

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

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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 Tuesday, April 23, 2013.

This day came Douglas E. Kraus, husband of Beth Ann Kraus, deceased, and moved the Clerk that she be appointed Administrator of the personal estate of his said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Douglas E. Kraus as such Administrator.

THEREFORE, Douglas E. Kraus as principal together with Joseph E. Kraus as his 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 Douglas E. Kraus qualified as Administrator of the personal estate of Beth Ann Kraus, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Beth Ann Kraus departed this life on the 12th day of November, 2012, aged thirty-two 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 said Commission on Thursday, April 25, 2013.

WHEREAS, on April 27, 2000, Robert A. Rinehart, Sheriff of Lewis County was appointed as Conservator for Patricia A. Eary, a protected person, with said Conservatorship being referred to Charles C. Hathaway, Fiduciary Commissioner; and

WHEREAS, on the 6<sup>th</sup> day of March, 2013 the said Patricia A. Eary departed this life; and

WHEREAS, this day came Adam M. Gissy, Sheriff and moved the Clerk that he be appointed as Administrator of the personal estate of Patricia A. Eary, deceased. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Adam M. Gissy as such Administrator.

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 Patricia A. Eary, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Patricia A. Eary departed this life on the 6<sup>th</sup> day of March, 2013, aged fifty-three years.

Attest:

 Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
RECESS  
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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 Thursday, April 25, 2013.

This day came Freda Crislip, sister of Robert Cox, deceased and presented and offered for probate a paper writing bearing date the 15th day of July, 1977, 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 Gerald H. Brooks and Cherita S. Vickers. The said affidavit set forth the fact that the said Robert Cox, 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 Gerald H. Brooks and Cherita S. Vickers 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 Thursday, April 25, 2013.

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

It is stated by said Executrix that Robert Cox departed this life on the 23rd day of April, 2013, aged seventy-four years.

Attest:

 Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
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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 Thursday, April 25, 2013.

This day came Martha S. Posey, wife of Jack Lane Posey, 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 Martha S. Posey as such Administratrix.

THEREFORE, Martha S. Posey as principal together with James M. Posey as her surety, entered into an acknowledged a bond in the penalty of Twelve Thousand (\$12,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Martha S. Posey qualified as Administratrix of the personal estate of Jack Lane Posey, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Jack Lane Posey departed this life on the 21st day of January, 2013, aged forty-eight 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 said Commission on Friday, April 26, 2013.

This day came James R. Anderson and presented and offered for probate a paper writing bearing date the 30th day of December, 2008, purporting to be the Last Will and Testament of Alice P. Butcher, deceased.

And, it appearing to the Clerk that the said decedent, at the time of her 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 W. T. Weber, III and Cynthia Angotti. The said affidavit set forth the fact that the said Alice P. Butcher, the Testatrix, signed and declared the said paper writing as and for her Last Will and Testament in their presence and at the time thereof, the said Testatrix was of sound mind and disposing memory and over the age of eighteen. And, at the request of the said Testatrix, they, the said W. T. Weber, III and Cynthia Angotti signed their names to said paper writing in the presence of the said Testatrix 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

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
RECESS  
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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, April 26, 2013.

WHEREAS, Alice P. Butcher, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named James R. Anderson as Executor thereof and requested that no bond be required of him as such Executor. THEREUPON, personally appeared the said James R. Anderson and qualified as Executor of the Will of Alice P. Butcher, deceased, by taking the oath prescribed by law.

It is stated by said Executor that Alice P. Butcher departed this life on the 19th day of April, 2013, aged eighty-eight years.

Attest:

 Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
REGULAR  
SESSION: MONDAY, APRIL 29, 2013**

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Commission sat pursuant to adjournment of Monday, April 22, 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: TAX EXONERATIONS**

Upon application of the following, approved by the Prosecuting Attorney, it appears that they were erroneously assessed and should therefore be, released the following amounts, as so ordered. Upon motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing, the following amounts were released.

