

COUNTY COMMISSION OF LEWIS COUNTY

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Weston WV 26452
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COMMISSIONERS:
Agnes Queen, President
Rod Wyman, Commissioner
Bobby Stewart, Commissioner

**LEWIS COUNTY COMMISSION
110 CENTER AVENUE, 2ND FLOOR
WESTON, WV 26452
MEETING AGENDA
TUESDAY, APRIL 4, 2023**

SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

1. **10:00 AM** **Call Meeting to Order** (*action required*)

2. **10:00 AM** **Hearing for Charles Thomas Smith Estate RE: Request for Executor to be Removed:** The Lewis County Commission has been petitioned to remove the executrix for the estate of Charles Thomas Smith. Testimony may be provided and the County Commission will consider this request. (*action required*)

3. **10:10AM** **John Breen, Lewis County Assessor**
RE: Exonerations, Consolidations, Apportionments
Draft copies will be available for review two business days prior to the meeting date. (*action required*)

APPOINTMENTS

4. **10:15 AM** **Lewis County Family Resource Network Child Abuse Awareness Month Proclamation:** The Lewis County Commission will be asked to execute a proclamation in support of Child Abuse Awareness Month. (*action required*)

5. **10:20 AM** **Hope Inc. Taskforce on Domestic Violence National Sexual Assault Awareness Month Proclamation:** The Lewis County Commission will be asked to execute a proclamation in support of National Sexual Assault Awareness Month. (*action required*)

6. **10:25 AM** **Autism Awareness Month & World Autism Awareness Day:** The Lewis County Commission will be asked to execute a proclamation in support of Autism Awareness Month & World Autism Awareness Day. (*action required*)

7. **10:30 AM** **Governor Jim Justice Proclamation for Fair Housing Month for the State of West Virginia and Lewis County Commission Resolution for Fair Housing**

Month: The Commission will consider accepting a proclamation from the Governor proclaiming April as Fair Housing Month. *(action required)*

CORRESPONDENCE & INFORMATION

- 8. Upshur County Commission Meeting Agenda:** March 30, 2023 Upshur County Commission agenda is presented for review. *(information only)*
- 9. Board(s) and Committee(s) Reports:** Commissioners will give reports on any Board(s) or committee(s) meeting attended including: Northeast Region Monthly Videoconference, Ireland Neighborhood Watch, Region VII Broadband meeting, Lewis Upshur Gateway Community, etc. *(information only)*

BUSINESS

- 10. Lewis County Assessor, John Breen, Request to Hire:** Mr. Breen requests advice and consent per West Virginia Code §7-7-7 to hire an employee for the receptionist position in the Assessor's office. *(action required)*
- 11. USEPA Brownfields Assessment Grant BF-95304901 Quality Management Plan:** The Commission will consider approval of the Quality Management Plan prepared by Civil & Environmental Consultants, Inc. in regards to grant funding. The goal of the LCC is to use the assessment funds to create ready sites for industrial expansion, eliminate neighborhood blight, and add to the character and amenities throughout Lewis County. Specifically, this plan outlines the road map on how LCC plans on using the grant to meet the following objectives:
 - Address vacant and dilapidated structures;
 - Promoting infill development; and
 - Promoting new business (commercial, industrial, and light manufacturing). *(action required)*
- 12. Review of previous bid for roof proposals:** Commission will consider the bid from Weaver Roofing for the amount of \$144,390 for the roof repair at the Courthouse and proposed add-ons of crickets, foundation for HVAC units for longevity of the roof, extending downspout, and a three-year biannual roof inspection for \$9,480.00, which includes any time and material needed. Item postponed on 2-21-2023 pending State Historic Preservation Office approval. The SHPO has now approved the project. *(action required)*
- 13. Time Sheets and Leave Requests:** Tina Helmick, County Administrator Time Sheet, Barbara Winans Annual Leave *(action required)*

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

- 14. Actions of the Clerk:** County Clerk Cynthia S. Rowan presents actions of the clerk in recess of the county commission for approval. Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*
- 15. Approval of Estates:** County Clerk Cynthia S. Rowan presents the estates ready for settlement to the Lewis County Commission for approval. Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*

- 16. Presentation by the County Clerk of the Orders of Prior Meeting(s):** The Lewis County Clerk presents the Orders (minutes) of previous Lewis County Commission meeting(s) for approval. Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*
- 17. Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*

ADJOURNMENT:

- 18. With no further action being required by the Lewis County Commission the meeting will be adjourned.** *(action required)*

LEWIS COUNTY COMMISSION MEETING MANAGEMENT

- Regular meeting agendas will be posted and available to the public before closure two (2) business days prior to the meeting date.
- Agenda matters to be reviewed and/or considered during the meeting are at the discretion of the Lewis County Commission.
- Appointments to speak with the county commission must be scheduled before 10 AM three (3) business days prior to the meeting. Appointments will be given up to a ten (10) minute time allowance.
- Agenda items may require an executive session.
- Open discussion by Commission unless executive session is motioned per WV Code §6-9A-4.
- Input or recommendation from constitutional officers, staff or public that is not listed by name on the agenda will only be allowed if requested by the commission or required by statute.
- Those not scheduled on the agenda may sign up for public comment at a minimum fifteen (15) minutes prior to the start of the meeting. Public comment is limited to five (5) minutes per speaker.
- Motion required for consideration of vote.
- All votes unanimous unless otherwise stated.
- Roberts Rules of Order is utilized as a guide only. The Commission controls meeting management, discussion and input.
- Commissioners may participate and vote via conference call if two (2) commissioners are in attendance.

