

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
RECESS
SESSION:**

State of West Virginia;

County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Tuesday, October 16, 2012.

This day came Alicia Ann White and Phyllis Jean Bailey, daughters of Robert Clark Summers, deceased, and presented and offered for probate a paper writing bearing date the 29th day of March, 2005, purporting to be the Last Will and Testament of their said decedent.

And, it appearing to the Clerk that the said decedent, at the time of his death, had a known place of residence in the County of Lewis, State of West Virginia, and it further appearing that the said paper writing had attached thereto, an affidavit signed by Alisa A. Bailey and Christina K. Williams. The said affidavit set forth the fact that the said Robert Clark Summers, the Testator, signed and declared the said paper writing as and for his Last Will and Testament in their presence and at the time thereof, the said Testator was of sound mind and disposing memory and over the age of eighteen. And, at the request of the said Testator, they, the said Alisa A. Bailey and Christina K. Williams signed their names to said paper writing in the presence of the said Testator and in the presence of each other as the attesting witnesses thereto.

The said Will being thus proved, is admitted to probate and ordered to be filed and recorded as directed by law.

Attest:

 Clerk

State of West Virginia;

County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Tuesday, October 16, 2012.

WHEREAS, Robert Clark Summers, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Alisa A. White and Phyllis Jean Bailey as Co-Executrices thereof and requested that no bond be required of them as such Co- Executrices. THEREUPON, personally appeared the said Alisa A. White and Phyllis Jean Bailey and qualified as Co-Executrices of the Will of Robert Clark Summers, deceased, by taking the oath prescribed by law.

It is stated by said Co-Executrices that Robert Clark Summers departed this life on the 11th day of October, 2012, aged ninety-three years.

Attest:

 Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
RECESS
SESSION:**

State of West Virginia;

County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Friday, October 19, 2012.

This day came Danny Williams, son of Otha Clark Williams, deceased, and filed affidavits signed the heirs of said decedent, requesting that he be appointed as such Administrator of the personal estate of their said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Danny Williams as such Administrator.

THEREFORE, Danny Williams as principal together with Westfield Insurance Company as his surety, entered into an acknowledged a bond in the penalty of Five Hundred (\$500.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Danny Williams qualified as Administrator of the personal estate of Otha Clark Williams, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Otha Clark Williams departed this life on the 13th day of September, 2012, aged eighty-one years.

Attest:

 Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 22, 2012**

Commission sat pursuant to adjournment of Monday, October 15th, 2012.
PRESENT: Honorable Patrick D. Boyle, President and Thomas V. Fealy and Agnes G. Queen, Commissioners.
The foregoing proceedings of this Commission were approved and signed by the President.

IN RE: INFORMATION WAS FILED ON THE FOLLOWING

The Upshur County Agenda for October 18, 2012 was presented for review by the Commission. Lewis and Gilmer E 911 Addressing report for September was reviewed. The Floodplain Manager’s monthly report for September was reviewed. It was noted that 19 hours were used as floodplain manager. The Lewis County Board of Health’s October 30, 2012 Agenda and Public Notice was reviewed. The Lewis County Convention & Visitors Bureau Schedule of Events for November was presented to the Commission. Region VII quarterly council meeting minutes and meeting notice was presented for review. Commissioner Agnes Queen noted that the Lewis County, Private Sector representative has not been able to attend meetings due to a health issue and should be replaced with someone that is available to attend meetings. It was decided to see if a business owner in the county could be found that would be interested in the position. Naco Prescription drug discount card program report for September was presented to Commission for review.

IN RE: DEPARTMENTAL CONCERNS
IN RE: RENTAL OF COVERED TRUCKS FOR DELIVERY AND PICKUP OF ELECTION EQUIPMENT

Debra Hull, Deputy County Clerk, on behalf of Mary Lou Myers, County Clerk, asked the Commission for approval to rent covered trucks for the delivery and pickup of election equipment if need due to increment weather. Commission wanted to know if there was money in the budget for the expenditure and was informed that there was. It was agreed that it would be a good idea.

IN RE: AFFIDAVIT OF UNADMINISTERED ESTATES

Pursuant to Chapter 44, Article 2, Section 1 (b) of the West Virginia Code as amended, the following doth hereby declare that they are the sole beneficiary of said estate; that the time for filing of CLAIMS has expired; that no known or unpaid CLAIMS exist and there having been no objections thereto, the same is hereby confirmed;

W. T. Weber, Jr., Ancillary Administrator, CTA, Affidavit of Personal Representative, Unadministered Estate of Andrew Ira Jackson, deceased.

