Development Authority
David Cramer, WV Division of Highways
Alan Harris, USDA

Invitees not present:

James Bush, WV ARC
Lesli Stone Smith, US Army Corp. of Engineers
Roger Earle, WV DEP – Abandoned Mine Lands
Ryan Halsey, CDBG Project Manager

Others in attendance:

Wayne Morgan, WV Infrastructure & Jobs Development Council
Kristi Ritchie, WV Infrastructure & Jobs Development Council
Brandon Crace, WV Infrastructure & Jobs Development Council
Samme Gee, Jackson Kelly PLLC
Kelly Goes, Jackson Kelly PLLC
Terry Martin, Region 3 Planning & Development Council
Fred Hypes, Dunn Engineering
Amanda McGinnis, WVRWA

Others in attendance by phone:

Mike Duminiak, WV Infrastructure & Jobs Development Council
Leanna Atkinson, WV Infrastructure & Jobs Development Council
Cindy Williams, WV Water Development Authority
Jeff Johnson, Region 1 Planning & Development Council
Whytni Cline, Jackson Kelly PLLC
Justin Hunt, WV Development Office

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 **July 7, 2021**. Matt McComas moved for approval and John Reisenweber seconded the motion. The motion passed.

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

Barrackville, Town of (2021S-1972) System Improvements – District 1 (New Application)

Jason Billups described the application, and it is technically feasible.

The Funding Committee recommends the Town of Barrackville pursue a \$500,000 IJDC District 1 Grant, a \$500,000 District 1 IJDC Loan (3%, 20 yrs.), and a \$1,575,000 IJDC District 1 Loan (2%, 30 yrs.) for an estimated project cost of \$2,575,000.

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

Fairmont, City of (2020W-1932) River Run Road Extension – District 1 (Cost and Funding Change)

Wayne Morgan described the request.

The Funding Committee recommends the City of Fairmont pursue a \$117,267 IJDC Critical Need Grant.

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

Keyser, City of (2021S-1963) Biosolids Storage Facility – District 1 (New Application)

Mr. Billups described the application, and it is technically feasible.

The Funding Committee recommends the City of Keyser pursue a \$700,000 CWSRF Debt Forgiveness Loan and a \$700,000 IJDC District 1 Grant for an estimated project cost of \$1,400,000.

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

Nutter Fort, Town of (2021W-1973) System Improvements – District 1 (New Application)

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

The Funding Committee recommends the Town of Nutter Fort pursue a \$1,000,000 USDA Grant, a \$2,800,000 USDA Loan (1.75%, 40 yrs.), and a \$500,000 IJDC District 1 Grant for an estimated project cost of \$4,300,000.

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

Tunnelton, Town of (2020S-1893) WWTP Improvements– District 1 (Cost & Funding Change)

Mr. Morgan described the request.

Janna Lowery (USDA) noted their funding has been committed.

The Funding Committee recommends the Town of Tunnelton pursue a \$869,000 USDA Grant, a \$247,000 USDA Loan (1.12%, 40 yrs.), and a \$354,000 IJDC District 1 Grant for an estimated cost of \$1,470,000.

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

Mr. Reisenweber inquired about the amount of funds being returned to IJDC.

Mr. Morgan indicated approximately \$146,000 will be returned.

Greater St. Albans PSD (2021S-1978) Tornado Extension – District 2 (New Application)

Mr. Billups described the application, and it is technically feasible.

The Funding Committee recommends the Greater St. Albans PSD pursue a \$1,000,000 CWSRF Debt Forgiveness Loan, a \$15,091,000 CWSRF Loan (0.75%, 0.25% adm. fee, 30 yrs.), a \$4,000,000 Legislative Appropriation, and a \$500,000 IJDC District 2 Grant for an estimated project cost of \$20,591,000.

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

Ms. Prezioso noted the Legislative Appropriation funds is a federal earmark they have requested, not the State Legislature.

Terry Martin (Region 3 Planning & Development Council) verified a legislative request has been made through Senator Capito's office.

Reedy, Town of (2014S-1507) System Improvements – District 2 (Cost & Funding Change)

Mr. Morgan described the request.

Ms. Prezioso noted the Town has not had an audit since 2012.

There was a discussion regarding the Town's audits and requests being presented today for grant funding.