Additional Notices

April 04, 2023	1:30 pm	Work session with the Louis Bennett Library Board and War Memorial
April 11, 2023	9:00am	Work session with Kevin Stalnaker, Chief Administrative Officer, Mon Health Stonewall Jackson Memorial Hospital
April 11, 2023	1:00pm	Groundbreaking ceremony for the new Lewis/Gilmer 911 Center located at 476 US Highway Rt. 19 North Weston, WV 26452

Child Abuse Prevention Month 2023

WHEREAS, every day, and especially after the COVID-19 crisis that our communities have experienced, preventing child abuse and neglect is a community concern that depends on involvement among people throughout the community; and

WHEREAS, child maltreatment occurs when people find themselves in stressful situations without community resources, and don't know how to cope; and

WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, child abuse and neglect not only directly harms children, but also increase the likelihood of criminal behavior, substance use disorder, health problems such as heart disease and obesity, and risky behavior; and

WHEREAS, the citizens of Lewis County should become involved in supporting families in raising their children in a safe, nurturing environment; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social services agencies, schools, faith communities, civic organizations, law enforcement agencies and the business community; and

WHEREAS, child maltreatment knows no social or economic boundaries and occurs in every neighborhood in America;

NOW, THEREFORE, the Lewis County Commission proclaims the month of April 2023, as "CHILD ABUSE PREVENTION MONTH" in Lewis County and encourage the citizens of this great community to show that they care by committing themselves to fighting child abuse and neglect.

Lewis County Commission

Lewis County Commission

Lewis County Commission

Lewis County Clerk



Task Force on Domestic
Violence 'HOPE, Inc.'

NATIONAL SEXUAL ASSAULT AWARENESS MONTH PROCLAMATION APRIL 2023

WHEREAS, sexual violence occurs every 68 seconds in the U.S., 1 in 6 being a woman, 1 in 33 being a man, statistics also show that 63,000 children a year are victims of sexual violence – 34% under the age of 12, 66% between the ages of 12-17;

WHEREAS, sexual violence affects every person in the U.S. as a victim/survivor, or as a family member, domestic partner, friend, co-worker, or neighbor of a victim/survivor;

WHEREAS, to prevent future violations HOPE INC is committed to reach all citizens of our community through education and public awareness, to create a community where all women, children, & men can live in peace & free from violence, & celebrating the courage of victims & survivors;

WHEREAS, West Virginia has recognized sexual assault advocates and other supporters & professionals throughout the state by joining together as the West Virginia Foundation for Rape Information and Services (WVFRIS) to support each other in their work & to provide the State of West Virginia and its citizens with a source of information on sexual assault;

THEREFORE, I ask that the Lewis County Commission hereby proclaim the month of April 2023 National Sexual Assault Awareness Month in Lewis County & applaud the efforts of all who are raising awareness to this very real issue.

Agnes G. Queen, President

Roderick B. Wyman, Commissioner

Bobby Stewart, Commissioner

ATTEST: Cynthia S. Rowan, County Clerk

AUTISM AWARENESS MONTH & WORLD AUTISM
AWARENESS DAY



WHEREAS, autism spectrum disorder is a neurological and developmental disorder that affects communication and behavior; and

WHEREAS, autism is an urgent public health crisis that demands support from all levels of government; and

WHEREAS, symptoms of autism may present themselves in a variety of combinations, and can result in significant lifelong impairment of an individual's ability to learn, develop healthy interactive behaviors, and understand and nonverbal communication; and

WHEREAS, the Centers for Disease Control and Prevention reports that one in 36 school-aged children have been identified with autism spectrum disorder; and

WHEREAS, West Virginia is committed to ensuring that people living with autism have access to lifelong care and services needed to pursue their full potential and happiness; and

WHEREAS, the Lewis County Commission is honored to take part in the annual observance of Autism Awareness Month and World Autism Day in the hope that it will lead to a better understanding of the disorder;

NOW, THEREFORE, the Lewis County Commission does hereby recognize April 2023 as Autism Awareness Month and April 2, 2023 as World Autism Awareness Day in Lewis County. West Virginia, and we call this observance to the attention of all our citizens.

Attest: _____

Cynthia Rowan, Lewis County Clerk

Agnes Queen, President

Rod Wyman, Commissioner

Bobby Stewart, Commissioner

Proclamation

by Governor Jim Justice

Whereas, equal opportunity in housing is a right guaranteed to all Americans under Title VIII of the Civil Rights Act of 1968; and

Whereas, the 55th anniversary of the National Fair Housing Law provides an opportunity for all Americans to rededicate themselves to the principle of freedom of choice and to reacquire themselves with the rights and responsibilities that are theirs under the law; and

Whereas, implementation of the fair housing policy of West Virginia requires the positive commitment, involvement, and support of each and every one of our citizens; and

Whereas, the departments and agencies of the State of West Virginia provide leadership in an effort to make fair housing a right that can be realized by all of our citizens.

Now, Therefore, Be it Resolved that I, Jim Justice, Governor of the Great State of West Virginia, do hereby proclaim *April 2023* as:

Fair Housing Month

in the Mountain State and encourage all citizens to support the practice and policy of fair housing in their personal lives, as well as in their workday duties.


In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

Done at the Capitol, City of Charleston, State of West Virginia, this the Eighth day of March, in the year of our Lord, Two Thousand Twenty-Three, and in the One Hundred Sixtieth year of the State.




Jim Justice
Governor

By the Governor:


Mac Warner
Secretary of State

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
Weston, WV 26452
Phone: (304)269-8200
Fax: (304)269-2416
Email: lewiscountycommission@lewiscountywv.org
Website: lewiscountywv.org



COMMISSIONERS:
AGNES QUEEN
President
ROD WYMAN
Commissioner
BOBBY STEWART
Commissioner

FAIR HOUSING RESOLUTION

Whereas, the **Lewis County Commission** desires to give meaning to the guarantees of equal rights contained in the Constitution and laws of this State and the United States, and to encourage and bring about mutual self-respect and understanding among all citizens and groups in the **County**; and,

Whereas, under the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968, it is illegal to deny housing to any person because of race, color, religion, sex, or national origin; and,

Whereas, under the West Virginia State Fair Housing Law, Title 49-2-305, MCA, it is illegal to deny housing to any person because of race, sex, religion, color, age, physical or mental handicap or national origin;

Therefore, be it resolved the **Lewis County Commission**, West Virginia makes a firm commitment to do all within its power to eliminate prejudice, intolerance, disorder and discrimination in housing.