Harry V. Saville, Sr., Administrator, Affidavit of Personal Representative, Unadministered Estate of Mary Emaleen Saville, deceased.

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IN RE: DEPARTMENTAL CONCERNS
VARIOUS ITEMS

Cindy Whetsell, County Administrator informed the Commission that the Planning Commission had received the draft for review from WVU. The Building Commission has made the first draw on the USDA loan on the 18th of October. They tentatively set up a date to tour the new annex on October 25th at 2:00 P. M. Ms. Whetsell had the opportunity to tour and said that the first floor had the walls studded. The commission was to meet a 9:00 am on October 29 for the public inspection of election counting equipment (650). The Commission asked Ms. Whetsell about the extension service office repairs and requested that all outside repairs except for painting be done by the time bad weather set in. It was approved that Rick Stout, Maintenance director be informed that it was their intention that he check in the morning and afternoon on the construction of the annex, but to make it a priority to make the repairs at the extension office.

IN RE: REHIRING OF CHARLES KIRKPATRICK

The Commission received a copy of a letter to the Civil Service Commission for consideration of rehiring Charles Kirkpatrick. Sheriff Gissy informed the Commission that he had also received a copy of the letter and that it was in the hands of the Civil Service Commission. Law required them to rehire Mr. Kirkpatrick if there was an opening available and he met all the requirements, which he thought that he did. Sheriff Gissy said he had already advertised for the deputy position and that he needed an active roster.

IN RE: MISSING SIGNS AND SIMILAR ROAD NAMES

Commissioner Agnes G. Queen brought to Dave Matthews, Addressing Coordinator's attention that there were several signs missing in the Skin Creek area from Vandalia to past the dam. Mr. Matthews informed the Commission that he had talked to Department of Highway and the state had informed him that they were in the process of fixing signs. Mr. Matthews also said he was doing an inventory of road signs and that approximately 12 were missing. The Commission also asked Mr. Matthews what was the status of the three "Mud Lick Road" duplicate names. Mr. Matthews said that it was too late to rename the Mud Lick Road at the intersection, but that the other two could be renamed if the Commission wished him to pursue it. He would do further research to see who would be affected.

IN RE: NEW ROAD NAME, WHITE OAK DRIVE

On motion of Agnes G. Queen, second by Thomas V. Fealy, motion passing, to approve road name of White Oak Drive.



Lewis ~ Gilmer E-911 Addressing

201 Orchard St • Weston, WV 26452

Phone 304-269-6567 or 304-462-4346

TTY 304-269-8241 or 304-462-7306 • Fax 304-269-8203

E-mail • addressing@LCE-911.com

Lewis County Commission,

The Lewis/Gilmer County Addressing Office requests approval of a road name for a new private road located 10.8 miles left off Skin Creek Rd

The proposed names submitted via petition where:

1) BEECH GROVE

2) WHITE OAK DR

3)

4)

NOTE: Choice 1 is similar to other road names used throughout Lewis County.

Driving directions: FROM US HWY 19 S AT CITY LIMITS GO 1 MILE TURN LEFT ONTO SKIN CREEK RD GO 10.8 MILES TURN LEFT

Additional Information:

Postal Community: HORNER

MSAG Community: WALKERSVILLE

Address Range: 1 – 350

Please notify the Addressing Office in writing at the contact information listed above of your decision as soon as possible. If you have any questions or concerns, please do not hesitate to call.

Thank you for your assistance in this matter.
Sincerely,

David Matthews
Address Coordinator

Commission President

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: NEW ROAD NAME, DESTINY DRIVE

On motion of Agnes G. Queen, second by Thomas V. Fealy, motion passing, to approve road name of Destiny Drive.



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E-mail • addressing@LCE-911.com

October 18, 2012

Lewis County Commission,

The Lewis/Gilmer County Addressing Office requests approval of a road name for a new private road located 1.3 miles right off Mud Lick Rd

The proposed names submitted via petition where:

- ~~1) Harley Ln~~
- 3) Shariton Dr

- 2) Destiny Dr
- ~~4) Rock Crest Dr~~

NOTE: Choices 1 & 4 are already in use in Lewis County, choices 2 & 3 are acceptable

Driving directions: From US HWY 33 ^{EW} at Garton Plz go 2 miles turn right onto Mud Lick Rd go 1.3 miles turn right

Additional Information:

Postal Community: Weston
MSAG Community: Weston
Address Range: 1 – 200

Please notify the Addressing Office in writing at the contact information listed above of your decision as soon as possible. If you have any questions or concerns, please do not hesitate to call.

