

**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, July 2, 2013.

At a earlier date, by US Mail, Mary C. Gissy, wife of Joseph A. Gissy, deceased, presented and offered for probate a paper writing bearing date the 6th day of January, 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 Marion, State of Florida, who at the time of death owned Real Estate in Lewis County, West Virginia, and it further appearing that the paper writing had attached thereto, an affidavit signed by Desree M. Scroggins and Rebecca L. Goodwin. The said affidavit set forth the fact that the said Joseph A. Gissy, 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 Desree M. Scroggins and Rebecca L. Goodwin 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.

It is stated by said Mary C. Gissy that Joseph A. Gissy departed this life on the 25th day of March, 2013, aged eighty-four 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 Wednesday, July 3, 2013.

WHEREAS, on the 19th day of March, 2009, the Last Will and Testament of Mary Belle Collins, deceased, was fully proved, probated and admitted to record, and therein named Susan Irene Daugherty as Executrix thereof; and

WHEREAS, it appears that the Estate of Mary Belle Collins, deceased, was properly administered and settled by said Susan Irene Daugherty, Executrix on September 14, 2009, and recorded in Inventory Book: 156 Page: 426; and

WHEREAS, it now appears that the said Estate of Mary Belle Collins, deceased, will need to be re-opened, there being further administration on said estate; and

NOW, THEREUPON, this day came Susan Irene Daugherty and moved the Clerk that the Estate of Mary Belle Collins, deceased, be re-opened. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Susan Irene Daugherty as Executrix of the Will of Mary Belle Collins, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Mary Belle Collins departed this life on the 18th day of March, 2009 aged seventy-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 the said Commission on Friday, July 5, 2013.

This day came Thomas E. Harris, husband of Christine Ann Harris, deceased, and moved the Clerk that he 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 Thomas E. Harris as such Administrator.

THEREFORE, Thomas E. Harris as principal together with Eric Harris 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 Thomas E. Harris qualified as Administrator of the personal estate of Christine Ann Harris, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Christine Ann Harris departed this life on the 22nd day of May, 2013, aged forty-eight years.

Attest:

 Clerk

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY

REGULAR

SESSION: MONDAY, JULY 8, 2013

Commission sat pursuant to adjournment of Monday, July 1, 2013.

PRESENT: Honorable Patrick D. Boyle, President, Agnes G. Queen, Commissioner, and Thomas V. Fealy, Commissioner.

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.

Elizabeth Jean Money Penny	\$13.50	Altec Capital Services, LLC	\$4,516.34
Hudsons Used Cars - 2011	236.56	Hudsons Used Cars - 2012	243.08
Kathy Smith	134.60	Gregory D. Murphy	53.28
Martha & Elizabeth Burton	36.39	James T. Ryder	63.37

IN RE: APPLICATION FOR CONSOLIDATION OF LAND

Upon the application for consolidation of land for Laretta Dianne Walker, et al same was reviewed and approved upon motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing.

APPLICATION FOR CONSOLIDATION OF LAND

The undersigned hereby makes application to the County Commission of Lewis County, West Virginia, as provided in Chapter 11, Article 4, Sections 17 and 18 of the West Virginia Code for the consolidation of the following tracts or lots of land, situate in Freeman's Creek District, Lewis County.

The said tracts of land are presently assessed as follows:

Name: Walker, Laretta Dianne Et Al

Description of Tax Map and Parcels Involved: _____

03-4E-17 1.75 Ac surf Polk Creek

03-4E-18 45.0 Ac surf Polk Creek

The undersigned respectfully requests that said entries be combined as follows:

Map: 03 4E Parcel: 4E 18 Desc. _____

46.75 Ac surf Polk Creek

Signed this 3rd day of July, 2013.

X Laretta D. Walker ET AL
(OWNER)

(OWNER)

Approved and in the minutes of the Lewis County Commission this 8
day of July, 2013.

BY: [Signature]
(PRESIDENT)

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
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IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Lewis Gilmer Emergency 911 Advisory Board Meeting Minutes** – A copy of the Lewis Gilmer Emergency 911 Advisory Board Meeting minutes was filed. Comments: None.
2. **Lewis County Addressing Report for June 2013** – A copy of the Lewis County Addressing Report of activities including road packages requested and processed, signs installed and citizen contacts for the month of June was filed. Comments: None
3. **Gilmer County Addressing Report for June 2013** – A copy of the Gilmer County Addressing Report of activities including road packages requested and processed, signs installed and citizen contacts for the month of June was filed. Comments: None
4. **Lewis County Convention and Visitors Bureau Meeting Agenda and Minutes** – A copy of the meeting agenda for the July 2, 2013 meeting and April 2, 2013 meeting minutes was filed. Comments: The meeting for July 2 was changed to July 9.
5. **Lewis Gilmer Emergency 911 Monthly Report for June, 2013** – A report of the activities for June, 2013 including number of call volume and agency categorization was filed. Comments: The City of Weston Police Department will discontinue 24/7 coverage. The Lewis County Sheriff's Department will be covering the City of Weston from midnight until 8:00 AM.