Therefore, be it also resolved that a Fair Housing Law poster, which has the "Equal Housing Opportunity" logo, will be displayed at **County Courthouse**.

Therefore, be it also resolved that the following procedures will be used to accomplish the purpose of the aforementioned resolution:

1. The **County Commissioners** shall inform all **County** employees of the **County's** commitment to fair housing.
2. The **County Commissioners** will post this resolution in **County** buildings and other public places and publicize it.
3. The **County Commissioners** shall direct all employees to forward immediately to the **Commission President** any reports they receive of housing discrimination.
4. The **Commission President** shall forward such complaints to the West Virginia Human Rights Commission, 1321 Plaza East, Room 108A, Charleston, West Virginia, 25301-1400, within 10 days of receipt of said complaint.

Now, therefore it be resolved that the Lewis County Commission does hereby proclaim April 2023 as Fair Housing Month.



Signature: _____

Title: _____

Date: _____

Upshur County Commission Meeting Agenda

Agenda packets are available electronically at http://www.upshurcounty.org/agenda_and_minutes/index.php or by request to the Upshur County Commission Office at 304-472-0535.

- Location: Upshur County Courthouse Annex
If you prefer to participate by telephone, please dial 1-408-650-3123 Access Code: 272 564 045 to enter the conference call.
- Date of Meeting: March 30, 2023
- 9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance
Approval of Minutes:
• March 23, 2023
- 9:15 a.m. Craig Presar and Tasha Harris representing the WVU Upshur County Extension Office --
Presentation of opportunities provided through the Extension Office.
- 9:45 a.m. Presentation of Autism Awareness Proclamation celebrating April as Autism Awareness
Month. *
- 10:00 a.m. Lori Ulderich Harvey, Upshur County Family Resource Network Director and team leader for
Upshur County Partners in Prevention -- Requesting for the Month of April 2023 to be proclaimed
as Child Abuse Prevention and Awareness Month. *
- 10:45 a.m. Randy Sanders, Chairman of WAMSB 2023 Organizing Committee – Introduction of
representatives from the National Cadet Corps Band based in Ghana.

Items for Discussion / Action / Approval:

1. Consider Resignation of Employee. * Under separate cover
Item may lead to Executive Session per WV Code §6-9A-4
2. Consider appointment of Jesse Davidson to the Upshur County Fire Board. The term will be effective July 1, 2023 and replaces the community representative vacancy forthcoming from a resident of the 3rd Magisterial District who has exhausted the two-term limit. *
3. Approval of advertisement for full-time Deputy Clerk - Bookkeeper. Applications received by April 21, 2023 will be reviewed; however, applications may be considered until position is filled. *
4. Approval and signature of Community Development Block Grant Final Performance Report, Budget Amendment #6, Grant Amendment #6, and Request for Payment in the amount of \$19,259.29, for the Elkins Road PSD Phase III Water System Improvements project. This is for Request for Funds #32. *
5. Approval and signature of the WV Courthouse Facilities Improvement Authority Fund – 18th Cycle -- Project Completion Report and Request for Reimbursement. *
6. Approval of a revision to the previously approved Minimum Vehicle Specifications for one Sport Utility Vehicle for the Upshur County Sheriff's Law Enforcement Office. Sealed proposals must be received no later than 4:00 p.m. on Wednesday April 12, 2023 at the Administrative Annex located at 91 West Main Street, Suite 101.

Bids received by the deadline will be publicly opened, reviewed and read aloud by the Commission at 9:15 a.m. on Thursday, April 13, 2023. *

7. Approve Invoices for Payment, Purchase Card Invoices for Payment, Budget Revisions / Financial Reports or Information, Correction of Erroneous Assessments, Exonerations/Refunds, Grant Updates / Requests for Reimbursements, Final Settlements, Vacation Orders, Consolidation of Land Tracts, Facility Maintenance Concerns or Updates, Road Name Requests, Project Reports / Updates, Request to Attend Meetings, Request for Day(s) Off.

For Your Information:

(Certain Items May Require Discussion, Action and/or Approval by the Commission)

1. Correspondence from the Upshur County Homeless and Housing Coalition extending an invitation to join the coalition in an effort to work proactively to provide support to those who are homeless within the area.
2. Correspondence from TC Energy, Columbia Gas Transmission LLC, stating they are planning to perform routine surveying on its pipeline along three parcels of land in Upshur County between March 27 and March 31, 2023.
3. Upshur County Sheriff's Financial Statement for period ending February 2023.
4. Public Notices:
 - a) Newsletters and/or Event Notifications:
 - Broadband Listening Session March 30, 2023
 - b) Agendas and/or Notice of Meetings:
 - City Council of Buckhannon – Special Meeting March 30, 2023

Meeting Minutes:
None

 - c) Meetings: ***Dates and times of monthly board meetings are viewable at:**
<http://cms4.revize.com/revize/upshurwy/calendar.php>
or go to www.upshurcounty.org and click on the board meetings calendar box on the main page.
5. Appointments Needed or Upcoming:
 - Upshur County Enhanced Emergency Telephone Advisory Board - unexpired term June 30, 2023. (Community Representative)
 - Upshur County Enhanced Emergency Telephone Advisory Board - unexpired term June 30, 2024. (Fire Service)
 - Tennerton Public Service District - unexpired term July 31, 2023.