Michael S. or Jessica Harper	\$91.99
Angelena Woofter	\$19.56

**IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE**

1. **Update from Assessor Chad Kelley** – Assessor Chad Kelley reported that cell phone boosters and cell phones had been installed in the vehicles used by the field deputy assessors. This was a safety issue and the 911 center can now locate the field deputies if needed.
2. **Upshur County Commission Agenda** – A copy of the Upshur County Commission for April 23, 2013 was filed with notation of James Ferry, OEM Director presenting request from Barbour County to merge. It was discussed that he would make the same presentation to Lewis County.
3. **Lewis County Parks and Recreation Board Report** –A copy of the Lewis County Parks and Recreation Agenda for Monday, April 22, 2013 and minutes of meeting for March 25, 2013 were filed. Commissioner Queen reported that the pool would open Memorial Day weekend. A privacy fence was completed between the campground and the duplex.
4. **Lewis/Upshur LEPC Report** –A copy of the agenda for the Lewis/Upshur LEPC for April 17, 2013 and minutes of meeting, including financial report for February 20, 2013 and March 2013 was filed. It was noted that clarification from state was being sought on funding allocation if Barbour County is allowed to join.

**IN RE: BRIAN KISAMORE, WESTON POSTMASTER, PARKING ISSUES**

Brian Kisamore, Weston Postmaster, appeared before the commission asking if a resolution to the parking problems could be found. He suggested the city and county working together. Commissioner Queen informed Mr. Kisamore that the commission had approached the city council at least three times seeking to turn the Willow Street property into parking. Commission directed Ms. Whetsell, County Administrator to set up a meeting with the city council.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
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**IN RE: HIRING NEW DEPUTY, ELIJAH CARPENTER**

Sheriff Adam Gissy appeared before the commission to report that the hiring process was completed and he recommended hiring Elijah Carpenter as probationary deputy sheriff. Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to hire Elijah Carpenter as probationary deputy sheriff beginning April 29, 2013. Projected date of attending the academy is July 15, 2013.

**IN RE: POLICY CHANGE FOR REIMBURSEMENT OF  
TRAINING COST FOR DEPUTY SHERIFFS**

Sheriff Adam Gissy recommended a policy change for deputy sheriff new hires. Sheriff Gissy submitted an agreement for deputy sheriffs to reimburse the county for the cost of their training if they leave employment of county within one year of completion of training or if they fail to successfully complete training. Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve adoption of said agreement. A copy of agreement is available in the sheriff's and county clerk's office.

**IN RE: OATH OF OFFICE FOR DEPUTY ELIJAH CARPENTER**

Deputy Elijah Carpenter appeared before the commission and President Patrick Boyle gave the oath of office. Oath of office is filed in Book 2 Page 122.

**IN RE: RANDY BUSH LEWIS COUNTY FAIR FUNDING REQUEST**

Randy Bush appeared before the commission and requested \$10,000.00 for the Lewis County Fair. After discussion and upon motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous to approve the \$10,000.00 donation. Funds are to be taken from the contingency account and the \$5,000.00 donation to the fair for the 13/14 fiscal year was to be removed.

**IN RE: BOARD REPORTS**

Commissioner Queen attended the grand opening and farewell retirement of George Whelan at the George Whelan Baseball Field. Approximately 475 children attended the event. The concession stand made \$5000.00. The commission would like to thank the people in charge of the fields for the excellent condition they are in.

Commissioner Queen also attended the ribbon cutting for Simply Delicious.

Commissioner Queen, Cindy Whetsell and Michael Herron attended the Region 7 meeting. The water grant was sent out but with low expectation of receiving it as long as the law suit with WV American Water is active.

