



WEST VIRGINIA

Infrastructure & Jobs Development Council

APPROVED

A meeting of the West Virginia Infrastructure and Jobs Development Council (Council) was held **Wednesday, May 5, 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 (via phone)

Voting members present:

Marie Prezioso, WV Water Development Authority

Voting members (by phone):

John Reisenweber, Vice-Chair

Stephanie Hickerson, WV DHHR-Bureau for Public Health

Charlotte Lane, WV Public Service Commission

Kathy Emery, WV Department of Environmental Protection

Erica Boggess, WV Housing Development Authority

Kris Warner, WV Economic Development Authority

Don Rigby, Public Member

Louis Spatafore, Public Member

Matthew McComas, Public Member

Voting members that were not present:

Joseph Freeland, Public Member

John Boyle, Public Member

Advisory Members present:

None

Advisory Members present (by phone):

Senator Glen Jeffries

Advisory Members not present:

Senator Chandler Swope

Honorable Brent Boggs, WV House of Delegates

Invitees present:

None

Invitees (by phone):

Jana Lowery, USDA
Roger Earle, WV DEP – Abandoned Mine Lands
David Cramer, WV Division of Highways
Todd Hooker, WV Development Office

Invitees not present:

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

Others in attendance:

Wayne Morgan, WV Infrastructure & Jobs Development Council
Kristi Ritchie, WV Infrastructure & Jobs Development Council
Brock Jarrett, WV Water Development Authority

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
Samme Gee, Jackson Kelly PLLC
Jason Billups, WV Department of Environmental Protection
Kelly Goes, Jackson Kelly PLLC
Pam Keplinger, Region 8 Planning & Development Council
Penny Hiser, Region 8 Planning & Development Council
Chris Arrington, WV DHHR-Bureau for Public Health
Terry Martin, Region 3 Planning & Development Council
Matt Fluharty, Civil & Environmental Consultants, Inc.
Michael Griffith, Griffith & Associates CPAs
Leslie Taylor, Region 4 Planning & Development Council
Logan Alastanos, The Thrasher Group
Brandon Conley, E. L. Robinson
Barb Zimnox, Region 11 Planning & Development Council
Clay Riley, The Thrasher Group
Ryan Boustany, The Thrasher Group
Whytni Cline, Jackson Kelly PLLC
Fred Hypes, Dunn Engineering
Jennifer Wishmyer, Region 9 Planning & Development Council
Tim Meeks, MOVRC
John Cole, RK & K (Municipal Engineering)
Fred Rader, MOVRC

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 **April 7, 2021**. Matt McComas moved for approval and Erica Boggess seconded the motion. The motion passed.

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

Brooke County PSD (2021S-1945) Eldersville Road Extension – District 1 (Funding Change)

Kathy Emery described the request.

The Funding Committee recommends the Brooke County PSD pursue a \$500,000 IJDC District 1 Grant and a \$5,450,000 IJDC District 1 Loan (2%, 30 yrs.) for a \$5,950,000 estimated project cost; and to pursue a \$550,000 WDA Design Loan* (interim financing).

*WDA Design Loan to be repaid by IJDC Loan at construction closing.

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

Paw Paw, Town of (2021S-1948) System Improvements – District 1 (New Application)

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

The Funding Committee recommends the Town of Paw Paw pursue a \$731,000 CWSRF Debt Forgiveness Loan and a \$731,000 IJDC District 1 Grant for an estimated project cost of \$1,462,000; and a \$151,130 IJDC Design Loan (1%, 40 yrs.).

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

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

Stephanie Hickerson described the request.

The Funding Committee recommends the City of Wellsburg pursue a \$700,000 DWTRF Principal Forgiveness Loan, a \$5,889,074 (1%, 0.25% adm. fee, 30 yrs.) DWTRF Loan, a \$500,000 IJDC District 1 Grant, and a \$100,000 IJDC District 1 Bid Overrun Grant for an estimated project cost of \$7,189,074.

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

West Union, Town of (2021C-113) Collapsed Sewer Line / Critical Need – District 1 (New Application)

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

The Funding Committee recommends the Town of West Union request to pursue a \$372,000 IJDC Critical Need Grant be approved.

