

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

State of West Virginia

County of Lewis, To-Wit;

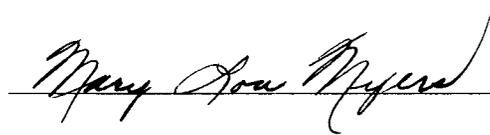
In the office of the Clerk of the County Commission of the said County of Lewis in the recess of said Commission on Tuesday, April 16, 2013.

Connie Myers, wife of Steven B. Myers, deceased, appeared at a former date and requested the Sheriff be appointed as Administrator, of the personal estate of her said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Adam M. Gissy as such Administrator of the personal estate of Steven B. Myers, deceased.

THEREFORE, Adam M. Gissy, being Sheriff of Lewis County, is not required to give bond as such Administrator, qualified as Administrator of the personal estate of Steven B. Myers, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Steven B. Myers departed this life on the 9th day of July, 2011, aged fifty-one years.

Attest:

 Clerk

State of West Virginia;

County of Lewis, To-Wit;

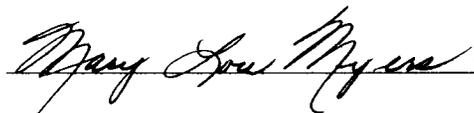
In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of the said Commission on Wednesday, April 17, 2013.

This day came Peggy Sue Miles, wife of Donald T. Miles, deceased, and moved the Clerk that she be appointed Administratrix of the personal estate of her said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Peggy Sue Miles as such Administratrix.

THEREFORE, Peggy Sue Miles as principal together with Judith Ann Wiant as her surety, entered into an acknowledged a bond in the penalty of Three Hundred (\$300.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Peggy Sue Miles qualified as Administratrix of the personal estate of Donald T. Miles, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Donald T. Miles departed this life on the 21st day of March, 2013, aged fifty-seven 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 Wednesday, April 17, 2013.

This day came Opal Marie Moon, companion of Guy Ray Lucas, deceased and presented and offered for probate a paper writing bearing date the 5th day of October, 2006, purporting to be the Last Will and Testament of her 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 Harriett E. Attanasio and Melissa S. Hiner. The said affidavit set forth the fact that the said Guy Ray Lucas, 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 Harriett E. Attanasio and Melissa S. Hiner 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 Wednesday, April 17, 2013.

WHEREAS, Guy Ray Lucas, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Opal Marie Moon as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Opal Marie Moon and qualified as Executrix of the Will of Guy Ray Lucas, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Guy Ray Lucas departed this life on the 9th day of April, 2013, aged sixty-four years.

Attest:

 Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, APRIL 22, 2013**

Commission sat pursuant to adjournment of Tuesday, April 16, 2013.
PRESENT: Honorable Patrick D. Boyle, President, Thomas V. Fealy and Agnes G. Queen, Commissioners
The foregoing proceedings of this Commission were approved and signed by the President.

IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Agenda** – A copy of the Upshur County Commission for April 18, 2013 was filed with notation of no community corrections meeting was held last month at Braxton County.
2. **NACo Prescription Drug Discount Card Program** – National Association of Counties (NACo) report of March 2013 was filed. Notation was made that usage is staying steady although January had more usage than March.
3. **Statewide Transportation Improvement Program (STIP)** – Planned federal highway administration and federal transit administration expenditures for federal fiscal years 2013-2018 – Proposed work in Lewis County – US highway 19S railroad crossing upgrade warning system at Walkersville, cost approximate \$202,000.00.
4. **Lewis County Firefighter's Association Minutes of March 18, 2013 and March 2013 Financial Report** – Reports filed, no notations.

IN RE: BOARD AND COMMITTEE REPORTS

Commissioner Thomas V. Fealy reported that LEPC had a request from Barbour County wanting to join.

Commissioner Patrick Boyle reported that a single metal tag will be issued to all firefighters for identification purposes in case of accidents.

Commissioner Agnes G. Queen reported attending a Substance Abuse Task Force meeting. There will be training sessions available to the public.

Commissioner Patrick Boyle reported collections for the fire fee are consistent with last year's collection. Reminders are slow to be sent out as tax office is busy with concealed weapons permit applications.