**IN RE: APPROVAL AND OATHS OF OFFICE, DIANA POSEY AS CHIEF TAX DEPUTY AND
BRITTANY MILLER AS ASSISTANT TAX DEPUTY**

Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve Diana Posey as Chief Tax Deputy and Brittany Miller as Assistant Tax Deputy. Diana Posey and Brittany Miller being approved for the positions of Chief Tax Deputy and Assistant Tax Deputy appeared before the commission to take their oaths of office. The Oaths of office were given by President Patrick D. Boyle. The Oaths of Office are recorded in Oath of Office Book 2 Pages 130 & 131.

IN RE: BOARD AND COMMITTEE REPORTS

Commissioner Agnes G. Queen reported attending the 4th of July event produced by the Weston Volunteer Fire Department. The event was well attended. The Commission wished to thank the Weston Volunteer Fire Department for a very nice event. Commissioner Queen also attended the 4th of July parade. She also noted that the event at Stonewall Resort was well attended. All events were exceptional.

IN RE: EXTENSION OF CONTRACT WITH PREMIER CONSTRUCTION GROUP

Upon motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous to approve the 6 (six) month extension of the contract between Premier Construction and the Lewis County Commission for various tower and communications related projects across the State of West Virginia.

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IN RE: ANNEX UPDATE

Commissioner Agnes G. Queen questioned whether the commission should fine March Westin for not completing the new annex on time. She noted that they were given 6 weeks extension and they still were not done. County Administrator Lucinda Whetsell reported that a final inspection would be done on July 18. Furniture was being delivered today. August 20 should be the last delivery of furniture being the long conference tables for the jury rooms. ASAP vendor requested 7 (seven) IP addresses, but after consulting the architects it was discovered they only needed one. The re-grouting was completed. The painters should finish the first of this week. \$100,000.00 (One Hundred Thousand Dollars) will be withheld from the final payment to March Weston until the commission is completely satisfied with the work. Mr. Bore has filed a request for repair with March Westin on pillar damage on his property. March Westin is working on the ramp. There is temporary handicap access to the courthouse thru the back door with a ramp built by Mr. Rick Stout and Mr. Joseph Frazier.

IN RE: EDA UPDADTE

County Administrator Lucinda Whetsell reported that Mr. Michael Herron sent his regrets he could not be present for the commission meeting. He had a prior commitment with the state economic development office.

IN RE: LEAVE REQUESTS APPROVED

Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the request from Cynthia Rowan, Deputy County Clerk to transfer 20 (twenty) days sick leave time to Phyllis Corathers, Assistant County Administrator.

IN RE: APPROVAL OF LETTER RE: LAWRENCE E SKINNER ESTATE

Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the President Patrick D. Boyle to sign the letter to be sent to Mr. James Skinner, Executor regarding the settlement of the estate of Lawrence E. Skinner, 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 June, 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:

Nicole Michelle Henderson, Executrix, Waiver of Accounting and Final Settlement of the Estate of Earl Thomas Armstrong, Sr., deceased

Allan Clemans, Executor, Waiver of Accounting and Final Settlement of the Estate of A. Morris Clemans, deceased

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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:

Linda Bush, Administratrix, Waiver of Settlement of the Fiduciary
Account of the Estate of Patricia Louise Bradley, deceased

IN RE: PROBATING THE LAST WILL AND TESTAMENT OF VIRGINIA B. HOARD, DECEASED

This day came Herman Hoard, husband of Virginia B. Hoard, deceased, and presented and offered for probate a paper writing bearing date the 14th day of June, 1974, purporting to be the Last Will and Testament of his 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 paper writing had attached thereto, an affidavit signed by W. T. Weber, Jr. and Nancy F. Coffindaffer. The said affidavit set forth the fact that the said Virginia B. Hoard, 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, Jr. and Nancy F. Coffindaffer both 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.

And, also presented and offered for probate a paper writing bearing date 9th day of September, 1974, purporting to be Codicil No. 1 to the Last Will and Testament of Virginia B. Hoard, deceased.