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

Kanawha PSD (2016S-1625) Lens Creek Extension – District 2 (Scope, Cost & Funding Change)

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

The Funding Committee recommends Kanawha PSD pursue a \$2,075,000 US ACE Grant, a \$1,975,000 USDA Grant, a \$250,000 USDA Loan (1.125%, 40 yrs.), a \$875,000 IJDC District 2 Grant, a \$125,000 IJDC Soft Cost Grant, and a \$4,900,000 IJDC District 2 Loan (1%, 40 yrs.) for an estimated project cost of \$10,200,000.

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

Pendleton County PSD (2021W-1947) Sandy Ridge Road Extension – District 2 (New Application)

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

The Funding Committee recommends the Pendleton County PSD pursue a \$1,260,000 US ACE 571 Grant and a \$500,000 IJDC District 2 Grant for an estimated project cost of \$1,760,000.

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

Walton PSD (2019W-1790) Tank Improvements – District 2 (Cost & Funding Change)

Wayne Morgan described the request.

The Funding Committee recommends the Walton PSD pursue a \$55,100 IJDC District 2 Grant (in addition to the previously committed \$444,900 IJDC District 2 Grant, and a \$544,900 IJDC District 2 Loan (2%, 30 yrs.)) for an estimated project cost of \$1,044,900.

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

Greenbrier County PSD #2 (2020W-1898) Asbury Extension / Phase II – District 3 (New Application)

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

The Funding Committee recommends Greenbrier County PSD #2 pursue a \$3,500,000 CDBG Hazard Mitigation Grant, a \$1,500,000 USDA Grant, a \$1,800,500 USDA Loan (1.75%, 40 yrs.), a \$1,254,500 DWTRF Principal Forgiveness Loan, a \$2,000,000 DWTRF Loan (0.75%, 0.25% adm. fee, 30 yrs.), and a \$500,000 IJDC District 3 Grant for an estimated project cost of \$10,555,000.

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

New Haven PSD (2018W-1760) Cane Branch Extension – District 3 (Funding Change)

Mr. Morgan described the request.

The Funding Committee recommends New Haven PSD pursue a \$925,000 US ACE Grant, a \$498,108 DWTRF Principal Forgiveness Loan, a \$2,472,404 DWTRF Loan (1%, 0.25% adm. fee, 30 yrs.), a \$158,342 District Contribution, a \$287,832 WVAWC (WV American Water Company) Contribution, a \$500,000 IJDC District 3 Grant for an estimated project cost of \$4,841,686.

Ms. Prezioso moved that the recommendation be approved, Ms. Boggess 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:**

Greater Harrison County PSD (2020W-1899) Stevens Run Extension – District 1 (Binding Commitment)

Mr. Morgan described the request.

The Funding Committee recommends the Greater Harrison County PSD receive a \$799,000 IJDC Critical Need Grant binding commitment.

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

Paw Paw, Town of (2021S-1948) System Improvements – District 1 (Binding Commitment)

Mr. Morgan described the request.

The Funding Committee recommends the Town of Paw Paw receive a \$151,130 District 1 Design Loan (1%, 40 yrs.) binding commitment.

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

Wellsburg, City of (2019W-1837) Water Line Replacement & Plant Upgrade – District 1 (Binding Commitment / Bid Overrun)

Mr. Morgan described the request.

The Funding Committee recommends the City of Wellsburg receive a binding commitment for the \$100,000 IJDC District 1 Bid Overrun Grant.

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

Kanawha PSD (2016S-1625) Lens Creek Extension – District 2 (Binding Commitment)

Mr. Morgan described the request.

The Funding Committee recommends Kanawha County PSD receive a binding commitment for a \$2,325,000 IJDC District 2 Loan (1%, 40 yrs.).

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

Walton PSD (2019W-1790) Tank Improvements – District 2 (Binding Commitment)

Mr. Morgan described the request.

The Funding Committee recommends the Walton PSD receive a \$55,100 binding commitment (in addition to the existing \$444,900 IJDC District 2 Grant and \$544,900 IJDC District 2 Loan {2%, 30 yrs.} - previously committed).

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

Boone County PSD (2019W-1807) Right Fork Extension – District 3 (Binding Commitment Extension)

Mr. Morgan described the request.

The Funding Committee recommends the Boone County PSD receive a 3-month extension from May 6, 2021 until August 6, 2021 of its binding commitment.

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

Camden on Gauley, Town of (2018S-1762) System Improvements – District 3 (Binding Commitment Extension)

Mr. Morgan described the request.

The Funding Committee recommends the Town of Camden on Gauley receive a 6-month extension from June 3, 2021 until December 3, 2021 of its binding commitment.

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

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

Mr. Morgan described the request.