****If you are interested in serving on an Upshur County board, please submit your letter of interest to the Commission Office at 91 W. Main St., Suite 101, Buckhannon, WV 26201 or chughes@upshurcounty.org. Upcoming term expirations are listed in this section of the agenda; however, letters of interest can be submitted at any time. Letters of interest for boards that do not currently have a vacancy will be held until a vacancy occurs. Please note that submitting a letter of interest does not guarantee appointment.*

Newsletters and/or Event Notifications, Agendas and/or Notices of Meetings, Meeting Minutes and Scheduled Meetings can all be found by visiting: http://www.upshurcounty.org/agenda_and_minutes/index.php

Tabled Items

(Certain Items May Require Discussion, Action and/or Approval by the Commission)

Next Regular Meeting of the Upshur County Commission
April 13, 2023 --- 9:00 a.m.
Upshur County Courthouse Annex

****The Commission Meeting scheduled for April 6, 2023 is CANCELLED****
*****There will be a special meeting held on April 18, 2023 at 9 a.m. to lay the levy*****

QUALITY MANAGEMENT PLAN

**PREPARED FOR:
LEWIS COUNTY COMMISSION
USEPA BROWNFIELDS ASSESSMENT GRANT BF-95304901**

**PREPARED BY:
CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
120 GENESIS BOULEVARD
BRIDGEPORT, WEST VIRGINIA**

CEC Project 328-161

March 24, 2023



Civil & Environmental Consultants, Inc.

PLAN REVISION HISTORY

This table shows changes to this controlled document over time. The most recent version is presented in the top row of the table. Previous versions of the document are maintained by the Quality Mangers, or designee.

HISTORY	MATERIAL CHANGES	EFFECTIVE DATE
Quality Management Plan	Original Document, dated March 24, 2023	

SIGNATURE PAGE

Agnes Queen, President
Lewis County Commission

Signature

Printed Name and Date

Tina Helmick, County Administrator
Lewis County, West Virginia

Signature

Printed Name and Date

Ray Smith, Executive Director
Lewis County Economic Development
Authority

Signature

Printed Name and Date

Elizabeth Stas, Senior Project Manager
Civil & Environmental Consultants, Inc.

Elizabeth A. Stas

Signature

3/27/2023

Printed Name and Date

USEPA Region 3 Quality Assurance
Manager

Signature

Printed Name and Date

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FIGURES

Figure 1 – Project Organization Chart

1.0 MANAGEMENT AND ORGANIZATION

The purpose of this section is to document the overall policy, scope, applicability, and management responsibilities of the organization's quality system.

1.1 Organization's Policy On Quality Assurance

A Brownfields Assessment Grant (the Grant) was awarded to Lewis County Commission (LCC) for the period of October 1, 2022 through September 30, 2025. The objective of the Grant is to assess brownfield properties throughout distressed areas of the City of Weston, West Virginia, Jane Lew, West Virginia as well as throughout Lewis County, West Virginia in preparation for redevelopment (the Program). The Grant will be utilized by the LCC.

The goal of the LCC is to use the assessment funds to create ready sites for industrial expansion, eliminate neighborhood blight, and add to the character and amenities of the City of Weston and Jane Lew as well as throughout Lewis County. Specifically, LCC plans on using the Grant to meet the following objectives:

- Addressing vacant and dilapidated structures, especially in downtown areas;
- Promoting infill development; and
- Promoting new business (commercial, industrial, and light manufacturing).

The brownfields assessment funds will be used to accomplish these objectives by preparing vacant and dilapidated structures for future demolition, focusing development on existing sites with existing infrastructure, and bringing job-creating uses to brownfields sites.

Quality Assurance (QA) is an integral component of the brownfields program and is necessary for the successful implementation of the work needed to achieve the goals. LCC's QA policy is that all sub-contractors and consultants hired for the execution of the grant's scope of work undergo a comprehensive vetting process to ensure that only competent professionals are hired to perform

the work. Specifically, sub-contractors and consultants are subjected to a competitive qualifications process where they must demonstrate an understanding of the project and demonstrate that they have the expertise and experience to successfully complete the work.

1.2 Personnel and Organizational Structure

This section describes the organizational structure, lines of authority, and responsibilities of key project individuals. The organizational structure is presented in Figure 1.

Brownfields Program Director and County Commissioner of the LCC – Agnes Queen, President, Lewis County Commission: As Grant Recipient, the LCC holds the overall management responsibility for the Grant Program. The LCC is responsible to the USEPA for management of the Cooperative Agreement and compliance with all applicable statutes, regulations, and terms and conditions of the award. Additionally, the LCC is responsible to ensure that all members of the grant team are in compliance with applicable terms and conditions. The LCC serves as the primary point of contact for USEPA.

Brownfields Project Manager – Cindy Whetsell – Consultant for LCC: The Brownfields Project Manager plays a role in forming collaborative partnerships to support initiatives. The Brownfields Project Manager will be responsible for administering all facets and ensure successful completions of the grant. The Brownfields Project manager will oversee day-to-day activities, manage consultant activities and review deliverables.

County Administrator – Tina Helmick, County Administrator, Lewis County - The Lewis County Administrator plays a major role in advising the LCC of the proper and efficient administration of the Grant Program as well as directing and managing all grant related implementation activities. The County Administrator is responsible for ensuring grant activities are consistent with Lewis County’s established goals and objectives in the workplan.

Development Partner – Ray Smith, Executive Director, Lewis County Economic Development Authority (LCEDA): The LCEDA is the lead economic development organization

in Lewis County that proactively creates an environment for private industry to create and retain jobs through the coordination of leaders from local business, municipal, county and other elected officials and organizations at all levels of government. As a partner, the LCEDA works closely with the LCC and Region VII Planning and Development Council to promote economic and environmental welfare throughout Central West Virginia. The LCEDA participates in regular monthly planning meetings and is in regular communication with the LCC.

Quality Assurance (QA) Officer – Elizabeth Stas, P.E., Project Manager, Civil & Environmental Consultants, Inc.: The QA Officer will be responsible for the overall administration of the QA program, providing guidance to the project team on quality matters, and ensuring that data collection and evaluation operations are conducted in accordance with the Quality Assurance Program Plan (QAPrP) and site-specific Field Sampling Plans (FSPs). The QA Officer will be responsible for notifying personnel of non-conformance. The QA Officer will be responsible for maintaining the QAPrP and distributing updates for staff on the distribution list.