And, it further appearing that the said paper writing had attached thereto, an affidavit subscribed by the attesting witnesses thereto, namely W. T. Weber, Jr. and Nancy F. Coffindaffer. The said affidavit set forth the fact that the said Virginia B. Hoard, the Testatrix, signed and declared the said paper writing as and for a Codicil to 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 years. And, at the request of the said Testatrix, they, the W. T. Weber, Jr. and Nancy F. Coffindaffer both 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 and codicil being thus proved, is admitted to probate and ordered to be filed and recorded as directed by law.

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IN RE: QUALIFICATION OF HERMAN HOARD, EXECUTOR, OF THE WILL OF
VIRGINIA B. HOARD, DECEASED

WHEREAS, Virginia B. Hoard, whose Last Will and Testament and Codicil was this day fully proved, probated and admitted to record, therein named Herman Hoard as Executor thereof and requested that no bond be required of him as such Executor. THEREUPON, personally appeared the said Herman Hoard and qualified as Executor of the Will and Codicil of Virginia B. Hoard, deceased, by taking the oath prescribed by law.

It is stated by the said Executor that Virginia B. Hoard departed this life on the 26th day of May, 2013, aged seventy-seven years.

IN RE: OATH OF OFFICE

Robert S. Stewart, III having been previously been appointed as a member of the Lewis County Fire Board appeared this day, and was given the oath of office by the Clerk of the County Commission, Mary Lou Myers.

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:

69773	Aqua Filter Fresh, Inc.	07/08/2013	5.50
69774	Butcher Layfield Lumber	07/08/2013	9.59
69775	CSSI, Inc.	07/08/2013	1,447.00
69776	Weston Democrat, Inc.	07/08/2013	289.80
69777	Dominion Hope	07/08/2013	12.30
69778	Daniel D. Farnsworth, O.D.	07/08/2013	85.00
69779	Guttman Oil Company	07/08/2013	823.80
69780	Joseph C. Frazier	07/08/2013	150.00
69781	Mon Power	07/08/2013	4,623.69
69782	Michael Smith	07/08/2013	9.00
69783	NTelos	07/08/2013	206.69
69784	NTelos	07/08/2013	188.91
69785	WV Assoc. of Counties	07/08/2013	3,021.00
69786	84 Lumber	07/08/2013	775.04
	GENERAL COUNTY	TOTAL	11,647.32

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:

2822	Guttman Oil Company	07/08/2013	81.95
	ASSESSOR VAL	TOTAL	81.95

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E-911 COMMUNICATIONS CLAIMS

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

7421	Frontier	07/08/2013	52.72
7422	Guttman Oil Company	07/08/2013	71.56
7423	Staples	07/08/2013	245.77
	E-911	TOTAL	370.05

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:

2535	Guttman Oil Company	07/08/2013	93.18
	DOG AND KENNEL	TOTAL	93.18

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:

1886	NTelos	07/08/2013	189.39
	MAGISTRATE COURT	TOTAL	189.39

E-911 COMMUNICATIONS CLAIMS

ORDERED, that drafts be issued payable out of the 2014, Levy, E-911 COMMUNICATIONS FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

7424	Prescription Pest Control	07/08/2013	20.00
	E-911	TOTAL	20.00

GENERAL COUNTY CLAIMS

ORDERED, that drafts be issued payable out of the 2014, Levy, GENERAL COUNTY FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

69788	Association of WV Assrs	07/08/2013	100.00
69789	Marcia Boyles-Bowyer	07/08/2013	16.50
69790	City of Weston	07/08/2013	1,925.00
69791	CNA Surety	07/08/2013	100.00
69792	CNA Surety	07/08/2013	100.00
69793	Mary Lou Myers, Clerk	07/08/2013	11.00
69794	Co Commissioners' Assoc	07/08/2013	2,400.00

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69795	CSSI, Inc.	07/08/2013	3,418.00
69796	Family Resource Network	07/08/2013	1,000.00
69797	LC Family Resource Pantry	07/08/2013	1,000.00
69798	Garton Plaza Rentals	07/08/2013	1,500.00
69799	Randy Harris	07/08/2013	640.00
69800	Lewis County Building	07/08/2013	27,060.00
69801	Prescription Pest Control	07/08/2013	165.00
69802	WV American Water Company	07/08/2013	70.56
69803	WV State Treasurer Office	07/08/2013	4,500.00
	GENERAL COUNTY	TOTAL	44,006.06

IN RE: CHECKS RECEIVED

Dog and Kennel	\$345.00
Assessor Valuation	42.28
LC Emerg. Ambul Serv.	29,485.72

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

ORDERED, That this Commission doth now adjourn until Monday, July 15, 2013.



 PRESIDENT