



WEST VIRGINIA

Infrastructure & Jobs Development Council

APPROVED

A meeting of the West Virginia Infrastructure and Jobs Development Council (Council) was held **Wednesday, January 12, 2022, 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
Kathy Emery, WV Dept. of Environmental Protection
Stephanie Hickerson, WV DHHR-Bureau for Public Health
Jonathan Fowler, WV Public Service Commission
Erica Boggess, WV Housing Development Authority
Matthew McComas, Public Member

Voting members (by phone):

Louis Spatafore, Public Member

Voting members that were not present:

Kris Warner, WV Economic Development Authority
Don Rigby, Public Member
John Boyle, Public Member

Advisory Members (by phone):

Senator Chandler Swope

Advisory Members not present:

Senator Glen Jeffries
Delegate Brent Boggs

Invitees (by phone):

Todd Hooker, WV Development Office
David Cramer, WV Division of Highways

Invitees not present:

Roger Earle, WV DEP – Abandoned Mine Lands
Lesli Stone Smith, US Army Corp. of Engineers
James Bush, WV ARC
Janna Lowery, USDA
Tracy Rowan, US Economic Development Authority
Alan Harris, USDA

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
Brock Jarrett, WV Water Development Authority
Terry Martin, Region 3 Planning & Development Council
Amanda McGinnis, WV Rural Water Association
Betsy Haught, Northern Jackson County PSD
Tommy Nutter, Northern Jackson County PSD
Jerri Stephens, Northern Jackson County PSD
Robert McClung, Northern Jackson County PSD
Craig Richards, Burgess & Niple

Others in attendance by phone:

Mike Duminiak, WV Infrastructure & Jobs Development Council
Leanna Atkinson, WV Infrastructure & Jobs Development Council
Randy Lengyel, WV Water Development Authority
Cindy Williams, WV Water Development Authority
A C Wiethe, Region 10 Planning & Development Council
Terry Moran, Potesta
Jim Marshall, Region 7 Planning & Development Council
Whytni Cline, Jackson Kelly PLLC
Shane Whitehair, Region 7 Planning & Development Council
Kylea Radcliff, The Thrasher Group
Lesley Taylor, Region 4 Planning & Development Council
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

Call to Order

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

Approval of Minutes

Chair Urling asked for approval of the draft minutes of **December 1, 2021**. Erica Boggess moved for approval and John Reisenweber seconded the motion. The motion passed.

Projects Recommended to Pursue Infrastructure Fund Assistance:

Anmoore, Town of (2021W-1970) System Improvements – District 1 (New Application)

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

The Technical Review and Funding Committee recommends the Town of Anmoore pursue a \$2,750,000 USDA Grant, a \$1,000,000 USDA Loan (1.25%, 40 yrs.), and a \$1,000,000 IJDC District 1 Grant for an estimated project cost of \$4,750,000.

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

Benwood, City of (2019S-1825) System Improvements – District 1 (Cost and Funding Change)

Wayne Morgan described the request.

The Technical Review & Funding Committee recommends the City of Benwood pursue a \$1,500,000 CWSRF Principal Forgiveness Loan, a \$684,900 CWSRF Loan (0.25%, 40 yrs., 0.25% AF), and a \$1,000,000 IJDC District 1 Grant for an estimated cost of \$3,184,900.

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

Hancock County PSD (2021S-1968) System Improvements – District 1 (Tabled - New Application)

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

The Technical Review & Funding Committee recommends the Hancock County PSD pursue a \$6,518,000 CWSRF Loan (0.75%, 30 yrs., 0.25% AF) and a \$500,000 IJDC District 1 Grant for an estimated project cost of \$7,018,000 be approved; and the engineering fee variance request for design fees be approved.

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

Pennsboro, City of (2021W-2047) Tank Replacement – District 1 (New Application)

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

The Technical Review and Funding Committee recommends the City of Pennsboro pursue a \$383,500 Pennsboro ARPA Grant and a \$383,500 IJDC District 1 Grant for an estimated project cost of \$767,000.

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

Wellsburg, City of (2019W-1837) System Improvements – District 1 (Scope, Cost, and Funding Change)

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

The Technical Review and Funding Committee recommends the City of Wellsburg pursue a \$600,000 IJDC District 1 Grant, a \$700,000 DWTRF Principal Forgiveness Loan, a \$5,889,074 DWTRF Loan (1%, 30 yrs., 0.25% AF), and a \$290,085 City of Wellsburg ARPA Grant for an estimated project cost of \$7,479,159: (includes a \$410,917.14 WDA Design Loan paid back at closing).

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

Hardy County PSD (2021W-2035) Additional Storage - District 2 (New Application)

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

The Technical Review and Funding Committee recommends the Hardy County PSD pursue a \$500,000 Hardy County Commission ARPA Grant and a \$500,000 IJDC District 2 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.

