



WEST VIRGINIA

Infrastructure & Jobs Development Council

APPROVED

TECHNICAL & FUNDING COMMITTEES MEETING MINUTES

The Technical & Funding Committees meeting was held at the Infrastructure & Jobs Development Council Public Meeting Room on **August 24, 2021, at 10:00 A.M.**

Voting Members that were present:

Technical Committee Voting Members:

Jonathan Fowler, WV Public Service Commission
Stephanie Hickerson, WV Bureau for Public Health – Chair Water
Kathy Emery, WV Department of Environmental Protection – Chair Sewer

Funding Committee Voting Members:

Marie Prezioso, WV Water Development Authority - Chair
Jonathan Fowler, WV Public Service Commission
Kathy Emery, WV Department of Environmental Protection
Stephanie Hickerson, WV Bureau for Public Health
Erica Boggess, WV Housing Development

Funding Committee Voting Members in attendance via phone:

Kris Warner, WV Economic Development Authority

Others in attendance:

Wayne Morgan, WV Infrastructure & Jobs Development Council
Kristi Ritchie, WV Infrastructure & Jobs Development Council
Samme Gee, Jackson Kelly PLLC
Delegate Daniel Linville, WV House of Delegates
Fred Rader, MOVRC
Cassandra Lawson, Region 4 Planning & Development Council
Eleni Brick, The Thrasher Group
Dan Ferrell, The Thrasher Group
Tom Brown, City of Clarksburg
Corey Smith, The Thrasher Group
Terry Martin, Region 3 Planning & Development Council
Dakota Miller, City of Milton
Charles Conrad, City of Milton
Kathy Elliott, Region 2 Planning & Development Council
Terrance Moran, Potesta
Jason Billups, WV Department of Environmental Protection

Others invited and in attendance via phone and livestream:

Brandon Crace, WV Infrastructure & Jobs Development Council
Mike Duminiak, WV Infrastructure & Jobs Development Council
Randy Lengyel, WV Infrastructure & Jobs Development Council
Leanna Smith-Atkinson, WV Infrastructure & Jobs Development Council
Ann Urling, Governor's Office
Pam Keplinger, Region 8 Planning & Development Council
Janna Lowery, USDA
Bob Rodecker, Kay Casto and Chaney
Jeff Johnson, Region 1 Planning & Development Council
Cary Smith, Region 7 Planning & Development Council
Whytni Cline, Jackson Kelly PLLC
Stacy Fowler, Thompson & Litton
Leslie Stone-Smith, US Corp of Engineers
Shane Whitehair, Region 7 Planning & Development Council
Eric Combs, Region 1 Planning & Development Council
Matt Fluharty, Civil & Environmental Consultants, Inc.
Fred Hypes, Dunn Engineering
Chris Arrington, WV Bureau for Public Health
Jeff Brady, WV Department of Environmental Protection
John Giroir, WV Department of Environmental Protection

Call to Order Chair Marie Prezioso called the meeting to order and verified a quorum was present.

Welcome Chair Prezioso extended a special welcome to Delegate Linville, Chair of the House of Delegates Technical and Infrastructure Committee for Cabell County.

Approval of Minutes Chair Prezioso asked for approval of the draft minutes of **July 27, 2021**. Erica Boggess moved for approval and Jonathan Fowler seconded the motion. The motion passed.

Clarksburg Sewer Board (2021C-119) 30" Collapsed Sewer Line/ Critical Need – District 1 (New Application)

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

There was a discussion. Dan Ferrell (The Thrasher Group) responded to questions from the Committees.

The Funding Committee recommends the Clarksburg Sewer Board pursue a \$100,000 IJDC Critical Need Grant, a \$150,000 City of Clarksburg Contribution, and a \$475,000 CWSRF Supplemental Loan (3%, 20 yrs.) for an estimated project cost of \$725,000.

Kathy Emery moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Paden City, Town of (2021S-1977) System Improvements – District 1 (New Application)

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

The Funding Committee recommends the Town of Paden City pursue a \$1,500,000 US ACE Grant, a \$500,000 IJDC District 1 Grant, a \$150,000 Wetzel County Commission Grant, a \$150,000 Tyler County Commission Grant, and a \$150,000 Paden City Contribution for an estimated project cost of \$2,450,000.