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**IN RE: RESOLUTION ECONOMIC DEVELOPMENT AUTHORITY**

Michael Herron, Director, EDA appeared before the commission asking approval of the following resolution appointing Lewis County Economic Development Authority as the lead development organization, upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the resolution:

**LEWIS COUNTY COMMISSION  
18 GARTON PLAZA  
P O BOX 466  
WESTON, WEST VIRGINIA 26452  
304-269-8200**

**PRESIDENT: PATRICK BOYLE  
COMMISSIONER: TOM FEALY  
COMMISSIONER: AGNES QUEEN**

**ADMINISTRATOR: LUCINDA WHETSELL  
ASSISTANT ADMINISTRATOR: PHYLLIS CORATHERS**

**RESOLUTION**

**WHEREAS**, the governing body of Lewis County, the Lewis County Commission, is interested in the economic well being of its citizenry and the community at large; and

**WHEREAS**, said governing body is prepared to support appropriate efforts within the community to become totally prepared to promote economic development; and

**WHEREAS**, the West Virginia Chamber of Commerce, the West Virginia Economic Development Council, and the West Virginia Development Office are offering a program that is specially designed to help West Virginia communities become better prepared for industrial and related economic development; and

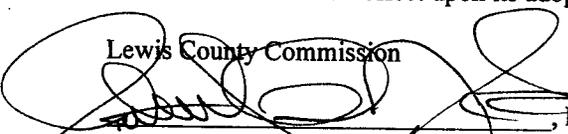
**WHEREAS**, Lewis County wishes to participate in the Certified Development Community Program, and that the leadership of this community fully realizes this program requires dedicated effort; and

**WHEREAS**, the program requires the existence or formation of a local economic development organization, and that said organization must be designated as the "lead" development organization to obtain funds under this program;

**THEREFORE BE IT RESOLVED**, that said governing body so designates the Lewis County Economic Development Authority, as representing Lewis County for the purpose of participating in this program;

**FURTHERMORE**, said governing body understands that participation in this program is subject to a cash match with evidence of transfer of funds into an account (budget line item) solely for the use of the Lewis County Economic Development Authority. Said amount for FY 2013-2014 is \$78,876.75.

**THIS RESOLUTION** is in full effect upon its adoption this 29<sup>th</sup> day of April, 2013.

Lewis County Commission  
  
Patrick Boyle, President

ATTEST   
Mary Lou Myers, County



An Equal Opportunity Employer

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
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**IN RE: APPROVAL OF BID FOR JANITORIAL SERVICE**

Lucinda Whetsell, County Administrator presented to the commission a sample bid for janitorial services for the new annex. Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the sample bid as presented for advertisement after verifying insurance requirements with Josh Garton, Garton Insurance.

**IN RE: APPOINTMENT TO LEWIS COUNTY BUILDING COMMISSION**

At the recommendation of the Lewis County Building Commission and upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve Ron Henry to fill the unexpired term of Richard Hiserman on the board.

**IN RE: LEWIS COUNTY BUILDING COMMISSION  
REAPPOINTMENT OF MEMBERS**

At the recommendation of the Lewis County Building Commission and upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the reappointment of Tracey Weber, III to the board for a five year term to expire February 15, 2018.

**IN RE: ANNEX UPDATE**

Lucinda Whetsell, County Administrator reported that a meeting would be held Tuesday, April 30, 2013 at 1:30 PM to discuss ceiling tiles and roof vents that were installed that were not specified. The furniture, fixtures and equipment will be purchased using state bid.

Frontier for the phone system will be a substantial savings to the county. They have a special running that is buy one get one free. The new phone system will be able to conference calls, links and can page through the phones.

The landscape design was received Friday and presented to the commission.

May 22, 2013 is the construction substantial completion date. The furniture, fixtures and equipment will be installed after that date. A tour of the new annex will be offered to the community before the building is populated.

**IN RE: EDA UPDATE**

Michael Herron, Director reported he had attended several meetings in the past week. The bid opening for Bloody Run Water Project was held and dirt could possibly be moved in mid June. A job fair was held Wednesday at the Mill. Lewis County unemployment rate was down 1% this month. Mr. Herron is scheduled to be guest speaker at the rotary meeting on May 27.