Thank you for your assistance in this matter.
Sincerely,

David Matthews
Address Coordinator

Commission President

IN RE: NEW ROAD NAME, AUTUMN GLORY ROAD

On motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing, to approve road name of Autumn Glory Road.



Lewis ~ Gilmer E-911 Addressing

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E-mail • addressing@LCE-911.com

Lewis County Commission,

The Lewis/Gilmer County Addressing Office requests approval of a road name for a new private road located 4/10 mile right off Sand Run Rd

The proposed names submitted via petition where:

- | | |
|--------------------|------------------|
| 1) AUTUMN GLORY RD | 2) TALL PINES LN |
| 3) WHITE PINE DR | 4) |

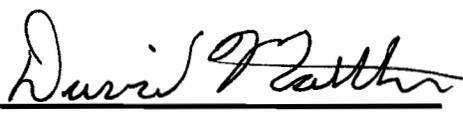
NOTE: Choice 1 & 2 are acceptable. Choice 3 is similar to other road names used throughout Lewis County.

Driving directions: FROM US HWY 33 W AT CITY LIMITS GO 9/10 MILE TURN LEFT ONTO SAND RUN RD GO 4/10 MILE TURN RIGHT

Additional Information:
Postal Community: WESTON
MSAG Community: PRICETOWN
Address Range: 1 – 350

Please notify the Addressing Office in writing at the contact information listed above of your decision as soon as possible. If you have any questions or concerns, please do not hesitate to call.

Thank you for your assistance in this matter.
Sincerely,

X 
David Matthews
Address Coordinator

X 
Commission President

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: LEWIS COUNTY HONOR GUARD #12LEDA0443 AWARD

Upon motion of Agnes G. Queen, second by Thomas V. Fealy the following Governors Community Participation Grant award and resolution for the Lewis County Honor Guard in the amount of \$1,000.00 for tires was approved:

RESOLUTION

WHEREAS: the WV CPGP will grant funds to eligible governments to finance projects, and

WHEREAS: the Lewis County Commission desires to obtain such funding, and

WHEREAS: the Lewis County Commission does authorize the grant award of the CPGP for the Lewis County Honor Guard , and

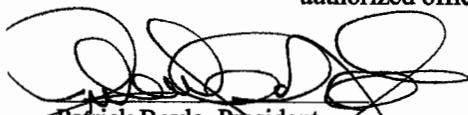
WHEREAS: is it necessary for the Lewis County Commission to authorize the grant award of said funds for the Lewis County Honor Guard , and

WHEREAS: the Lewis County Commission must give assurances that WV CPGP regulations related to grant administration, civil rights, 10% match requirement, and other applicable state and federal laws will be followed, and

WHEREAS: the Lewis County Commission must designate an official representative to act in connection with the grant award and execute all necessary program documents,

NOW THEREFORE BE IT RESOLVED THAT:

1. The Lewis County Commission authorizes the grant award for Lewis County Honor Guard , and
2. The Lewis County Commission complied with all laws and regulations pertaining to the program, including the mandated 10% match, and
3. The Lewis County Commission will utilize the funds for the Lewis County Honor Guard , and
4. Patrick Boyle, President, or Lucinda A. Whetsell, Administrator is designated as the authorized official to act in connection with this grant.


 Patrick Boyle, President
 Lewis County Commission

10/22/2012
 Date

I, Mary Lou Myers, Clerk, do hereby certify that the above is a true copy of a resolution adopted this date at a meeting of the Commission. I further certify that a quorum of the Commission was present and a majority of its members voted affirmatively for this resolution.


 Mary Lou Myers , County Clerk

10/22/2012
 Date



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IN RE: PURCHASE OF OEM REPEATER

Bill Rowan, OEM Director appeared before the Commission requesting approval to advertise for bids for a new narrow bandable repeater. He said it had been budgeted for this year. He had looked at digital but was unsure that law enforcement, EMS and fire responders had digital radios. Even if later on decided to go digital, the duplexer could be used. \$15,000.00 had been budgeted but he thought it should actually cost \$10,000.00. Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to allow the advertisement for bid to go forward.

IN RE: DEPARTMENTAL CONCERNS
IN RE: RECORDS MANAGEMENT & PRESERVATION GRANT (COUNTY CLERK) GRANT APPLICATION FOR PAYMENT

On motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous to approve application for the County Records Management & Preservation Grant for the County Clerk's Office in the amount of \$9,378.52 with match deducted in the amount of \$937.85, total reimbursement requested \$8,440.67.

