

**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, September 17th, 2013.

This day came Wanda G. Mowery, wife of Minter J. Mowery, 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 Wanda G. Mowery as such Administratrix.

THEREFORE, Wanda G. Mowery as principal together with State Farm Fire and Casualty Company as her surety, entered into an acknowledged a bond in the penalty of Thirty-Two Thousand (\$32,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Wanda G. Mowery qualified as Administratrix of the personal estate of Minter J. Mowery, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Minter J. Mowery departed this life on the 3rd day of September, 2013, aged eighty-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 Friday, September 20, 2013.

This day came Lisa A. Adamsky, daughter of George W. Adams, Jr., aka, George W. Adams, deceased, and presented an Authenticated Copy of the Last Will and Testament of her said decedent, late a resident of Washington County, State of Pennsylvania, who at the time of death owned Real Estate in Lewis County, West Virginia, in accordance with Chapter 41, Article 5, Section 13, of the Code of West Virginia, said Will is duly admitted to record, as and for the Last Will and Testament of George W. Adams, Jr., aka, George W. Adams, deceased.

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 Friday, September 20, 2013.

WHEREAS, George W. Adams, Jr., aka George W. Adams, whose Last Will and Testament was this day admitted to record, therein named Lisa A. Adamsky as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Lisa A. Adamsky and qualified as Executrix of the Will of George W. Adams, Jr., aka, George W. Adams, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that George W. Adams, Jr., aka, departed this life on the 4th day of January, 2013, aged eighty-eight years.

Attest:

 Clerk

**ORDERS--BOARD OF COMMISSIONERS, LEWIS COUNTY  
REGULAR  
SESSION: MONDAY, SEPTEMBER 23, 2013**

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Commission sat pursuant to adjournment of Monday, September 16, 2013.

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

John Bailey – Corrective Ticket	\$ 333.10
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**IN RE: EXONERATION REQUEST OF MIKE ROSS, INC.**

An Exoneration in the amount of \$2,449.64 was presented to the Commission by Assessor, Chad Kelley, from Mike Ross, Inc. The reason for requesting the exoneration was incorrect figures on WV Producer Operator Return. The same having been sent to the WV Tax Department for correction was rejected as the clerical error was not made by the state and was returned to the county for consideration by the County Commission for exoneration. After discussion and upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous. The request was denied.

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

1. **Upshur County Commission Agenda** – A copy of the agenda for the September 19, 2013 Upshur County Commission meeting. No comments.
2. **Sheriff's Vehicle Report** – The Lewis County Sheriff's Department Vehicle Report including mileage and repairs to fleet for the month of August, 2013 was filed. No comments by commission.
3. **Lewis County Hazardous Materials Response Team Meeting Minutes** – The minutes of the August 17, 2013 Lewis County Hazardous Materials Response Team were filed. Commissioner Thomas Fealy noted that there was a budget shortfall.
4. **Lewis County Parks and Recreation Board** – The agenda for September 16, 2013 Lewis County Parks and Recreation Board meeting and minutes of the August 19, 2013 meeting were filed. Commission noted that a used John Deere tractor was purchased for \$16,000.00.
5. **Lewis-Gilmer Emergency 911 Call Report to Date** – Lewis-Gilmer Emergency 911 call report totals for August, 2013 was filed. Report includes number of calls, agencies contacted and call disposition. No comments.
6. **West Virginia Regional Jail and Correctional Facility Authority Invoice** - The invoice for August, 2013, number of inmate days 1258 x per diem rate of \$48.25 equal amount due for August, 2013, \$60,698.50. Commissioner Patrick Boyle requested that the prior invoice totals from January, 2013 be included in agenda packet.