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**IN RE: GRANT PAYMENT REQUEST #12LEDA0444, MOUNTAINEER MILITARY MUSEUM**

The following reimbursement was approved for signature on the Grant #12LEDA0444 in the amount of \$367.16 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 2 PERCENT OF WORK COMPLETED ON PROJECT 88%

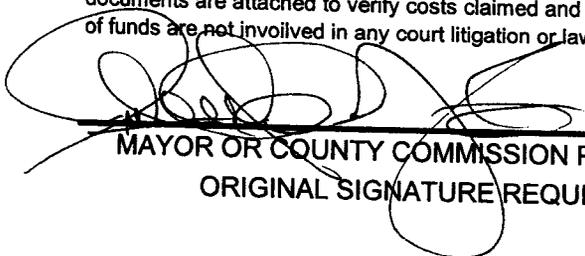
COST CATAGORIES	APPROVED BUDGET AMOUNT	AMOUNT REQUESTED TO DATE	AMOUNT REQUESTED THIS DRAW	TOTAL AMOUNT REQUESTED	AMOUNT DISBURSED TO DATE
Constrution/Improvements:					
Materials, Supplies, Equipment	\$ 1,000.00	\$ -	\$ 367.16	\$ 881.07	\$ -
Other:					\$ -
Other:					\$ -
	\$ 1,000.00	\$ -	\$ 367.16	\$ 881.07	\$ -

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 supplie/materials for the renovations at the Mountaineer Military Museum: Display mannequins.

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 29, 2013  
DATE  
COPIES OF INVOICES REQUIRED

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
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**IN RE: WV STATE HISTORIC PRESERVATION OFFICE 106 REVIEW**

Lucinda Whetsell, County Administrator presented to the commission for signature, a letter and 106 review. The commission received a Courthouse Facilities Improvement Grant to replace the roof downspouts and gutter on the Tax and Law Enforcement Office areas of the courthouse. Because the Courthouse is on the National Registry of Historic Places the approval of the project and materials is required from the WV State Historic Preservation Office via submission of a 106 Review. Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve signature on the letter and review.

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**LEWIS COUNTY  
COMMISSION**

Susan M. Pierce  
Deputy State Historic Preservation Officer  
West Virginia Division of Culture & History  
1900 Kanawha Blvd., East  
Charleston, WV 25305-0300

April 17, 2013

Dear Ms. Pierce:

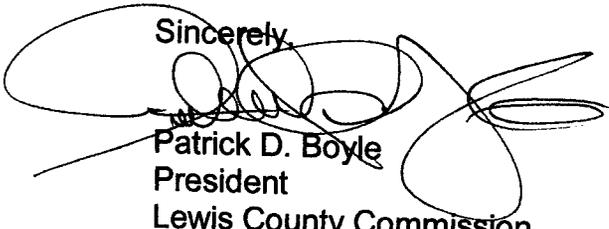
The Lewis County Commission has been approved for a Courthouse Facilities Authority Improvement Authority Grant application for roof replacement to the portion of the Lewis County Courthouse that was built in 1930. This section was the former Lewis County Jail and Jailers quarters and now serves as the offices for the Lewis County Sheriff's Tax and Law Enforcement division.

The roof is a combination of membrane and shingle. The shingles are estimated to be approximately 30 years old and many have been lost due to elements. The membrane portion has been patched numerous times to no avail. Both are causing leaks that effect both interior and exterior of the building.

We would like to replace these materials with a construction grade likeness. The shingles will be color coordinated to match the paint and adjacent county building shingles. Your assistance on gutter and downspouts will be greatly appreciated. We would prefer aluminum clad materials.

Please find attached the Section 106 Review and supporting documents for this project.

Sincerely,

  
Patrick D. Boyle  
President  
Lewis County Commission

Po Box 466  
18 Garton Plaza  
Weston, WV 26452

PHONE (304)269-8200  
FAX (304) 269-2416  
E-MAIL cindywhetsell@yahoo.com

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ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
 REGULAR  
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LEWIS COUNTY COMMISSION  
 WEST VIRGINIA SHPO  
 SECTION 106 REVIEW  
 LEWIS COUNTY COURTHOUSE  
 TAX DEPT AND JAIL ROOF REPLACEMENT

The following information is needed for SHPO staff to be able to complete a review of a federal or state funded or permitted project (undertaking)

I. **General Information regarding all project submissions:**

Is this project a new submission or supplemental information to complete a review of a federal or state funded or permitted project? If this is supplemental information, please submit the project FR#.