CEC Project Manager & West Virginia Licensed Remediation Specialist (LRS) – Brittany Hedrick, Project Manager, Civil & Environmental Consultants, Inc.: Phase I and Phase II Environmental Site Assessment (ESA) and cleanup projects in West Virginia will be managed under a West Virginia LRS. The Project Manager will be responsible for the technical performance of the project and reporting. Additionally, the Project Manager will coordinate and implement field investigation activities and staff, scheduling, QA/Quality Control (QC), compilation of data and evaluation/interpretation of results.

Grant Financial and Reporting Manager – Rebecca Carder, Administrative Assistant, LCC: The grant financial and reporting manager is responsible for maintaining all grant related documents (including consultant reports, contracts, and invoices), tracking the grant financials and drawdown of budgets, submitting quarterly reports, and preparing and submitting the required Minority-Owned Business Enterprises/Women-Owned Business Enterprises (MBE/WBE) reports and federal financial reports.

1.3 Programs Supported by the Quality System

This QMP was prepared for the LCC for use in implementing work conducted under USEPA Brownfields Assessment Grant.

2.0 QUALITY SYSTEM COMPONENTS

The quality system components for implementing the Brownfields Assessment Grant include the following:

- Quality Management Plan;
- Sub-Contractor and Consultant Procurement Process;
- Quality Assurance Program Plan (QAPrP); and
- Field Sampling Plans.

Each of these is described in more detail below:

Quality Management Plan

The LCC maintains this QMP to describe the policies and organizational authority and responsibilities for ensuring quality in the brownfields program. The LCC reviews the QMP annually and will submit the QMP for USEPA review on a five (5) year cycle.

Sub-Contractor and Consultant Procurement Process

As stated previously, sub-contractors and consultants are subjected to a competitive qualifications process where they must demonstrate an understanding of the project and demonstrate that they have the expertise and experience to successfully complete the work. This process helps to ensure that only competent professionals are hired to perform the work. Additional details on the procurement process are provided in Section 4.0.

Quality Assurance Program Plan

Assessment work conducted under the Grant is in accordance with the USEPA-approved CEC QAPrP. The QAPrP is the primary data quality document and was prepared to ensure that environmental data collected under the grant are of known and defensible quality. The QAPrP outlines the Data Quality Objectives (DQOs) for the assessment program and describes the criteria for assessing whether those objectives have been met. The QAPrP also includes the specific data verification and validation requirements for the program to ensure that quality data are collected. The QAPrP is reviewed and re-submitted for USEPA approval at least once every five (5) years. The current QAPrP – Revision 2.0 is dated January 27, 2023 and was approved February 14, 2023.

Field Sampling Plans

While the QAPrP provides the overall DQOs for the program, individual FSPs are prepared and submitted to USEPA for approval prior to the start of any environmental data collection event. The FSPs include the details of the proposed numbers and locations of environmental samples to be collected, the proposed parameter lists and analytical methods, a review of analytical detection limits in comparison to regulatory standards, and the field procedures to be used to collect the environmental data. FSPs are prepared by the contracted consultant for a given site. The FSPs will include the consultant's Standard Operating Procedures (SOPs) for collecting environmental data and a project-specific organizational chart. It is noted that FSPs are not required for specialized surveys of potential contaminants in buildings and structures, such as Asbestos-Containing Materials (ACM), lead-based paint (LBP), radon, and mold surveys, which are conducted by specially trained, and state-certified, contractors. The requirements outlined in USEPA's January 20, 2022 *Guidance and Quality Assurance Requirements for Asbestos Surveys, Lead-based Paint Inspections, Mold Surveys, and Radon Testing in Building Structures* will be used to guide these surveys.

3.0 PERSONNEL QUALIFICATIONS AND TRAINING

The LCC does not directly collect environmental data under the assessment grant, rather hires qualified environmental consultants to complete the assessment work. The following presents the competency requirements for the environmental consultants collecting environmental data using grant funds and for the analytical laboratories being used to analyze the environmental samples.

3.1 ENVIRONMENTAL CONSULTANT PERSONNEL COMPETENCY

Phase I Environmental Site Assessments (ESAs) will be completed by personnel meeting the requirements of an Environmental Professional (EP), as defined in the ASTM standard. An EP is defined in the ASTM standard as a person meeting the education, training, and experience requirements as set forth in 40 CFR 312.10(b). These requirements include: 1) must hold a Professional Engineer's or Professional Geologist's license or registration from a state and have the equivalent of three (3) years of full-time relevant experience; 2) must have a bachelor's or higher degree from an accredited institution of higher education in a discipline of engineering or science and the equivalent of five (5) years of full-time relevant experience; or 3) must have the equivalent of 10 years of full-time relevant experience.

Qualified and experienced geologists, engineers, and/or field scientists will be assigned to oversee drilling and well installation, conduct sampling, provide sampling quality control, conduct data processing, and assist with the evaluation of results. In addition, sampling personnel will receive 40-hour Hazardous Waste Operations and Emergency Response Standard (HAZWOPER) training as described in 29 CFR 1910.120. Geological interpretations will be conducted under the direction of Pennsylvania Licensed Geologists.

3.2 ANALYTICAL LABORATORY COMPETENCY

Laboratories will be accredited through the West Virginia Department of Environmental Protection (WVDEP) Laboratory Quality Assurance Program (LQAP). The WVDEP LQAP assesses laboratories to ensure conformance to 47CSR32 – Regulations Governing

Environmental Laboratories Certification and Standards of Performance which establishes minimum requirements, criteria, and procedures for laboratory equipment, practices, methodology, quality control, personnel, facilities, data reporting, and record maintenance.

3.3 SPECIALIZED CONTRACTOR COMPETENCY

Some assessments may include specialized surveys of contaminations associated with buildings and structures that are slated for demolition or renovation. These contaminants include ACM, LBP, radon, and mold. ACM and LBP surveys will be performed by a subcontracted third-party company who is licensed in West Virginia to perform inspections, sampling, and laboratory analysis of these materials. Radon testing will be conducted under the direct supervision of a Radon Professional, certified by either the American Association of Radon Scientists and Technologists National Radon Proficiency Program or the National Radon Safety Board. Mold inspections must be performed by an experienced technician.