The Funding Committee recommends the Town of Reedy pursue a \$430,000 ARC Grant and a \$430,000 IJDC District 2 Grant for an estimated project cost of \$860,000.

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

Big Bend PSD (2019S-1823) WWTP Improvements – District 3 (Scope, Cost & Funding Change)

Mr. Billups described the request, and it is technically feasible.

The Funding Committee recommends the Big Bend PSD pursue a \$1,649,000 CWSRF (Decentralized) Principal Forgiveness Loan and a \$20,000 IJDC Soft Cost Grant for an estimated project cost of \$1,669,000.

Mr. Reisenweber asked if this project would resolve the DEP enforcement concern.

Mr. Billups responded with yes, it should.

Mr. Fowler noted that steel package plants should not be used on this project as it will not be approved.

Mr. Billups noted this would go against the DEP Consent Order #8976.

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 Williams PSD (2021S-1965) System Improvements – District 1 (New Application)

Mr. Billups described the application, and it is technically feasible.

The Funding Committee recommends Union Williams PSD pursue a \$1,000,000 CWSRF Debt Forgiveness Loan and a \$6,490,000 CWSRF Loan (0.75%, 0.25% adm. fee, 30 yrs.) for an estimated project cost of \$7,490,000; and the engineering fee variance request for total engineering costs be approved.

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

Spencer, City of (2021S-1974) System Improvements – District 2 (New Application)

Mr. Billups described the application, and it is technically feasible.

The Funding Committee recommends the City of Spencer pursue a \$3,940,000 CDBG-MIT Grant.

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

Pax, Town of (2021W-1985) Main Replacement – District 3 (New Application)

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

The Funding Committee recommends the Town of Pax pursue a \$1,680,000 CDBG-MIT Grant.

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

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

Fairmont, City of (2020W-1932) River Run Road Extension – District 1 (Binding Commitment)

Mr. Morgan described the request.

The Funding Committee recommends the City of Fairmont receive a \$18,360 IJDC Critical Needs Grant Binding Commitment (\$98,907 provided on June 2, 2021).

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

Huttonsville PSD (2019S-1788) System Improvements – District 2 (Binding Commitment)

Mr. Morgan described the request.

The Funding Committee recommends Huttonsville 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.

Mill Creek, Town of (2019W-1834) System Improvements – District 2 (Binding Commitment Extension)

Mr. Morgan described the request.

The Funding Committee recommends the Town of Mill Creek receive a binding commitment extension of 3 months from August 13, 2021, until November 15, 2021.

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

Reedy, Town of (2014S-1507) System Improvements – District 2 (Binding Commitment)

Mr. Morgan described the request.

The Funding Committee recommends the Town of Reedy receive a \$228,000 IJDC District 2 Grant Binding Commitment contingent upon the Town contracting for their audits (\$202,000 previously provided on March 3, 2021).

There was a discussion regarding the Town contracting for their audits versus completing their audits and the delay this would cause for the project.

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

Projects Requesting

Ancillary Project

Expenditure:

None

Projects Recommended

for Infrastructure Fund

Economic Development

Assistance:

Upper Kanawha Valley EDC (loan deferral) 2000E-054
Kris Warner described the request.

The West Virginia Development Office has requested the Upper Kanawha Valley Economic Development Corporation loan principal and interest be deferred due to lack of rentals.

WV EDA recommends the Upper Kanawha Valley Economic Development Corporation No. 2000E-054 principal and interest payments be deferred from July 1, 2021, to July 1, 2022, and that interest not be accrued during this time.

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

Hampshire Co. Development Authority (loan modification) 2001E-058
Mr. Warner described the request.

The original loan has a principal balance of \$689,995 and an additional loan in the amount of \$100,000 was approved by IJDC at its February 2021 meeting. The new maturity for both the outstanding loan and additional loan is February 1, 2036. This was approved at the April IJDC meeting.

The West Virginia Water Development Authority has requested modifications and ratification of the terms for the Hampshire County Development Authority Loan (2001E-058).

It is our recommendation the following additional modifications be approved:

1. All past deferred/outstanding interest is forgiven.
2. That the new interest rate is 0%.
3. Principal be paid as property is sold or leased

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

Business Items:

Committee Merger Resolution – Technical Review and Funding Committee

Council Action

Mr. Morgan invited Samme Gee (Jackson Kelly PLLC) to come to the podium. Mr. Morgan noted this Resolution was presented to the Technical and Funding Committees Meeting and is being provided for informational purposes.