New Project

- a. Project Name Lewis County Courthouse Tax Office and Jail Roof Replacement
- b. Federal Agency, if applicable (agency providing funds, permit, license or assistance)  
Not Applicable
- c. Federal Agency Contact Person: Name, Street Address, Phone Number, email  
Not Applicable
- d. State Agency, if applicable West Virginia Courthouse Facilities Improvement Authority
- e. State Agency Contact Person: Name, Street Address, Phone Number, email  
Melissa Smith, Executive Director 2003 Quarrier Street, Charleston, WV 25311  
Phone: 304-5585435 Fax: 304-558-9174 Email: melissa.smith@wvcfia.com
- f. Project Contact Person: (individual(s) who are knowledgeable of project activities). Names, Street Address, Phone Number, Email.  
Cindy Whetsell, County Administrator 18 Garton Plaza, Weston, WV 26452  
Phone: 304-269-8200 Fax: 304-269-2416 Email: cindywhetsell@yahoo.com
- g. Project Address: 110 Center Avenue, Weston, WV 26452
- h. Project Location: USGS Topographic Quadrangle Map and Aerial Photography Attached. Key to building site and points of interest included. (attachments A, B & C)
- i. Project Description: The project will consist of replacing the roof, gutter and downspout on the Lewis County Courthouse addition housing the Sheriff's Tax Office and former Jail constructed in 1930. Replacement of the roof, gutter and downspouts of the portion of the Lewis County Courthouse that houses the Sheriff's Tax and Law Enforcement Office. The roof is predominately shingle with a small area of membrane. Anticipated age of roof and shingles is 30+ years. The roof is a series of different pitches that connect at various levels and angles. There is a small area where the pipes for a vent for the former jail were removed that is membrane. This area has been patched numerous times over the decades to no avail. Gutter and downspouts are estimated to be 80+ years old. They have been clogged by environmental waste and deteriorating metals form the structures themselves. This is causing leakage compromising the building exterior and foundation.  
Material to be used include: Shingled area will be prepared with titanium underlayment and topped with Architectural 30 year shingles. The color and type will be comparable to the shingles approved by SHPO for the George Woofter house located adjacent to this building.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
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**IN RE: RECORDS MANAGEMENT & PRESERVATION GRANT AGREEMENT**

The following Agreement was approved for signature upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous, along with the certification by Cindy Whetsell as county project director:

**STATE OF WEST VIRGINIA**

**Agreement between the  
Division of Culture and History  
For and on behalf of Archives and History  
For and on behalf of Records Management and Preservation Board  
and the Lewis County Commission**

This AGREEMENT is made and entered into this the **1<sup>st</sup> day of July 2013** by and between the State of West Virginia, the Division of Culture and History and the Records Management and Preservation Board, hereinafter referred to as WVDCH, and the Lewis County Commission, hereinafter referred to as GRANTEE.

WHEREAS, the WVDCH is expressly authorized by Article 1, Chapter 29 of the *Code of West Virginia*, One Thousand Nine Hundred Thirty-One, as amended, on behalf of the Records Management and Preservation Board, in the exercise of its lawful duties, to administer state funds appropriated through the West Virginia Legislature from the public records and preservation revenue account to be granted by the Records Management and Preservation Board to county government entities participating in the County Records Management and Preservation Grant Program, Title 100 CSR1; and

WHEREAS, the GRANTEE submitted a request for funds to support a records project under the County Records Management and Preservation Grant Program, which the Records Management and Preservation Board approved on January 17, 2013 to provide **\$10,000** to the GRANTEE, as per Number 3 of this Agreement, and/or any provisos thereto stipulated by the Records Management and Preservation Board and agreed to by the GRANTEE.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. The WVDCH and the GRANTEE agree to cooperate in the implementation of the records management and preservation project referenced above and in compliance with Records Management and Preservation Board rules, regulations and policies.
2. The term of this project shall be for fiscal year **July 1, 2013 through June 30, 2014**, or through completion of the project, whichever comes first.
3. The WVDCH agrees to grant to the GRANTEE the sum of \$10,000, the county must provide a cash match of at least ten percent (10%) of all grant funds expended. The Records Management and Preservation Board award must be expended as follows:

**Circuit Clerk:** \$2,745 for personnel costs to scan and index order books, and \$7,255 to purchase four scanners that are compatible with the county's existing records management software.