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7. **West Virginia Department of Transportation, Division of Highways Statewide Transportation Improvement Program Draft Report** – Notification was received from the West Virginia Department of Transportation, Division of Highways that the Statewide Transportation Improvement Program draft report is available for review and comment on the web at [www.transportation.wv.gov](http://www.transportation.wv.gov). This document shows planned Federal Highway Administration and Federal Transit Administration funding expenditures for the State of West Virginia over the next four years. No comments.
8. **Lewis County Animal Control Report** – A report of activities including number of complaints, number animal picked up, number of animals dropped off at shelter, disposition of animals and bounty collected was filed. Commissioner Patrick Boyle requested Dog Warden John Snyder be invited to appear before the commission and requested the vehicle log be included in the agenda packet.
9. **2013 Lewis County Breast and Cervical Awareness Event** – A notice of the 2013 Lewis County Breast and Cervical Cancer Awareness event will be held Thursday, October 17, 2013 at noon at the Broad Street United Methodist Church. Reservation deadline is October 14, 2013. Commissioners Boyle and Queen will attend. Commissioner Fealy will check his schedule.
10. **National Association of Counties Prescription Drug Discount Card Program Utilization** – August, 2013 National Association of Counties Prescription Drug Discount Card Utilization report was filed. A total of 64 participants utilized the card for a monthly savings of \$1,412.57. Since Lewis County became a member of the program in November, 2005, county residents have saved \$673,519.30.
11. **Notification of 2013-2014 Justice Assistance Grant Award** – Lewis County has received notice that they have been awarded \$20,000.00 for the 2013-2014 though the Justice Assistance Grant Program to assist in providing prevention resource officers at Lewis County High School and Robert L Bland Middle School. This is a joint project between the Lewis County Commission and the Lewis County Board of Education.
12. **Lewis County Board of Health Fiscal Year Ending June 30, 2012 Audit** – The West Virginia State Auditor's Office has completed the FY 2011-2012 audit for the Lewis County Board of Health. The following conditions were noted: authorization of payment of expenditures without the presentation of an itemized account of claims (WV Code §12-3-18), timely deposit of collections and employee bonuses. The commission questioned the bonuses.

**IN RE: USE OF COURTHOUSE PLAZA FOR  
LAW ENFORCEMENT DAY MEMORIAL CEREMONY**

Vicki Kerrigan appeared before the commission asking for the use of the courthouse plaza for the Law Enforcement Day Memorial Ceremony. Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the request. Ms. Kerrigan also asked the commission if a monument to law enforcement officers killed in the line of duty could be placed on the courthouse lawn. After discussion it was decided that Ms. Whetsell, County Administrator would check with the State Historical Preservation Association and the Weston Historical Landmark Committee for approval.

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**IN RE: BOARD AND COMMITTEE REPORTS**

Commissioner Agnes G. Queen reported attending the Lewis County Park Board meeting. They have relocated the stage out of the flood plain. Final payments are being made to Paddock Pool. The slides will be wrapped again this year for preservation. Paddock Pools has some painting touch up to do. The Park Board is talking about a new playground.

Commissioner Patrick D. Boyle attended the combined meeting of the Lewis County Haz Mat Team and the Fire Board Association. The meeting lasted till 10:30 PM.

**IN RE: APPOINTMENT OF JENNIFER MOMEN, M.D. TO THE  
UNITED SUMMIT CENTER BOARD OF DIRECTORS**

At the recommendation of United Summit Center Nominating Committee and upon motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous to approve the appointment of Jennifer Momen, M.D. to the United Summit Center Board of Directors. Her three year term will begin in January, 2014.

**IN RE: APPROVAL OF CONTRIBUTION TO THE LEWIS COUNTY DEPUTY RESERVES**

At the request of Cpt. Randall Bush, Lewis County Deputy Reserves, and upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the request for \$2,000.00 for the Lewis County Deputy Reserve Program. The money will be used for uniforms and training.

**IN RE: REMOVAL OF GRANTS FROM AGENDA**

At the request of Cindy Whetsell, County Administrator, the CPG grants were removed from the agenda. Grants were incorrectly listed.

**IN RE: SET TIME FOR TRICK OR TREAT IN COUNTY**

Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to set the time for Trick or Treat in the county on October 26, 2013 from 6:00 PM to 7:00 PM. This will correspond with the City of Weston's time for Trick or Treat.