Ms. Gee described the draft Resolution to Council and noted if anyone had any comments, they should be forwarded to her for incorporation. Ms. Gee further noted the draft will be brought back for review at the next Council meeting.

Informational Items:

Contractors Association Price Survey and Purchasing Memoranda

Information Report

Mr. Morgan stated WDA and IJDC received the memos and copies are included in the packet. It was further noted Ms. Prezioso provided an update at the Technical and Funding Committees meeting.

Ms. Prezioso stated these memos provide good information. Ms. Prezioso noted that one of the memos references the State purchasing allowances for modifications if there is an overrun.

Senator Chandler Swope offered some additional comments regarding the commodities such as steel, pipe, and lumber having runaway inflation. Senator Swope noted that budgets that were set two- or three-years prior will no longer hold up. He suggested giving discussion to whether adjustments in the specification requirements can be made. If some balance between public money, owner's risk, and contractor risk can be reached through the specification process, there may be ways to mitigate the inflationary impact.

Executive Director Comments

Information Report

USEDA Funding

Mr. Morgan announced that Tracy Rowan with USED A was participating via phone and would like to provide an update on some additional funds they have received that can be used to fund some rather large projects.

Ms. Rowan provided additional information on \$3 Billion in funding they have received. USED A will be working with the Planning & Development Councils to progress projects with Council. It is anticipated IJDC will see an influx in applications and no applications will be accepted after March 30, 2022.

Chair Urling offered some comments from the Governor's Offices perspective on how local government can look for opportunities for infrastructure improvement using the ARPA funds. A recommendation is being made to the Governor that all water and sewer projects come through the IJDC as they currently do.

Ms. Lowery noted the ARPA funds (local or state) cannot be used as the 20% match for the USED A projects.

Funding Program Updates

Janna Lowery (USDA) stated all of their FY2021 funding is spoken for and has been committed. USDA is required to do this before this Friday. Ms. Lowery will provide a final report at the next Council meeting.

Pocahontas County PSD – Frank-Bartow Sewer Ext. 2017S-1707
(cost change)

Mr. Morgan described the request.

IJDC Staff takes no exception to the Pocahontas County PSD pursuing a \$1,500,000 USEDA Grant, a \$600,000 ARC Grant, a \$300,000 Pocahontas County PSD Contribution, a \$974,867 CWSRF Loan (0.25%, 0.25% adm. fee, 40 yrs.), and a \$500,000 IJDC District 3 Grant for an estimated total project cost of \$3,874,867.

Mr. Morgan noted no action was required. This was for informational purposes only to allow for updated the budget.

Projects Requiring Additional Information:

Denver W. Assoc.-Sys. Imprvs. (new app.-consol. Com.)-1	2020W-1888
Norton Harding Jimtown PSD – Line Ext. (cost & fund. chg.)-2	2016S-1663
Warm Springs PSD – Sys. Imprvs. (funding change)-2	2020S-1885
Lincoln Co. PSD – Alum Creek Tank (scope, cost & fund. chg. – Sept.)-3	2019W-1806
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 July 10, 2021, and requests to date)

Sewer:

Paden City, Town of – Sys. Imprvs. (new application)-1 2021S-1977

Water:

Junior, Town of – Dist. System Imprvs. (new application)-1 2021W-1998

Pleasants Co. PSD – Plum Rd. Ext. Crit. Need (new app.)-1	2021W-1935
Salem, City of – Dist. System Replacement (new app.)-1	2021W-1988
McDowell Co. PSD – Bradshaw Water Sys. Imprvs. (new app.)-3	2021W-1939
McDowell County PSD–Elkhorn Creek Ext. III (new app.)-3	2021W-1961
Mercer County PSD – McComas System Repl. (new app.)-3	2021W-1992

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

Announcements:

Senator Swope offered some information on EPC Limited, a new company that became operational one week ago. This company offers poly propylene as an alternative to no structural steel. The operational costs of this company are less than 50% of current technologies and could offer a substantial savings.

Adjournment:

The Chair entertained a motion to adjourn, Mr. Reisenweber moved the motion, Mr. McComas seconded the motion. The motion passed. The meeting was adjourned at 10:14 a.m.

Wayne D. Morgan
Secretary & Executive Director