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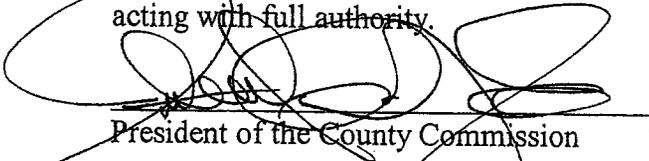
4. The GRANTEE certifies that it has the required cash-matching capabilities as submitted in its referenced grant application.
5. The WVDCH only agrees to transfer funds to reimburse the grantee on a quarterly basis for eligible expenditures in the referenced grant as provided in the Grant Management Packet (Invoice and supporting documentation).
6. The GRANTEE agrees to comply with all applicable federal, state and county laws, rules, regulations and policies, including but not restricted to purchasing and competitive bidding rules and procedures for purchases of equipment, services, and hiring or employing staff or contract workers, promulgated thereunder.
7. The GRANTEE hereby represents that it possesses the legal authority to contract for this Agreement, as per copy of the resolution, motion or similar action which was clearly adopted by the County Commission; and further, that it has directed and authorized the official representative to act in connection with this Agreement.
8. The GRANTEE agrees to submit quarterly Project Status Reports, Project Financial Expenditure Status Reports, supporting documentation and forms. The Final Report is due within 90 days of completion of the grant project.
9. The GRANTEE agrees to provide Government Pricing for goods and services and to maintain accurate records in accordance with generally accepted accounting principles and procedures, and to comply with requirements of the Single Audit Act of 1984 and OMB Circular A-128, in connection with referenced grant.
10. The GRANTEE agrees to obtain prior approval from the director of Archives and History, as staff to the Records Management and Preservation Board, for any amendment to the scope of work, products, budget, or reporting requirements.
11. It is the understanding of all parties to this Agreement that the WVDCH, by joining in this Agreement, does not pledge, or promise to pledge, the assets of the State of West Virginia, and does not promise to pay any part of the contract sum provided in this agreement from the monies of the Treasury of the State of West Virginia, except such monies as shall be appropriated by the West Virginia Legislature.
12. The GRANTEE shall hold and save the WVDCH and its officers, agents and employees harmless from liability of any nature, including cost and expense, for or on account of any suits or damages of any character whatsoever resulting from injuries or damages sustained by any persons or property resulting in whole or in part from the negligent performance or omission of any employee, agent or representative of the GRANTEE.
13. This Agreement may be terminated with the consent of both parties or by either party because of non-performance by the other. Such termination must be in writing and GRANTEE must submit a final report, on the form provided in the Grant Management Packet, documenting work performed and expenditures incurred during the term of the Agreement. GRANTEE must request grant extensions in writing to the Director on or before April 1<sup>st</sup> of the grant year. The request must demonstrate a good faith effort to conduct and make progress on the project for which the RMPB funds were made available; include a statement explaining and providing justification for failure to complete the project and provide a written schedule and explanation for completion of the project within the period of time requested, this being no later than December 31 of the calendar year the grant was to have been completed. A county which receives a grant for the forthcoming fiscal year may not request an extension on the current fiscal year's grant.

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY

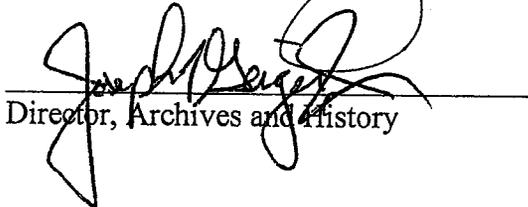
REGULAR

SESSION: MONDAY, APRIL 29, 2013

IN WITNESS WHEREOF, the parties hereto attach their signatures representing that each is acting with full authority.