**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY  
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**BUDGET REVISION - APPROVED**

The following Budget Revision was this day approved by the WV State Auditor, Local Government Service Division, for FY 2013/2014 GENERAL COUNTY (001) Revision #03

LGSD BR 1180 (Rev. 2010)

Ora Ash, Director  
West Virginia State Auditor's Office  
200 West Main Street  
Clarksburg, WV 26302  
Phone: 627-2415 ext. 5114  
Fax: 627-2417

**REQUEST FOR REVISION TO APPROVED BUDGET**

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

Lewis County Commission  
GOVERNMENT ENTITY

CONTROL NUMBER  
**2013/2014**  
FY  
**1**  
FUND  
**3**  
REV. NO.  
**1 of 1**  
PG. OF NO.

Person To Contact Regarding  
Budget Revision: **Debra A. Hull**  
Phone: **304-269-8215**  
Fax: **304-269-8202**

PO Box 87  
STREET OR PO BOX  
Weston  
CITY  
26452  
ZIP CODE

**RECEIVED**  
County  
Government Type  
**SEP 18 2013**

**REVENUES: (net each acct.)**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
322	Federal Grants	248,224	20,000		268,224
323	State Grants	287,699	3,500		291,199
380	Contributions/Transfer from Other Entities		624		624
382	Refunds/Reimbursements (External Sources)	68,251	286		68,537
	#N/A				
	#N/A				

**NET INCREASE/(DECREASE) Revenues (ALL PAGES)**

24,410

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

**EXPENDITURES: (net each account category)**

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
405	Prosecuting Attorney	387,353	286		387,639
443	State Grants	<del>401,540</del> 102,878	3,500		<del>405,040</del> 106,378
699	Contingencies	1,047,309	20,000		1,067,309
728	Local Law Enforcement Grant	51,558	624		52,182
	#N/A				

**NET INCREASE/(DECREASE) Expenditures**

24,410

APPROVED BY THE STATE AUDITOR

BY: *Ora Ash/Karen* 9/18/2013  
Director, Local Government Services Division Date

*[Signature]* 9-16-13  
AUTHORIZED SIGNATURE OF ENTITY APPROVAL DATE

LEWIS COUNTY CLERK  
09/19/2013  
09:29:11 AM

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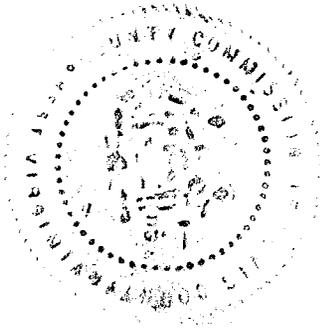
**IN RE: 2013 VOCA GRANT 13-VA-018 APPROVAL OF SIGNATURE**

The following Resolution was approved for signature upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous, to accept the VOCA GRANT 13-VA-018 in the amount of \$25,977.00:

**RESOLUTION**

The Commission of Lewis County met on 09/23/13 (date) with a quorum present and passed the following resolution.

Be it resolved that the Commission hereby authorizes Pat Boyle, President of Lewis County Commission to act on its behalf to enter into a contractual agreement with the Division of Justice and Community Services to receive and administer grant funds pursuant to provisions of the Victims of Crime Act (VOCA) grant program.



Signed:

  
County Clerk

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**IN RE: LEWIS COUNTY FINANCIAL STATEMENT  
FOR FISCAL YEAR ENDING JUNE 30, 2013**

Mary Lou Myers, County Clerk presented the financial statement for the fiscal year ending June 30, 2013 to the commission for approval at the September 16<sup>th</sup> meeting. Approval of the financial statement was tabled for further review. The financial statement was resubmitted for approval and upon motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous, was approved as submitted.

**IN RE: ANNEX UPDATE**

Lucinda Whetsell, County Administrator reported ASAP Security Company has repair some of the issues last week and were to return today to continue working on security issues.

Maintenance personnel moved Tri-county Child Visitation into the old Magistrate Court building last week.

Commission reported that they had received several favorable comments from the public on Ms. Renzelli and Mr. McAtee , security officers.

**IN RE: EDA REPORT**

Mr. Michael Herron is out of town. Ms. Whetsell reported the Bloody Run Water Project is progressing very well. The West Virginia American Water Company law suit is in the hands of the Public Service Commission for approval.