4.0 PROCUREMENT OF ITEMS AND SERVICES

The LCC will retain subcontractors and consultants under 40 CFR 30.36 to undertake various activities funded through the Assessment Grant. The LCC will procure the consultants in compliance with all applicable statutes, including but not limited to 40 CFR 31.36 requirements. The LCC has established the following process for securing environmental subcontractors and consultants:

- LCC prepares a Request for Qualifications (RFQ) and advertises the RFQs in local newspapers;
- LCC receives sub-contractor and consultant's responses to the RFQ and meets to review the submissions;
- LCC conducts interviews, if needed, with sub-contractors and consultants who submit Qualifications in response to RFQ;
- LCC completes the rating system for submissions based on content and the interview;
- The LCC and LCEDA meets to review ratings and grants the LCC President the authority to sign-off on Brownfields contracts; and
- Contract is awarded to selected qualified consultants.

This vetting process helps to ensure that only quality sub-contractors and consultants are hired for the execution of the grant's scope of work.

5.0 DOCUMENTS AND RECORDS

Records generated during environmental data collection activities are a critical part of property assessment. Records to be used for project documentation include field forms, field books, laboratory data sheets, chain-of-custody forms, and technical papers and reports. The environmental consultants will retain the records generated during assessment activities in electronic format for a minimum of 10 years following the completion of this project. At that time, the LCC will be contacted prior to disposal of these records.

For Phase II ESAs, at a minimum, the draft and final assessment report submittal packages will include the following:

- Text describing field-sampling methodologies, analytical results, conclusions, and recommendations.
- Figures showing property location, property boundaries, sampling locations, and summaries of impacted areas.
- Tables comparing laboratory data to the applicable standards.
- Tables summarizing QA/QC analytical results.
- Laboratory data reports, including copies of all COC records.
- Copies of soil boring, groundwater, sediment, and surface water sampling logs.
- Other relevant material needed to support property redevelopment.
- Data Assessment Report that discusses and compares overall precision and accuracy data for each matrix, analytical parameter, and concentration level.

For specialized surveys of potential contaminants in buildings and structures, such as ACM, LBP, radon, and mold, USEPA's January 20, 2022 *Guidance and Quality Assurance Requirements for Asbestos Surveys, Lead-based Paint Inspections, Mold Surveys, and Radon Testing in Building Structures* will be used to guide survey reports.

Additionally, grant related documents including consultant reports, contracts, and invoices are maintained by the LCC and are stored electronically on the LCC's server, which is routinely backed-up. In addition, a hard copy of all contracts and invoices are maintained with LCC.

6.0 COMPUTER HARDWARE AND SOFTWARE

The individual LCC members are responsible for securing and maintaining computer hardware and software to support the assessment work. Minimum requirements include an e-mail system to facilitate communications and the standard Microsoft office suite of products to enable viewing and preparing documents.

7.0 PLANNING

In accordance with the CEC QAPrP Revision 2.0, dated January 27, 2023, CEC is implementing the Data Quality Objective (DQO) process to design the environmental data collection approach for identified sites, in order to collect data of sufficient quality and quantity to support the goals of the environmental assessments. The DQO process consists of seven iterative steps, as described in the following sections.

7.1 Step 1 – State the Problem

The LCC will develop a site inventory and prioritization based on revitalization and land use plans and based on the potential for a given site to be matched up with new business/redevelopment ventures. Selection and prioritization criteria will include the potential to address and eliminate public health, safety, and environmental issues; eligibility with the WVDEP Voluntary Remediation Program (VRP); benefit to low and moderate income areas; condition of existing infrastructure available for reuse; and potential redevelopment and job creation opportunities.

Once a site is selected, a Phase I ESA will be conducted in accordance with the ASTM E1527-13. The Phase I ESA will “define the problem that necessitates study” by identifying Recognized Environmental Conditions (RECs) associated with historic or current site operations. A REC is the presence or likely presence of hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

7.2 Step 2 – Identify the Goal of the Study

Once a Phase I ESA has been conducted for a site and RECs have been identified, the goal of further study (i.e., the goal of the Phase II ESA) is to evaluate environmental media in order to determine the presence of hazardous substances and/or petroleum products that could pose a hazard to the environment or require remediation and result in financial liability to a property

purchaser. Specifically, data collected during completion of Phase II ESAs of each Brownfields site will be used to answer the following study questions to the extent feasible:

- Is there a threat to public health or the environment?
- Has a release to the environment occurred and if so, what is the extent of the release?
- Do contaminant levels exceed the State's voluntary program criteria?
- Can the contaminants be managed by eliminating exposure pathways through engineering and institutional controls or will active remediation be required?
- What are potential remedial alternatives for sites where remediation is required?
- What is the estimated cost of each potential remedial alternative?

7.3 Step 3 – Identify Information Inputs

The first step in identifying the data and information needed to answer the study questions identified in Step 2 is to develop a Conceptual Site Model (CSM). Information gathered as part of the Phase I ESA, including historic and current use, identified RECs, and an understanding of the potential future uses of the site can be incorporated into the CSM. With a well-defined CSM, the goals of the Phase II ESA can be translated into specific data needs such as the media that should be investigated, the spatial area requiring investigation, and the types of chemicals that could be present at the site.

7.4 Step 4 – Define the Boundaries of the Study

For each of the Brownfield sites, the Phase II ESA will be conducted within the limits of the property boundary. A site map showing the assessment boundary will be provided in each FSP. The vertical assessment boundary will vary depending on the end use of the site; however, generally surface soil will be considered the top 2 feet of the soil column and potential human exposure to subsurface soil will be limited to the top 10 feet of the soil column.

7.5 Step 5 – Develop the Analytical Approach

The analytical approach, including the analytical laboratory selected for the work and the analytical methods used, will be driven by the requirements of the VRP. Specifically, analytical data will be compared to the most recent WVDEP De Minimis Screening (60CSR9) standards.