IN RE: RECOGNITION OF PHYLLIS CORATHERS AND LUCINDA WHETSELL FOR PROFESSIONALS WEEK

Commissioners Boyles, Fealy and Queen recognized County Administrator Lucinda Whetsell and Assistant Phyllis Corathers on a job well done.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
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**IN RE: HACKERS CREEK PIONEER DESCENDANTS AWARD OF
GRANT #12LEDA0102 \$4,000.00**

Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous, the following Governors Community Participation Grant award to the Hackers Creek Pioneer Descendants was approved in the amount of \$4,000.00 for the repair or replacement of the heating and air conditioning system:

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 Hacker's Creek Pioneer Museum, and

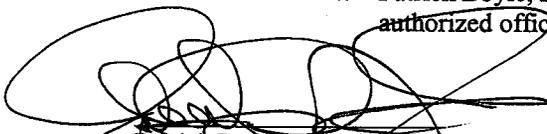
WHEREAS: is it necessary for the Lewis County Commission to authorize the grant award of said funds for the Hacker's Creek Pioneer Museum, and

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:

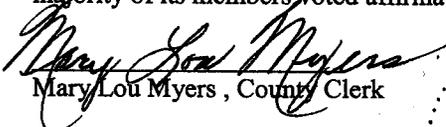
1. The Lewis County Commission authorizes the grant award for Hacker's Creek Pioneer Museum , and
2. The Lewis County Commission complied with all laws and regulations pertaining to the program, including the mandated 10% match, and
3. The Lewis County Commission will utilize the funds for the Hacker's Creek Pioneer Museum , 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

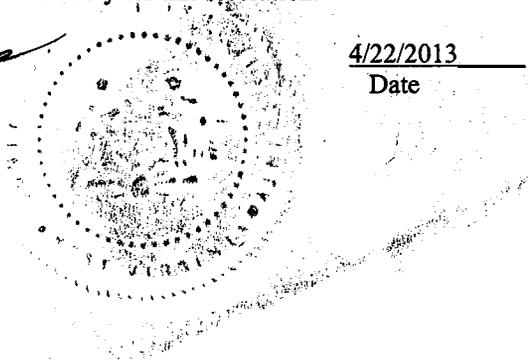
4/22/2013
Date

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

4/22/2013
Date



**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: GRANT PAYMENT REQUEST #12LEDA0444, MOUNTAINEER MILITARY MUSEUM - \$513.91

The following grant payment reimbursement request was approved for signature on the Grant #12LEDA0444 in the amount of \$513.91 for Mountaineer Military Museum upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous:

**LOCAL ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM
FINANCIAL REPORT/REQUEST FOR PAYMENT**

TO: West Virginia Development Office
Building 6 room 553
1900 Kanawha Boulevard, East
Charleston, WV 25305-0311
304-558-4010

FROM: **PATRICK D. BOYLE, PRESIDENT**

Name and Title
LEWIS COUNTY COMMISSION
Grantee
PO BOX 466
Address
WESTON WV 26452
City State Zip
(304)-269-8200 lccommission@yahoo.com
Telephone Number Email Address

A progress report MUST BE PROVIDED with this Request for Payment as Indicated below.
Progress reports will be filed in the West Virginia Development Office and available for inspection.

Mountaineer Military Museum GRANT NO.: **13-552** PROJECT NO.: **12LEDA0444**
PERIOD COVERED BY THIS DOCUMENT **2/2/2012** TO: **4/15/2013**
DOCUMENT NUMBER **1** PERCENT OF WORK COMPLETED ON PROJECT **51%**