**IN RE: REQUEST FOR DONATED LEAVE FOR PHYLLIS CORATHERS**

On motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the request for donated leave for Phyllis Corathers.

**IN RE: LEAVE REQUESTS APPROVED**

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

RICK STOUT            Annual Nov. 25, 26, 27, Dec. 13, 24 (1/2 day) and 31 (1/2 day)

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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:

Susan Ann Lydon, Executrix, Waiver of Settlement of the Fiduciary Account of the Estate of George W. Alfred, deceased.

Lynn E. Baldwin, Executrix, Waiver of Settlement of the Fiduciary Account of the Estate of Patti S. Baldwin, deceased.

Thomas Michael Simons, Administrator, Waiver of Settlement of the Fiduciary Account of the Estate of Thomas Jackson Simons, 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 L. Wamsley, Executrix, Affidavit of Personal Representative, Unadministered Estate of Benjamin W. Wamsley, III, deceased.

Richard Jennings Davis, Executor, Affidavit of Personal Representative, Unadministered Estate of Juanita B. Davis, deceased.

Opal Marie Moon, Executrix, Affidavit of Personal Representative, Unadministered Estate of Guy Ray Lucas, deceased.

**IN RE: ASSESSOR'S CERTIFICATE OF COMPLIANCE**

Notice was received from the Commissioner of Agriculture, Gus R. Douglas that the Assessor T. Chad Kelley, had completed the Farm Census of 2013, and had satisfactorily complied with the requirements of the Farm Statistics Law, therefore he was eligible to receive compensation from the County Court according to Chapter 7, Article 7, Section 6C of the New Code of West Virginia. Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to pay the supplement to Assessor T. Chad Kelley.

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MAGISTRATE COURT FUND CLAIMS

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

1892	General County Fund	09/23/2013	215.92
	MAGISTRATE COURT	TOTAL	215.92

CONCEALED WEAPONS CLAIMS

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

793	Sheriff of Lewis County	09/13/2013	35.00
	CONCEALED WEAPONS	TOTAL	35.00

MISCELLANEOUS 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:

70012	AFLAC	09/23/2013	188.44
70013	Dominion Hope	09/23/2013	130.12
70014	Guttman Oil Company	09/23/2013	992.45
70015	March-Westin Company Inc	09/23/2013	21,329.57
70016	NCREMS, INC.	09/23/2013	818.60
70017	Premier Construction Grp	09/23/2013	276,800.00
70018	Travelers	09/23/2013	58,970.58
70019	WV American Water Company	09/23/2013	530.53
	GENERAL COUNTY	TOTAL	359,760.29

ASSESSOR VALUATION CLAIMS

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

2840	Guttman Oil Company	09/23/2013	25.62
2841	Timothy C. Kelley	09/23/2013	247.50
2842	WHAW Radio	09/23/2013	1,100.00
2843	WOTR Radio	09/23/2013	1,100.00
	ASSESSOR VAL	TOTAL	2,473.12

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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:

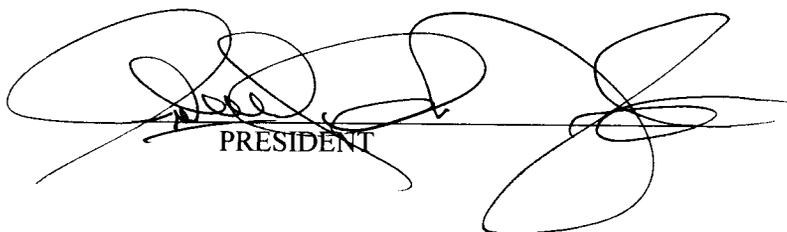
7469	Guttman Oil Company	09/23/2013	63.69
	E-911	TOTAL	63.69

IN RE: CHECKS RECEIVED

Prudential	\$ 80.00	MLOM, LLC	\$ 15.00
LC Emerg. Ambulance	33,946.99	WV, State of	1,423.22
Lucinda A. Whetsell	15.99		

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

ORDERED, That this Commission doth now adjourn until Monday, September 30th, 2013.



PRESIDENT