  
\_\_\_\_\_  
President of the County Commission

04-29-13  
Date

  
\_\_\_\_\_  
Director, Archives and History

5/2/2013  
Date

**Records Management and  
Preservation Board Certification**

I certify that I reviewed and received the grant reporting forms for the County Records Management and Preservation Grant Program. I acknowledge that the grant requirements and county obligations were explained to me, and that I was given the opportunity to ask questions, and that I understand and will comply with these requirements.

I agree to have the grant Agreement signed by the President of the County Commission, and return it to Denise Ferguson, Archives and History, The Culture Center, Building 9, 1900 Kanawha Boulevard, East, Charleston, WV 25305-0300 within five working days.

County Project Director: Lucinda A Whetsell, Administrator

Phone Number: (304) 269-8200

E-mail: Cindywhetsell@yahoo.com

Date: 04-29-13

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
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**IN RE: LEWIS COUNTY HEALTH DEPARTMENT FUNDING CONTRACT**

Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the signing of the contract with the Lewis County Health Department for the 13/14 fiscal year funding in the amount of \$25,000.00.

**IN RE: JACKSONS MILL VOLUNTEER FIRE DEPARTMENT FUNDING REQUEST**

At the request of Steven L. Byers, Jr., chief of the Jackson's Mill Volunteer Fire Department and upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the disbursement of the 12/13 budgeted amount of \$30,000.00 for purchase of a new fire engine and the 13/14 budgeted amount of \$30,000.00 after the start of the new fiscal year.

**IN RE: PROBATING THE LAST WILL AND TESTAMENT OF WILLALEA GREEN, DECEASED**

This day came Roberta M. Green, daughter of Willalea Green, deceased and presented and offered for probate a paper writing bearing date the 3rd day of June, 1985, purporting to be the Last Will and Testament of her said decedent.

And, it appearing to the Commission that the said decedent, at the time of her 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 Bradley R. Oldaker, Harriett E. Attanasio and Jessica J. Squires. The said affidavit set forth the fact that the said Willalea Green, the Testatrix, signed and declared the said paper writing as and for her Last Will and Testament in their presence and at the time thereof, the said Testatrix was of sound mind and disposing memory and over the age of eighteen. And, at the request of the said Testatrix, they, the said Bradley R. Oldaker, Harriett E. Attanasio and Jessica J. Squires signed their names to said paper writing in the presence of the said Testatrix 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.

**IN RE: QUALIFICATION OF ROBERTA M. GREEN, EXECUTRIX OF THE WILL OF  
WILLALEA GREEN, DECEASED**

WHEREAS, Willalea Green, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named James Paul Green as Executor thereof and requested that no bond be required of him as such Executor. WHEREAS, the said James Paul Green his since departed this life. The Will further named Roberta M. Green as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Roberta M. Green and qualified as Executrix of the Will of Willalea Green, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Willalea departed this life on the 13th day of April, 2013, aged one hundred years.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
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IN RE: PROBATING THE LAST WILL AND TESTAMENT OF  
ALLAN DOUGLAS COOPER, DECEASED

This day came Gertrude Darlene Cooper, wife of Allan Douglas Cooper, deceased and presented and offered for probate a paper writing bearing date the 27th day of October, 1982, purporting to be the Last Will and Testament of her said decedent.

And, it appearing to the Commission 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 Suzette J. Gregg and Jimmy D. Gregg. The said affidavit set forth the fact that the said Allan Douglas Cooper, 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 Suzette J. Gregg and Jimmy D. Gregg 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.

IN RE: QUALIFICATION OF GERTRUDE DARLENE COOPER, EXECUTRIX OF THE WILL OF ALLAN DOUGLAS COOPER, DECEASED

WHEREAS, Allan Douglas Cooper, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Gertrude Darlene Cooper as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Gertrude Darlene Cooper and qualified as Executrix of the Will of Allan Douglas Cooper, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Allan Douglas Cooper departed this life on the 19th day of April, 2013, aged eighty years.

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:

John H. McCartney, Administrator, Waiver of Settlement of the Fiduciary Account of the Estate of Clayton A. McCartney, deceased.