The Funding Committee recommends Nettie Leivasy PSD receive a 6-month extension from June 4, 2021 until December 6, 2021 of its binding commitment.

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

**Projects Requesting
Ancillary Project
Expenditure:**

None

Recusal of Member

Due to a potential conflict of interest, Kris Warner recused himself from any discussion or voting on the next agenda item and motion. Mr. Warner also requested the minutes reflect his recusal.

Mr. Warner left the phone conference.

Mr. Warner's recusal did not affect the quorum or the required majority for voting.

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

WV Economic Development Authority (loan modification) 2017E-175

Mr. Reisenweber described the request.

On January 3, 2019, the WV IJDC Council approved an interest-free loan to the Charles Town Building Commission in an amount not to exceed \$10.5 million to finance the construction of a sewer line to serve the Jefferson Orchards property and the surrounding area. Due to delays, Rockwool provided funding to construct the sewer line. Construction of this line is substantially complete.

The structure of the financing has since changed. The WV Economic Development Authority (WVEDA) has been asked to be the borrower, and the WVEDA will purchase Rockwool's interest in the Alternate Main Line Extension Agreement.

The WV Development Office (WVDO) requests the following modifications to the previously approved Council loan:

1. A non-recourse, noninterest bearing loan be made to the WVEDA in an amount not to exceed \$10.5 million to purchase Rockwool's interest in the Alternate Main Line Extension

Agreement executed between Rockwool and the Charles Town Utility Board.

2. The term of the loan is 25 years, which matches the term of the Alternate Main Line Extension Agreement; and
3. Loan repayments will be made from payments under the Alternate Main Line Extension Agreement and that any balance at the end of the Agreement, if any, is to be forgiven.

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

Rejoining of Recused Member

Mr. Warner was invited to rejoin the phone conference meeting (via email from Brandon Crace on behalf of Wayne Morgan).

Business Items:

Drinking Water Treatment Revolving Fund Resolution

Mr. Morgan described the Resolution. Mr. Morgan stated each year, this comes up and it is the state matching funds that are provided to be able to receive the federal dollars from the SRF.

Mr. Morgan noted the first Resolution for discussion is the Drinking Water Treatment Revolving Fund. Mr. Morgan noted Ms. Hickerson (BPH) and Ms. Gee (Jackson Kelly PLLC who drafted the Resolution) are both on the call if anyone has any questions.

Mr. Morgan reiterated this happens every year and provides the state match so those federal dollars will be available to be part of the funding for water and sewer projects in the state of WV.

Ms. Prezioso noted the Funding Committees recommended approval of the Resolution.

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

Clean Water State Revolving Fund Resolution

Mr. Morgan described the Resolution. Clean Water State Revolving Fund is similar to the Drinking Water Treatment Revolving Fund. It provides federal dollars and a state match is required.

Mr. Morgan stated Ms. Emery (DEP) and Ms. Gee (Jackson Kelly PLLC) are on the call if anyone has any questions.

Ms. Prezioso noted the Funding Committees recommended approval of the Resolution.

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

**Executive Director
Comments:**

Mr. Morgan stated the standard reports are included in the packet for review and the funding lead persons are on the phone if there are any questions.

Informational Items:

Funding Program Updates

Ms. Emery noted DEP is closely monitoring what is going on at the federal level with additional funding that may be flowing through the SRFs and they will keep everyone updated as information becomes available.

Kathy Emery

**Projects
Requiring
Additional
Information:**

Denver W. Assoc.-Sys. Imprvs. (new app.-consol. Com.)-1	2020W-1888
Rivesville, Town of – Sys. Imprvs. (scope, cost & fund. change and engineering fee variance)-1	2019W-1803
Norton Harding Jimtown PSD – Line Ext. (cost & funding change)-2	2016S-1663
Bradley PSD – NW County Extension (tabled application)-3	2020S-1884
Buffalo Creek PSD – Sys. Imprvs. /Crit. Need (scope chg.)-3	2020C-103
McDowell PSD – Jolo Phase V (application/returned)-3	2019W-1838
Pax, Town of – Willis Branch Extension (new application)-3	2021S-1933
Wilderness PSD – Snow Hill Extension/Critical Need (tabled application)-3	2021W-1940

**Requests
Received:**

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

Sewer:
None

Water:
Grandview-Doolin PSD – Route 7 Extension (new app.)-1 2021W-1950
Hammond PSD – System Improvements (new application)-1 2021W-1955
Webster County EDA – Grassy Ck. Water Ext. (new app.)-3 2021W-1957

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, Ms. Lane moved the motion, Ms. Boggess seconded the motion. The motion passed. The meeting was adjourned at 10:00 a.m.