As part of the development of the site-specific FSP, the analytical detection limits for each of the proposed analytes will be compared to the WVDEP De Minimis Screening (60CSR9) standards to determine if the selected analytical methods are adequate in achieving the project goals. In some cases, laboratories are not able to achieve detection limits that are below certain standards, regardless of the analytical method used.

7.6 Step 6 – Specify Performance or Acceptance Criteria

DQOs are typically assessed by evaluating PARCC (Precision, Accuracy, Representativeness, Completeness, and Comparability) for both the field and laboratory aspects of the data collection process. PARCC is defined as:

- Precision: A measure of the reproducibility of analyses under a given set of conditions;
- Accuracy: A measure of the bias that exists in a measurement system;
- Representativeness: The degree sampling data accurately and precisely depict selected characteristics;
- Completeness: The measure of the amount of valid data obtained from a measurement system compared to the amount that was expected to be obtained under “normal” conditions; and
- Comparability: The degree of confidence with which one data set can be compared to another.

To assess if environmental monitoring measurements are of an appropriate quality, the general PARCC requirements found in the QAPrP will be used to evaluate the analytical results.

7.7 Step 7 – Develop the Plan for Obtaining Data

Prior to the implementation of a Phase II ESA, a site-specific FSP will be developed using the information compiled in Steps 1 through 6 described above. Specifically, the FSP will include the following:

- A discussion of site background and the RECs identified as part of the Phase I ESA;
- The proposed sampling design (i.e., number and location of samples);
- A description of Standard Operating Procedures (SOPs) that will be utilized to collect samples;
- Identification of an analytical laboratory and an evaluation of the proposed analytical methods;
- A project-specific organizational chart;
- Identification of the applicable state screening standards being used (i.e., commercial/industrial, residential, recreational, etc.); and
- A discussion of the data validation and usability evaluation that will be performed on the collected data.

8.0 IMPLEMENTATION OF WORK PROCESSES

The LCC and CEC participate in regular in-person planning meetings, typically held monthly. These meetings are held at the Lewis County Courthouse and follow an agenda prepared by the CEC Project Manager. Overall site schedules, budgets, and goals are reviewed at these meetings.

Ultimately, the LCC is responsible for ensuring that the work performed under the assessment grant is in accordance with the planning documents (i.e., QMP, QAPrP, and FSPs). The LCC has contracted with the CEC to ensure environmental data are being collected in accordance with the planning documents.

9.0 ASSESSMENT AND RESPONSE

9.1 Performance and System Audits

During the environmental data collection efforts (i.e., Phase II ESAs), internal and external performance and systems audits will be undertaken to evaluate the capability and performance of the total measurement system. Audits will be used to ensure that field and laboratory activities provide data that best represents actual site conditions.

A performance audit is conducted to assess the accuracy of the total measurement system or a component thereof. A systems audit is broader and focuses on evaluating the principal components of a measurement system to determine proper selection and use. In regard to field sampling operations, this oversight activity is performed to critique the quality control procedures which are to be employed. Systems audits of this nature are to be performed periodically prior to or shortly after field operations commence and until the project is completed.

The audits will be performed by CEC personnel experienced in proper field sampling and documentation techniques. To ensure objectivity, this auditor will be functionally independent of the measurement effort. The audits will be randomly scheduled and will not be announced beforehand. If personnel find what seems to be a systematic problem with a specific component of the sampling and analysis program, they will perform a series of audits on related activities to identify and correct the problem.

Laboratory audits will be conducted at the request of the CEC Project Manager or USEPA to verify analytical capability and compliance with the QAPrP. The audit would be performed during the time the laboratory is analyzing site samples. Laboratory audits will be conducted according to laboratory's QA Manual.

Internal performance and systems audits of field activities will be scheduled at the discretion of and coordinated by CEC. Additional field audits may be performed as requested by the USEPA or the LCC. A checklist will be prepared based on information contained in the QAPrP. Using

the checklist, auditors will evaluate whether field personnel are operating in compliance with procedures specified in this plan, including the following:

- Completeness and accuracy of sample chain-of-custody forms, including documentation of times, dates, transaction descriptions, and signatures;
- Completeness and accuracy of sample identification labels, including notation of time, date, location, type of sample, person collecting sample, preservation method used, and type of testing required;
- Completeness and accuracy of field logbooks, including documentation of times, dates, driller's names, sampling method used, sampling locations, number of samples taken, name of person collecting samples, types of samples, results of field measurements, soil logs, any problems encountered during sampling, and field instrument maintenance procedures;
- Adherence to health and safety guidelines outlined in the site health and safety plan including wearing of proper protective clothing; and
- Review of field instrument calibration procedures, as documented in field logbooks, to ensure that instrument calibration is conducted daily for all equipment according to the techniques found in the manufacturers' equipment manuals.

The QA Officer must be informed of non-complying situations and the corrective action taken. A report which summarizes the audit findings will be submitted to the QA Officer and the project file. The QA Officer will notify the Project Manager and field personnel if a situation arises that requires procedural changes. The report will include any serious deficiencies that adversely affect the data. Any corrective action taken will also be included in the report.

9.2 Reports to Management

The field activities for each environmental data collection effort are anticipated to be completed in less than a month's time. Therefore, monthly progress reports are not necessary. However, effective management of environmental measurement efforts will require timely assessment and review of measurement activities. This approach requires interaction and feedback among personnel collecting the data, project management, the LCC, and USEPA personnel. Written

reports during field activities may be necessary to provide an evaluation of measurement data quality. These reports would be produced by CEC on an as-required basis and may include the following:

- Status of the project;
- Results of Performance Evaluations and Systems Audits;
- Results of periodic data quality assessments;
- Significant quality assurance problems and recommended solutions; and
- Changes in the QAPrP or site-specific FSP.