Ms. Emery noted the Wetzel County, Tyler County, and Paden City contributions are anticipated ARPA funds.

Mr. Ferrell confirmed the three contributions are approved as ARPA funds.

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

Sand Fork, Town of (2016S-1662) System Improvements– District 1 (Funding Change)

Wayne Morgan described the request.

The Funding Committee recommends the Town of Sand Fork pursue a \$1,500,000 ARC Grant, a \$500,000 USDA Grant, and a \$500,000 USDA Loan (1.37%, 38 yrs.) for an estimated cost of \$2,500,000; and a \$282,000 interim WDA Design Loan.

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

West Union, Town of (2021S-1971) Sewer Line Collapse / Critical Need – District 1 (Cost & Funding Change)

Mr. Morgan described the request.

The Funding Committee recommends the Town of West Union's request to pursue a \$587,750 IJDC Critical Need Grant be approved.

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

Ms. Emery noted her appreciation to all involved for ensuring the cost estimates are updated so the projects can move forward to bid.

Southern Jackson County PSD (2018S-1767) WWTP Improvements – District 2 (Cost & Funding Change)

Mr. Morgan described the request.

The Funding Committee recommends Southern Jackson PSD pursue a \$1,000,000 IJDC District 2 Grant, a \$1,000,000 CWSRF Debt Forgiveness Loan, and a \$13,700,000 CWSRF Loan (0.25%, 0.25% adm. fee, 40 yrs.) for an estimated project cost of \$15,700,000.

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

Junior, Town of (2021W-1998) Dist. System Improvements – District 1 (New Application)

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

Ms. Hickerson noted the Town of Junior has a score of 3 on the EPA's Compliance Tracking Tool. The score is derived from a public notice violation. This violation needs to be resolved.

The Funding Committee recommends the Town of Junior pursue a \$475,000 USDA Loan (1.37%, 40 yrs.), a \$1,395,000 USDA Grant, and a \$500,000 IJDC District 1 Grant for an estimated project cost of \$2,370,000.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Parkersburg Utility Board (2020W-1882) System Improvements – District 1 (Cost & Funding Change)

Mr. Morgan described the request.

The Funding Committee recommends Parkersburg Utility Board pursue a \$7,000,000 City ARPA Grant and a \$9,893,147 DWTRF Loan (2.25%, 0.25% adm. fee, 25 yrs.) for an estimated project cost of \$16,889,147.

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

Pleasants County PSD (2021W-1935) Plum Road Extension – District 1 (New Application)

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

The Funding Committee recommends Pleasants County PSD's request to pursue a \$247,850 IJDC Critical Need Grant be approved.

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

Salem, City of (2021W-1988) Dist. System Replacement – District 1 (New Application)

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

Ms. Hickerson noted the Salem Water Board has a score of 2 on the EPA's Compliance Tracking Tool. The score is derived from a violation of the disinfection by-products rule and a violation of the lead copper rule. These violations need to be resolved.

The Funding Committee recommends the City of Salem pursue a \$2,000,000 CDBG (SCBG) Grant, a \$100,000 City of Salem Contribution, and a \$1,000,000 IJDC District 1 Grant for an estimated project cost of \$3,100,000.

Mr. Fowler requested confirmation that the violations were a paperwork violation/reporting violation only and that the City of Salem does not have a lead problem.

Ms. Hickerson confirmed there is no known lead problem.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Mill Creek, Town of (2019W-1834) System Improvements Bid Overrun – District 2 (Scope, Cost & Funding Change)

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

The Funding Committee recommends the Town of Mill Creek pursue a \$1,000,000 DWTRF Principal Forgiveness Loan, a \$57,864.68 Town Contribution (ARPA), a \$934,002 IJDC District 2 Grant, a \$3,277,108 IJDC District 2 Loan (1%, 40 yrs.) for a total estimated project cost (to finish project) of \$5,268,974.68.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Lashmeet PSD (2018W-1728) Mary Branch Extension – District 3 (Cost & Funding Change)

Mr. Morgan described the request.