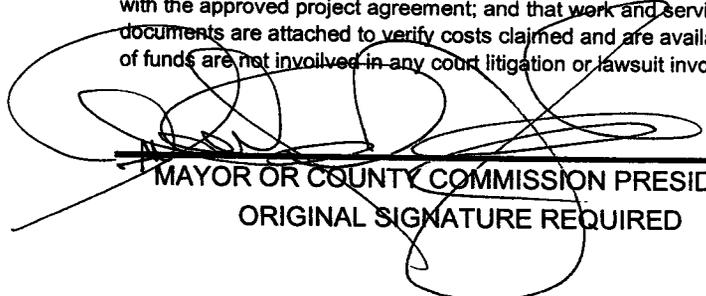
COST CATAGORIES	APPROVED BUDGET AMOUNT	AMOUNT REQUESTED TO DATE	AMOUNT REQUESTED THIS DRAW	TOTAL AMOUNT REQUESTED	AMOUNT DISBURSED TO DATE
Construction/Improvements:					
Materials, Supplies, Equipment	\$ 1,000.00	\$ -	\$ 513.91	\$ 513.91	\$ -
Other:					\$ -
Other:					
	\$ 1,000.00	\$ -	\$ 513.91	\$ 513.91	\$ -

NOTE: IF REQUESTING MORE THAN 90 PERCENT OF GRANT FUNDS, CERTIFICATION OF GRANT COMPLETION IS ALSO REQUIRED

PROGRESS REPORT: REQUEST FOR PAYMENT WILL NOT BE PROCESSED WITHOUT PROGRESS REPORT

Funding requested was used to purchase supplies/materials for the renovations at the Mountaineer Military Museum: Carpet, lighting, snow for display, beads for display, and burlap bags for display.

I certify costs claimed by this report are correct and just and based upon actual requirements: that work and services are in accordance with the approved project agreement; and that work and services are satisfactory and consistent with the amount claimed. Supporting documents are attached to verify costs claimed and are available locally for audit and inspection. City, county or other direct recipients of funds are not involved in any court litigation or lawsuit involving any applicable laws contained in the grant contract.


MAYOR OR COUNTY COMMISSION PRESIDENT
ORIGINAL SIGNATURE REQUIRED

April 22, 2013
DATE
COPIES OF INVOICES REQUIRED

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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**IN RE: OATH OF OFFICE FOR MIKE OLDAKER AND
CHRIS CHAPMAN, DEPUTY RESERVES**

Mike Oldaker and Chris Chapman, appeared before the commission to take their oaths of office. The Oath of office was given by President Patrick D. Boyle. Oaths of Office are recorded in Oath of Office Book: 2 Pages: 119 & 120.

IN RE: ANNEX UPDATE

Lucinda Whetsell, county administrator reported that the annex in on schedule. The furniture, fixtures and equipment numbers were looking very good. State contract price on the phone system was \$80,000.00 with an extra \$20,000.00 to update phone in the main courthouse. This cost also included a five year maintenance contract. The architect is checking to make sure that this price does not include cabling. There is a special until the end of the month of buy one, get one free on the phones. The city is starting the storm sewer today.

IN RE: EDA UPDATE

Michael Herron, director of the EDA reported he had spent the last week getting acclimated and going through files.

IN RE: OATH OF OFFICE HALI HITT, TEMPORARY PART TIME TAX DEPUTY

Hali Hitt appeared before the commission to take her oath of office. The Oath of office was given by President Patrick D. Boyle. Oath of Office is recorded in Oath of Office Book: 2 Pages: 121.

IN RE: LEAVE REQUESTS APPROVED

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

Garry L. DeMoss

24 Hours Annual Leave – May 1, 2 & 3, 2013

IN RE: EXTENTION OF CONTRACT FOR PROSECUTING ATTORNEY'S OFFICE

Lucinda Whetsell, county administrator reported she had been in contact with Randy Harris, owner of the rental property where the prosecuting attorney's office is located. Mr. Harris was agreeable to extend the contract till the end of June and possible longer if necessary until the prosecuting attorney could be moved into the new annex.

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IN RE: RECEIPTS AND DISBURSEMENTS

Pursuant to the provisions of Chapter 44, Article 2, Section 1 of the 1981 Code of West Virginia, as amended by the acts of the Legislature, Regular Session, 1985, the following doth hereby declare that the time for filing of CLAIMS has expired; that no known and unpaid CLAIMS exist against said estate; and there having been no objections thereto, the same is hereby confirmed:

Willard George Brown, Executor, Waiver of Settlement of the Fiduciary Account of the Estate of Mildred Ann Brown, deceased.