INVOICE

County Records Management & Preservation Grant Program

To: WV Division of Culture & History Archives and History The Cultural Center, Building 9 1900 Kanawha Boulevard, East Charleston, WV 25305-0300	Grant No.: Lewis County 2012-13 Account No.: _____ Purchase Order No.: _____ Amount Requested: \$ <u>8440.67</u>
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Project Description: (must reflect attached Status and Financial Expenditure status reports; and include delivery date of equipment and/or date of services)

Shelving purchased and installed (10-2-2012) Total award \$5000.00 - 10% = \$4500.00 Reimb. Req.

Scanning- 7/12 through 10/22/12 - Total hrs-175.25 Total Pages-7589 # Books - 14

Total OT Pd- \$43,785.25 - 10% = \$3940.67 Reimb Req.

Make Check Payable To: _____
 County Commission: Lewis County Commission

Mailing address: 18 Barton Plaza • PO Box 466 • Weston WV 26452

F.E.I.N. 556000338

Signature: _____
 Title: President
 Date: 10-22-2012

I certify that the attached invoice for which reimbursable payment has been requested has been audited against, and conforms to the terms and conditions of the referenced grant agreement.

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IN RE: LEAVE REQUEST APPROVED

The following Leave Request was approved upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous:

Garry DeMoss October 25,26, Nov. 19, 20, 21, 20125 days Annual Time

MISCELLANEOUS CLAIMS

ORDERED, that drafts be issued payable out of the 2013, Levy, GENERAL COUNTY FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

68988	AVAYA, Inc	10/22/2012	63.44
68989	Citizens Education Fund	10/22/2012	1,000.00
68990	Green Valley Storage	10/22/2012	100.00
68991	Guttman Oil Company	10/22/2012	854.66
68992	Mon Power	10/22/2012	1,799.15
68993	G. W. Morris, II	10/22/2012	249.90
68994	Weston Sanitary Board	10/22/2012	214.67
68995	WF Soil Conservation Dist	10/22/2012	5,000.00
68996	WV American Water Company	10/22/2012	333.69
	GENERAL COUNTY	TOTAL	9,615.51

E-911 EMERGENCY COMMUNICATION CLAIMS

ORDERED, that drafts be issued payable out of the 2013, Levy, E-911 EMERGENCY COMMUNICATION FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

7207	Glenville Democrat/Pthfnd	10/22/2012	36.00
7208	David Matthews	10/22/2012	103.08
7209	Weston Sanitary Board	10/22/2012	109.91
7210	WV American Water Company	10/22/2012	373.44
	E-911	TOTAL	622.43

ASSESSOR VALUATION CLAIMS

ORDERED, that drafts be issued payable out of the 2013, Levy, ASSESSOR VALUATION FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

2754	Guttman Oil Company	10/22/2012	98.58
2755	Timothy C. Kelley	10/22/2012	84.15
	ASSESSOR VAL	TOTAL	182.73

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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DOG AND KENNEL CLAIMS

ORDERED, that drafts be issued payable out of the 2013, Levy, DOG AND KENNEL FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

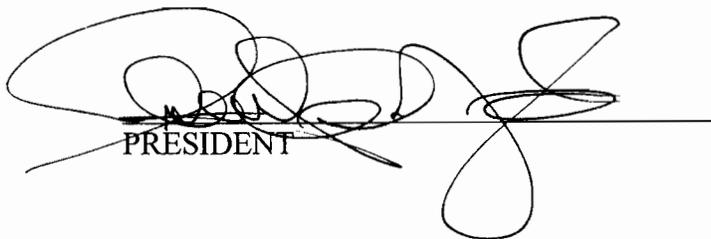
2504	Utility Boards	10/22/2012	20.81
2505	Guttman Oil Company	10/22/2012	101.33
	DOG AND KENNEL	TOTAL	122.14

IN RE: CHECKS RECEIVED

Shentel	\$8,582.41	WV, State of	\$2,597.75
Lewis County Park	3,981.85	Freddie Fox	15.00
LC Emerg. Ambul. Serv.	32,800.88	LC Emerg. Ambul. Serv.	48.36
Gerard Hall	15.00	Gilmer County Sheriff	32,446.15

The minutes of this meeting were approved upon motion of Agnes G. Queen, second by Thomas V. Fealy, motion passing.

ORDERED, That this Commission doth now adjourn in recess until Monday, October 29th, 2012.



PRESIDENT