Kanawha County RDA (2021W-2032) Crestwood Extension (34 customers) – District 2 (New Application)

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

The Technical Review and Funding Committee recommends the Kanawha County RDA pursue a \$700,000 ARPA Grant from the Kanawha County Commission, a \$500,000 IJDC District 2 Grant, and a \$175,000 WV American Water Company Contribution for an estimated project cost of \$1,375,000.

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

Northern Jackson County PSD (2021W-2028) Main Replacement – District 2 (Tabled New Application)

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

The Technical Review and Funding Committee recommends Northern Jackson County PSD pursue a \$1,500,000 US ACE Grant and a \$500,000 IJDC District 2 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.

Ripley, City of (2018S-1774) System Improvements II – District 2 (Scope, Cost, and Funding Change)

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

The Technical Review and Funding Committee recommends the City of Ripley pursue a \$1,050,000 US ACE Grant, a \$1,000,000 ARC Grant, a \$1,000,000 USDA Grant, a \$3,800,000 USDA Loan (2.75%, 38 yrs.), a \$1,500,000 CWSRF Principal Forgiveness Loan, a \$9,000,000 CWSRF Loan (0.25%, 40 yrs., 0.25% AF), a \$1,000,000 IJDC District 2 Grant, and a \$2,710,000 IJDC District 2 Loan (1%, 40 yrs.) for an estimated project cost of \$21,060,000; (including payment of \$1,149,756 WDA Design Loan).

Mr. Morgan stated that during the Technical Review and Funding Committee meeting, the engineer reported this project is ready to advertise for bids.

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

Boone County PSD (2021W-2031) Mountaineer Drive Extension – District 3 (New Application)

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

The Technical Review and Funding Committee recommends Boone County PSD pursue a \$250,000 Boone County Commission Grant, a \$250,000 CAZCO Cabins Contribution, 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.

Hillsboro, Town of (2021C-132) System Improvements / Critical Need (Tabled New Application)

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

The Technical Review & Funding Committee recommends the Town of Hillsboro request to pursue a \$640,000 IJDC Critical Need Grant be approved.

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

Hinton, City of (2015S-1585) System Improvements I – District 3 (Scope, Cost, and Funding Change)

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

The Technical Review & Funding Committee recommends the City of Hinton pursue a \$1,500,000 CDBG (SCBG) Grant, a \$1,550,000 ARC Grant, a \$500,000 IJDC District 3 Grant, a \$1,000,000 CWSRF Principal Forgiveness Loan, and a \$270,000 CWSRF Loan (0.75%, 30 yrs., 0.25% AF) for an estimated project cost of \$4,820,000; (includes payback at closing of a \$305,928.03 Bank Design Loan).

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

Mercer County PSD (2020S-1883) Matoaka System Improvement – District 3 (Scope, Cost, and Funding Change)

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

The Technical Review and Funding Committee recommends Mercer County PSD pursue a \$1,500,000 CWSRF Principal Forgiveness Loan and a \$1,000,000 IJDC District 3 Grant for an estimated project cost of \$2,500,000.

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

Pocahontas County PSD (2021S-2034) WWTP Headworks Improvements – District 3 (New Application)

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

The Technical Review and Funding Committee recommends Pocahontas County PSD pursue a \$942,640 IJDC District 3 Grant and a \$942,640 District 3 Loan (1%, 40 yrs.) for an estimated project cost of \$1,885,280.

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

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

None

Projects Requesting an Infrastructure Fund Binding Commitment:

Nutter Fort, Town of (2020S-1917) System Improvements – District 1 (Tabled - Binding Commitment)

Mr. Morgan described the request.

The Technical Review and Funding Committee recommends the Town of Nutter Fort receive a \$950,000 IJDC District 1 Grant Binding Commitment.

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

Thomas, City of (2021S-2052) Collection System Improvements – District 1 (PFA Binding Commitment)

Mr. Morgan described the request.

The Technical Review and Funding Committee recommends the City of Thomas receive a \$92,000 District 1 PFA Funding Binding Commitment for a SSES and application for a project for improvements to its collection system.

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

Boone County PSD (2020S-1929) Hospital Annex Extension / Critical Need – District 3 (Bid Overrun Binding Commitment)

Mr. Morgan described the request.

The Technical Review and Funding Committee recommends Boone County PSD receive a \$23,700 Bid Overrun Grant Binding Commitment.

There was a discussion clarifying the amount, bid overruns, and the possibility of expediting the approval process so projects are not held up.

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

Hillsboro, Town of (2021C-132) System Improvements / Critical Need (Contingent Binding Commitment)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the Town of Hillsboro receive a \$640,000 IJDC Critical Need Grant contingent (upon receipt of required documentation and plan/rates for adequate funding of its R&R accounts (prior to initiation of construction)) binding commitment.

Ms. Prezioso noted that R&R accounts are being reviewed.

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

Richwood, City of (2021W-1959) Impound Structure – District 3 (Binding Commitment)

Mr. Morgan described the request.