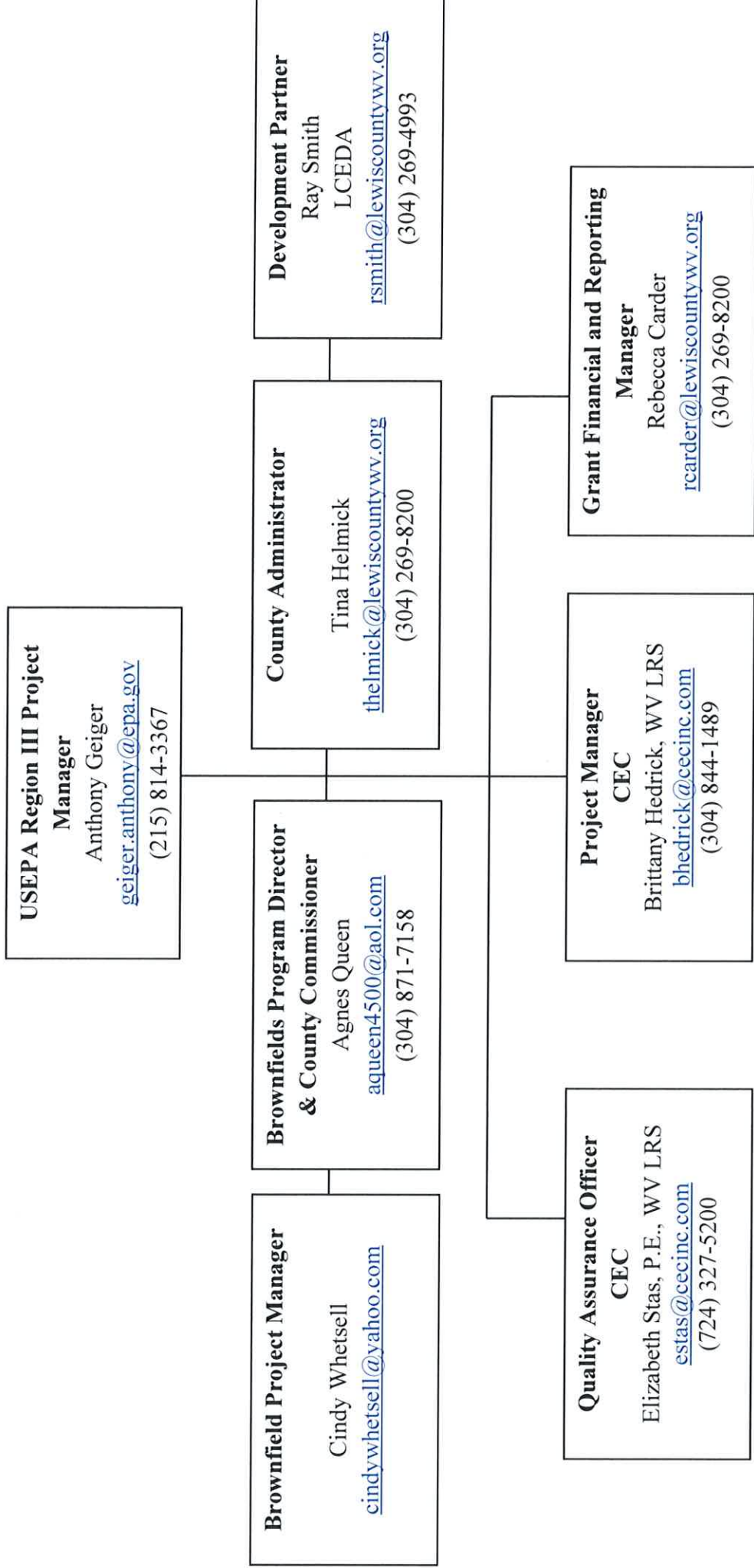
Reports of this type will be prepared by CEC and distributed to the LCC and the USEPA and maintained in the project file.

10.0 QUALITY IMPROVEMENT

The QA Officer, based on reporting from the environmental consultant, has responsibility for identifying, planning, implementing, and evaluating the effectiveness of quality improvement activities and ensuring that corrective actions are taken to address quality system issues related to environmental data. The individual environmental consultants leading each environmental data collection effort are responsible for identifying and recommending appropriate actions to correct any quality assurance deficiencies, including issues with the selected analytical laboratories.

FIGURE 1
ORGANIZATION CHART

PROJECT ORGANIZATION CHART
LEWIS COUNTY COMMISSION BROWNFIELDS ASSESSMENT GRANT





West Virginia Department of
**ARTS, CULTURE
AND HISTORY**

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Curator
Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562
EEO/AA Employer

March 24, 2023

Tina Helmick
Lewis County Commission
110 Center Avenue
Weston, WV 26452
Via email: thelmick@lewiscountywv.org

RE: Lewis County Courthouse Roof Project
FR#: 22-993-LE-1

Dear Ms. Helmick:

We have reviewed the above-referenced project to determine its effects to cultural resources. The following comments are offered under West Virginia Code § 29-1-8.

According to the submitted information, the Lewis County Commission plans to utilize West Virginia Courthouse Facilities Improvement Authority (CFIA) grant funding to undertake a restoration project of the Lewis County Courthouse located at 110 Center Avenue, Weston, Lewis County, West Virginia. Work for this project includes the removal of existing roofing materials and replacement in kind.

Architectural Resources:

We have reviewed the submitted information and determined the Lewis County Courthouse is a contributing element of the Weston Downtown Historic District (NR85002468), listed in the National Register of Historic Places in 1985. The proposed project proposed the removal of existing roof materials and replacement in kind; this scope of work will adhere to *The Secretary of the Interior's Standards for the Treatment of Historic Properties*. Therefore, the project will have no adverse effect on any character defining features of the Lewis County Courthouse or the district. All materials are being replaced with like materials, all visual components to the roof system will remain the same. No further consultation is necessary regarding architectural resources; however, we ask that you contact our office if your project should change.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Stephen L. Gifford, Structural Historian, at (304) 558-0240.*

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/SLG