The Funding Committee recommends Lashmeet PSD pursue a \$135,226 WVAWC Contribution, a \$251,950 DWTRF Principal Forgiveness Design Loan, a \$214,753 DWTRF Principal Forgiveness Loan, a \$946,453 DWTRF Loan (1.0%, 0.25 adm. fee, 30 yrs.), a \$1,000,000 IJDC District 3 Grant, and a \$304,618 IJDC District 3 Loan (1%, 40 yrs.) for an estimated project cost of \$2,853,000.

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

McDowell County PSD (2021W-1939) Bradshaw Improvements – District 3 (New Application)

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

Ms. Hickerson noted the PSD has a score of 13 on the EPA's Compliance Tracking tool. The score was derived from failure to monitor for disinfection by-products, failure to address deficiencies identified during the sanitary survey and a Public Notice violation. These violations will need to be resolved prior to closing a DWTRF loan.

The Funding Committee recommends McDowell County PSD pursue a \$1,800,000 ARC Grant, a \$100,000 DWTRF Principal Forgiveness Loan, and a \$100,000 IJDC District 3 Grant for an estimated project cost of \$2,000,000.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

McDowell County PSD (2021W-1961) Elkhorn Creek Extension III – District 3 (New Application)

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

Ms. Hickerson noted the mine source proposed to supply the new water treatment plant, that is part of this project, has not been tested for quality or quantity to verify it will provide adequate water to satisfy the demand. This should be done prior to project closing. In addition, the new water treatment plant will be part of the Maybeury system which has a score of 7 on the EPA's Compliance Tracking tool. This score was derived from failure to monitor for Inorganic Chemicals and failure to certify the CCR in 2019. These violations will need to be resolved prior to closing a DWTRF construction loan.

The Funding Committee recommends McDowell County PSD pursue a \$5,800,000 USEDA Grant, a \$856,500 DWTRF Principal Forgiveness Design Loan, and a \$856,500 IJDC District 3 Grant for an estimated project cost of \$7,513,000.

There was a discussion pertaining to the water quantity and quality.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Mercer County PSD (2021W-1992) McComas System Replacement – District 3 (New Application)

Ms. Hickerson described the application.

The Technical Committee recommends the application be returned.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Milton, City of (2021C-121) Newman's Branch Replacement / Critical Need – District 3 (New Application)

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

The Funding Committee recommends the City of Milton's request to pursue a \$970,000.00 IJDC Critical Need Grant be approved.

There was a discussion with Delegate Linville and Corey Smith (The Thrasher Group) providing additional information and responding to questions from the Committees.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Nettie Leivasy PSD (2018W-1737) RWL Replacement & Extension - District 3 (Cost & Funding Change)

Mr. Morgan described the request.

The Funding Committee recommends Nettie Leivasy PSD pursue an additional \$100,000 DWTRF Principal Forgiveness Loan, a \$400,000 DWTRF Principal Forgiveness Loan, a \$2,024,895 DWTRF Loan (1.5%, 0.25% adm. fee, 30 yrs.), a \$46,160 IJDC Soft Cost Grant, and a \$453,840 IJDC District 3 Grant for a total estimated project cost of \$3,024,895.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Richwood, City of (2014W-1529) Hinkle Mountain Extension – District 3 (Cost & Funding Change)

Mr. Morgan described the request.

The Funding Committee recommends the City of Richwood pursue a \$1,500,000 CDBG (SCBG) Grant, a \$850,000 Nicholas County Commission (ARPA) Grant, a \$200,000 USACE Grant, a \$975,000 IJDC District 3 Grant, a \$25,000 IJDC Soft Cost Grant, a \$1,000,000 DWTRF Principal Forgiveness Loan, and a \$4,541,082 DWTRF Loan (0.50%, 30 yrs.) for an estimated project cost of \$9,091,082.

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

Richwood, City of (2021W-1959) Impoundment Improvements – District 3 (Funding Change)

Mr. Morgan described the request.

There was a discussion. Cassie Lawson (Region 4 Planning & Development Group) and Eleni Brick (The Thrasher Group) were present and participated in the discussion. The use of ARPA funds for a reimbursement scenario was discussed at length. Samme Gee (Jackson & Kelly) recommended this question be sent to the Treasury Office for a response. Additionally, the funding and ability to move the project forward more quickly due to the critical nature of the project were discussed.