The Technical Review & Funding Committee recommends the City of Richwood receive a \$1,000,000 IJDC District 3 Grant binding commitment which will replace its current binding commitment of \$299,271 contingent upon the approval of the resolution converting loan money to grant money in Congressional District 3 later in this meeting.

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

**Projects Requesting
Ancillary Project
Expenditure:**

None

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

Canaan Valley PSD - Sewer Improvements
Mr. Reisenweber described the request.

2022E-201

The West Virginia Development Office has received a request from the Canaan Valley PSD for an Economic Infrastructure Grant.

Canaan Valley PSD is applying for a \$5,500,000 US EDA grant. The grant will allow the state park to transfer its wastewater treatment system to the local public service district.

The US EDA requires a match that is contingent upon awarding this grant.

Mr. Reisenweber moved the Canaan Valley PSD request for a \$1,500,000 grant to match a \$5,500,000 grant from US EDA and be contingent upon the US EDA grant be approved, Mr. McComas seconded the motion. The motion passed.

Business Items:

Resolution Converting Loan Money to Grant Money (Congressional District 3)

Samme Gee (Jackson Kelly PLLC) approached the podium and offered a high-level overview of the Resolution. Ms. Gee noted the Resolution allows for a Congressional District with less than \$150,000 in grant funds, on January 1st of each year, to convert loan money (up to 30% of the loan money) to grant money for that District.

This Resolution allows for money in Congressional District 3 to be redesignated immediately to grant funds. Ms. Gee concluded stating any funds on June 30, 2022, remaining from the amount allocated for grant will go back to being loan funds.

There was discussion of what might occur when the Congressional Districts are lowered from 3 to 2.

Mr. Reisenweber moved for approval of the Resolution as presented, Mr. McComas seconded the motion. The motion passed.

Informational Items:

Funding Program Updates

CWSRF

Kathy Emery

Ms. Emery reminded everyone the Priority List Applications for the CWSRF's 2023 Intended Use Plan are due January 17th. Guidance on Buy America, Build America has still not been received. Per EPA, it becomes applicable 6 months after the President's signature which would be May. Ms. Emery is hoping O&B will offer some guidance and clarity soon. Projects would need to be closed before the deadline.

DWTRF

Stephanie
Hickerson

Ms. Hickerson stated DWTRF is also accepting application and their deadline is March. They are looking for lead service line replacement projects. This can include lead service line inventory.

**Executive Director
 Comments**

Engineering Update

**Information
 Report
 Wayne
 Morgan**

Mr. Morgan stated he sent an email to approximately 150 engineers certified on the system. This was notification that if any work was being done on a water treatment plant, you need to clarify what you are doing with the back wash water. The Technical Review Committee will be reviewing that information. If the information on the back water is not included, the application could be delayed.

**Projects Requiring
 Additional
 Information:**

West Fork Co-Op – System (tabled – April 26th, cost & funding chg.)-1	2019S-1798
West Union, Town of – Sys. Improvements (tabled – Feb. 22 nd , new app.)-1	2021S-2045
Cool Ridge-Flat Top PSD – Bennington Rd. Ext. /Crit. Need (tab. Jan 25th, new app.)-3	2021W-2029
Marlinton, Town of – System Improvements (tab. Jan 25, new app.)-3	2020S-1907

Requests Received: (Applications by December 10, 2021, and requests to date)

Sewer:	Lake Floyd PSD – Line Replacement (new application)-1	2021S-2036
	Charles Town, City of – Sys. Imprvs. (Ranson area) (new app.)-2	2021S-2041
	Elk Valley PSD – Bank Stabilization of Sewer Lines (new app.)-2	2021S-2033
Water:	Cameron, City of – Green Valley Rd. Ext. / Crit. Need (new app.)-1	2021W-2050
	Clarksburg City of – Phosphate Treatment & Potholing of Ser. Lines (new application)-1	2021W-2054
	Kanawha County RDA – Olcott Extension (new application)-2	2020W-2044
	Davy, Town of – System Improvements (new application)-3	2021W-2040

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 10:08 a.m.



Date: 2022.02.02
11:26:20 -05'00'

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 and further provides;

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, 2022, the amount available for grants in Congressional District 3 is \$3,500.70, which is below \$150,000.00;

WHEREAS, as of January 1, 2022, the amount available for loans in Congressional District 3 is \$42,339,493.67;

WHEREAS, the Council has received requests for binding commitments of \$700,729.00 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 \$700,729.00 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, 2022.

2) During the remainder of FY 2022 for any project being recommended for a grant binding commitment in District 3 and such grant amount is within the 30% (\$12,001,119.10 remains) the transfer shall be approved as part of the binding commitment approval.

3) Any funds remaining from the \$12,001,119.10 on June 30, 2022, shall be redesignated as Congressional District 3 loan funds.

4) This Resolution shall be effective immediately upon adoption.

Adopted this 12th day of January, 2022.



Date: 2022.01.31

09:57:53 -05'00'

Executive Secretary