William Lee Hicks, Executor, Waiver of Settlement of the Fiduciary Account of the Estate of Patty Hicks, deceased.

Elizabeth D. Lamb, Administratrix, Waiver of Settlement of the Fiduciary Account of the Estate of Wanda M. Donaldson, deceased.

Edward Scott Waugh, Executor, Waiver of Settlement of the Fiduciary Account of the Estate of Roy M. Waugh, deceased.

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

2804	Guttman Oil Company	04/29/2013	96.25
2805	Timothy C. Kelley	04/29/2013	132.00
	ASSESSOR VAL	TOTAL	228.25

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:

69579	AFLAC	04/29/2013	188.44
69580	Century Link	04/29/2013	20.29
69581	Custom Signs & Graphix	04/29/2013	400.00
69582	E-Z Forms Company	04/29/2013	400.00
69583	Guttman Oil Company	04/29/2013	812.84
69584	Ronald D. Pearse, ED,D	04/29/2013	150.00
69585	Trapuzzano's Uniforms	04/29/2013	1,262.54
69586	U S Bank Equip Finance	04/29/2013	1,508.00
69587	WV State Police Academy	04/29/2013	79.50
	GENERAL COUNTY	TOTAL	4,821.61

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:

7368	Guttman Oil Company	04/29/2013	143.41
7369	Miller Communications Inc	04/29/2013	1,350.00
7370	Verizon Business Services	04/29/2013	150.00
	E-911	TOTAL	1,643.41

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 Fund	04/22/2013	42,802.36
	COAL SEVERENCE	TOTAL	42,802.36

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
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AQUATIC CLAIMS

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

1001	Citizens Bank of Weston	04/29/2013	420,798.64
	AQUATIC FUND	TOTAL	420,798.64

BROAD BAND CLAIMS

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

1025	Premier Construction	02/06/2013	149,027.75
1026	Premier Construction	04/10/2013	166,240.00
1027	Premier Construction	04/15/2013	61,775.00
	BROADBAND	TOTAL	377,042.75

CITIZENS EDUCATION CLAIMS

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

433	Quarter Master	03/27/2013	369.02
434	Gall's	04/01/2013	112.00
435	A M Gissy	04/03/2013	15.61
436	Quarter Master	04/25/2013	15.32
	CITIZENS ED	TOTAL	511.95

HOME CONFINEMENT CLAIMS

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

2388	Sentinel Offender Service	04/29/2013	506.00
	HOME CONFINEMENT	TOTAL	506.00

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**  
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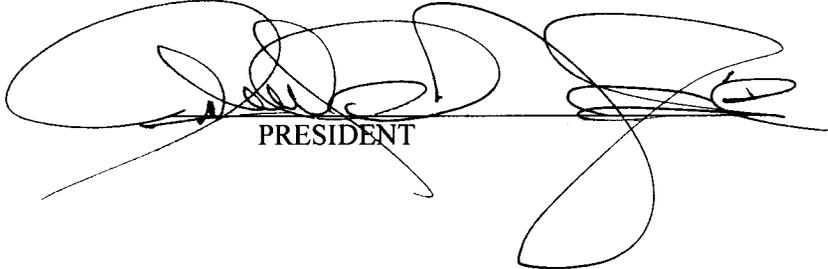
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IN RE: CHECKS RECEIVED

WV, State of	\$2,366.03	Suddenlink	\$1,457.07
Gilmer County Sheriff	95,928.05	Lumos	1,026.34
Cebridge Telecom	89.25	Interface Security Systems	7.00
Weston, City of	3,000.00	Vonage Tax Account	134.75
Compliance Solutions Inc	26.25	MetTel	28.71
Frontier	7,194.43	AT&T Corp	136.50
Frontier	1,363.52	Compliance Solutions, Inc.	77.00
Compliance Solutions Inc	260.75	Level 3 Communications	22.75
IDT Corp.	5.25	Granite Telecommunications	225.75
Procom	63.46		

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

ORDERED, That this Commission doth now adjourn until Monday, May 6th, 2013.

  
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 PRESIDENT