The Funding Committee recommends the City of Richwood funding change request be returned.

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

Richwood, City of (2021W-1959) Intake Improvements – District 3 (Engineering Fee Variance)

Ms. Hickerson described the request.

The Funding Committee recommends the City of Richwood's Engineering Fee Variance request be approved.

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

West Union, Town of (2021S-1971) Sewer Line Collapse / Critical Need – District 1 (Binding Commitment)

Mr. Morgan described the request.

The Funding Committee recommends the Town of West Union receive a \$587,750 IJDC Critical Need Grant Binding Commitment.

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

Birch River PSD (2018W-1770) Wilson Ridge Extension – District 3 (Binding Commitment)

Mr. Morgan described the request.

The Funding Committee recommends Birch River PSD receive a \$800,000 IJDC Critical Need Grant Binding Commitment.

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

Branchland-Midkiff PSD (2018W-1734) Water Storage Tank Project – District 3 (Binding Commitment Extension)

Mr. Morgan described the request.

The Funding Committee recommends Branchland-Midkiff PSD receive a 12-month binding commitment extension until September 7, 2022.

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

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

Mr. Morgan described the request.

Kathy Elliott (Region 2 Planning & Development Council) approached the podium. Ms. Elliott confirmed the mayor has secured \$450,000 in ARPA funds from the Wayne County Commission. Ms. Elliott further noted they are working with Senator Capito's office to waive or reduce the permit fee with Norfolk Southern as this permit is approximately \$250,000.

Ms. Elliott responded to additional questions from the Committees and noted the City will be coming back before the Committees with an updated funding scenario.

The Funding Committee recommends the City of Kenova receive a binding commitment extension from September 2, 2021, until October 13, 2021.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Richwood, City of (2014W-1529) Hinkle Mountain Extension – District 3 (Binding Commitment)

Mr. Morgan described the request.

The Funding Committee recommends the City of Richwood receive a \$975,000 IJDC District 3 Grant Binding Commitment.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Richwood, City of (2021W-2011) System Improvements – District 3 (PFA Binding Commitment)

Mr. Morgan described the request.

The Funding Committee recommends the City of Richwood receive a \$25,000 (50% / \$25,000 match from the City) IJDC PFA Funds Binding Commitment for a water system evaluation/leak study.

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

Nettie Leivasy PSD (2018W-1737) RWL Replacement & Extension – District 3 (Bid Underrun)

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

The Funding Committee recommends Nettie Leivasy PSD's request for a \$189,537 bid underrun request for a garage & equipment be approved.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Ellenboro, Town of (2019W-1809) System Improvements – District 1 (Use of Contingency)

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

The Funding Committee recommends the Town of Ellenboro's use of contingency request to utilize \$82,017 (\$23,335 + \$10,682 + \$48,000) of contingency funds (IJDC Loan) to cover the cost of 2 additional conventional road bores, an increase in cost (previously approved bid underrun items), and additional RPR services be approved.

Mr. Fowler requested confirmation of the amount.

Ms. Hickerson confirmed \$82,017.

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

Sistersville, City of (2017W-1687) System Improvements – District 1 (Use of Contingency)

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

The Funding Committee recommends the City of Sistersville's use of contingency request to utilize \$111,306.82 of contingency funds (IJDC Grant) to award Add Alt 1 (Contract 2) and pay for additional engineering services be approved.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Eastern Wyoming PSD (2016W-1667) Barkers Ridge/Basin Line Extension – District 3 (Ancillary Funds Expenditure)

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

The Funding Committee recommends the Eastern Wyoming PSD request to utilize \$171,000 of remaining project funds be approved.

Ms. Hickerson moved that the recommendation be approved, Mr. Fowler seconded the motion. The motion passed.

Business Items:

Committee Merger Resolution – Technical Review and Funding Committee Samme Gee

Samme Gee (Jackson Kelly PLLC) provided information regarding the Draft Resolution to the Committees. Ms. Gee stated no additional comments had been received from the Committees.

There was a discussion.

The Funding Committee recommends the Resolution to the full Council to adopt the Resolution as presented.