Wayne D Morgan

Digitally signed by Wayne D Morgan
DN: cn=Wayne D Morgan, o=WV, ou=JDC,
email=wmorgan@wvwda.org, c=US
Date: 2021.06.02 11:33:24 -04'00'

Wayne D. Morgan
Secretary & Executive Director

RESOLUTION

DRINKING WATER TREATMENT REVOLVING FUND

WHEREAS, the West Virginia Infrastructure and Jobs Development Council (the “Infrastructure Council”) is a governmental instrumentality organized and existing under the laws of the State of West Virginia (the “State”), particularly Article 15A of Chapter 31 of the Code of West Virginia, 1931, as amended (the “Act”) for certain purposes set forth in the Act including encouraging and assisting in a cost effective, coordinated approach to water and wastewater system development as well as the effectuation of job creation; and

WHEREAS, the Infrastructure Council, upon the request of the Bureau for Public Health, has reviewed the federally sponsored Drinking Water Treatment Revolving Fund Program (the “DWTRF”) which requires a 2021 fiscal year state match of \$2,200,200 in order to secure \$11,001,000 from the federal government, all of which is to be used for projects as defined in Section 2 of the Act, particularly water system development; and

WHEREAS, the Infrastructure Council finds that the leverage of federal dollars through the use of State moneys is an efficient and cost effective means by which to expand and improve the State’s infrastructure system; and

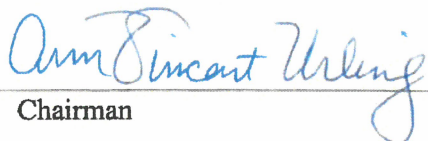
WHEREAS, the Infrastructure Council finds that taking part in the DWTRF program is particularly advisable given the ratio of state-to-federal dollar participation.

NOW THEREFORE, BE IT RESOLVED, by the West Virginia Infrastructure and Jobs Development Council as follows:

RESOLVED: That pursuant to Sections 9 and 11 of the Act, \$2,200,200 contained within the Infrastructure Fund for projects be hereby committed to the Bureau for Public Health for purposes of securing federal dollars and implementing the 2021 DWTRF program.

ADOPTED by the West Virginia Infrastructure and Jobs Development Council at a meeting held on the 5th day of May, 2021.

WEST VIRGINIA INFRASTRUCTURE AND
JOBS DEVELOPMENT COUNCIL

By: 
Chairman

RESOLUTION

CLEAN WATER STATE REVOLVING FUND

WHEREAS, the West Virginia Infrastructure and Jobs Development Council (the "Infrastructure Council") is a governmental instrumentality organized and existing under the laws of the State of West Virginia (the "State"), particularly Article 15A of Chapter 31 of the Code of West Virginia, 1931, as amended (the "Act") for certain purposes set forth in the Act including encouraging and assisting in a cost effective, coordinated approach to water and wastewater system development as well as the effectuation of job creation; and

WHEREAS, the Infrastructure Council, upon the request of the Department of Environmental Protection, has reviewed the federally sponsored Clean Water State Revolving Fund Program (the "CWSRF") which requires a 2021 fiscal year state match of \$4,953,800 in order to secure \$24,769,900 from the federal government, all of which is to be used for projects as defined in Section 2 of the Act, particularly wastewater system development; and

WHEREAS, the Infrastructure Council finds that the leverage of federal dollars through the use of State moneys is an efficient and cost effective means by which to expand and improve the State's infrastructure system; and

WHEREAS, the Infrastructure Council finds that taking part in the CWSRF program is particularly advisable give the ratio of state-to-federal dollar participation; and

NOW THEREFORE, BE IT RESOLVED, by the West Virginia Infrastructure and Jobs Development Council as follows:

RESOLVED: That pursuant to Sections 9 and 11 of the Act, \$4,953,800 contained within the Infrastructure Fund for projects be hereby committed to the Department of Environmental Protection for purposes of securing federal dollars and implementing the 2021 CWSRF program.

ADOPTED by the West Virginia Infrastructure and Jobs Development Council at a meeting held on the 5th day of May, 2021.

**WEST VIRGINIA INFRASTRUCTURE AND
JOBS DEVELOPMENT COUNCIL**

By: 
Chairman