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;

Rita I. Squires, Executrix, Affidavit of Personal Representative, Unadministered Estate of Robert G. Squires, deceased.

IN RE: SETTLEMENT OF ACCOUNTS FOR CHARLES C.HATHAWAY,
FIDUCIARY COMMISSIONER

Charles C. Hathaway, Fiduciary Commissioner, having filed with the Clerk of this Commission during the month of April, 2013, and at least ten (10) days prior to this date, the following Settlement of Accounts, which have been made by him, advertised and otherwise handled in accordance with the Statutes; and there having been no objections thereto, the same hereby confirmed:

Brenda L. Gould, Executrix, Waiver of Accounting and Final Settlement of the of the Fiduciary Account of the Estate of Susan Catherine Gould, deceased.

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:

2802	Guttman Oil Company	04/22/2013	101.14
	ASSESSOR VAL	TOTAL	101.14

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

69562	Dog & Kennel Fund	04/16/2013	15,000.00
69563	WV Assoc of County Clerks	04/22/2013	500.00
69564	Dominion Hope	04/22/2013	2,494.29
69565	E-911 Emerg. Comm. Fund	04/22/2013	55,000.00
69566	Guttman Oil Company	04/22/2013	991.32
69567	Lewis County Building	04/22/2013	413.01
69568	Mon Power	04/22/2013	438.66
69569	Steptoe & Johnson	04/22/2013	975.00
69570	Tri-County Visitation Cen	04/22/2013	7,000.00
69571	Weston Sanitary Board	04/22/2013	230.28
69572	WV American Water Company	04/22/2013	418.34
69573	WV Division of Labor	04/22/2013	50.00
	GENERAL COUNTY	TOTAL	83,510.90

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:

7354	APCO International, Inc.	04/22/2013	940.30
7355	Custom Signs & Graphix	04/22/2013	651.00
7356	Mon Power	04/22/2013	1,355.65
7357	Pacific Interpreters, dba	04/22/2013	142.35
7358	Putnam Co Fire Assoc	04/22/2013	75.00
7359	Putnam Co Fire Assoc	04/22/2013	75.00
7360	Weston Sanitary Board	04/22/2013	56.23
7361	WV American Water Company	04/22/2013	56.27
7362	WV Public Safety Expo	04/22/2013	125.00
7363	WV Public Safety Expo	04/22/2013	125.00
7364	WV Public Safety Expo	04/22/2013	125.00
7365	WV Public Safety Expo	04/22/2013	125.00
	E-911	TOTAL	3,851.80

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COAL SEVERENCE CLAIMS

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

164	E-911 Emerg. Comm. Fund	04/22/2013	42,802.36
	COAL SEVERENCE	TOTAL	42,802.36

MAGISTRATE COURT CLAIMS

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

1877	General County Fund	04/22/2013	232.85
	MAGISTRATE COURT	TOTAL	232.85

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:

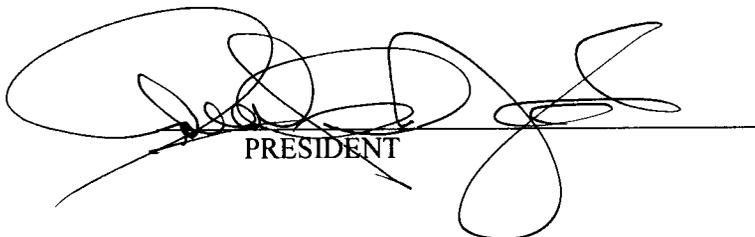
2527	Utility Boards	04/22/2013	26.98
	DOG AND KENNEL	TOTAL	26.98

IN RE: CHECKS RECEIVED

Highland Towers, LLC	\$15.00	Lewis County Park	\$1,913.39
WV, State of	508.00	LC Emerg. Ambul. Serv.	32,390.83
LC Emerg. Ambul. Serv.	80.07	WV, State of	2,263.44
WV, State of	1,666.67		

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 until Monday, April 29th, 2013.



 PRESIDENT