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

**Executive
Director
Comments:**

Ripley, City of (2018S-1774) System Improvements Phase II – District 2 (cost change) Wayne Morgan

Mr. Morgan described the request and funding scenario.

Staff will record new Ripley Sanitary Board funding scenario to pursue, a \$2,710,000 IJDC Dist. 2 Loan (1%, 40 yrs.), a \$3,800,000 USDA Loan (2.75%, 38 yrs.), a \$9,800,000 CWSRF Loan (0.5%, 40 yrs.), a \$1,500,000 CWSRF Loan (0.5%, 40 yrs.), a \$1,050,000 USACE Grant, a \$1,000,000 ARC Grant, a \$1,000,000 IJDC Dist. 2 Grant, a \$1,000,000

USDA Grant, and a \$1,000,000 CWSRF Debt Forgiveness with an estimated project cost of \$22,860,000.

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

USACE

Section 340 and Section 571 Environmental Infrastructure Programs

Leslie Stone-Smith

Ms. Stone-Smith announced the application period is open for the Section 340 (Southern WV Environmental Infrastructure) and the Section 571 (Central WV Environmental Infrastructure). Applications will be accepted until September 30. If an application is submitted, a letter, detailing at a high level, the description of the project, the funding requested, the IJDC application, including a PER if developed, needs to be included. Applications may be mailed or sent via email.

Ms. Stone-Smith asked how she could get her email address out to everyone.

Mr. Morgan stated he would have it added to the IJDC website along with any link that should be included. Mr. Morgan further stated he would send all Planning and Development Councils the contact information.

There was a discussion around any changes and the use of ARPA funds. Ms. Stone-Smith also mentioned Section 219, which is a national program that covers northern WV. This is a reimbursable program, but sponsors must have cash in hand as the Corp. of Engineers administer the contract. This program is also on a different budget schedule.

Funding Program Comments

USDA

Janna Lowery

Mr. Morgan stated he circulated (yesterday) a new state structure the USDA is implementing. The state is divided up differently so there are more than 4 sections.

Ms. Lowery stated USDA will be distributing this information to engineering firms, bond counsel firms, and regional councils. If anyone has any questions, please

reach out to her. Ms. Lowery concluded by stating they appreciate everyone's patience as they transition.

Requests Received:	(Applications by August 10, 2021, and requests to date.)	Information Report
Sewer:	New Creek PSD – WWTP Improvements & Extension (new app.)-1	2021S-2004
	Parsons, City of – System Improvements (new application)-1	2021S-2006
	Preston County PSD – Sewer System Improvements (new app.)-1	2021S-2009
	Union PSD – System Improvements (new application)-2	2021S-1989
	Marlinton, Town of – System Improvements (new application)-3	2020S-1907
	Oceana, Town of – System Improvements (new application)-3	2021S-1990
Water:	Chestnut Ridge PSD – Sys. Improvements (scope, cost & fund. chg.)-1	2019W-1835
	Fairview, Town of – System Improvements (scope & funding chg.)-1	2020W-1861
	Fairview, Town of – System Improvements (engineer. fee variance)-1	2020W-1861
	Grant Town, Town of – System Improvements (new application)-1	2021W-2000
	Big Bend PSD –River Crossing Replacement (critical need)-3	2021C-120
	Lincoln Co. PSD – Alum Creek Tank (tab. scope, cost & fund. chg.)-3	2019W-1806
	Mason County PSD – J2Y35 Sys. Improvements (new application)-3	2021W-2005
	Oceana, Town of – System Improvements (scope & funding change)-3	2019W-1840
	Wilderness PSD – Snow Hill Ext. / Critical Need (tab. new app.)-3	2021W-1940

Public Comment:

Mr. Morgan noted Delegate Linville had signed up for Public Comment but could only assume that since Delegate Linville addressed the Council, he had made his comments. (Delegate Linville left the meeting following the discussion on the City of Milton project.)

Adjournment: The Chair entertained a motion to adjourn. Ms. Boggess moved to adjourn; Mr. Fowler seconded the motion. The motion passed. Meeting was adjourned at 11:19 a.m.

Wayne D. Morgan
Secretary & Executive Director