

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

State of West Virginia;
County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Tuesday, October 22, 2013.

This day came Jason P. Skinner, son of William Paul Skinner, deceased, and filed an affidavit signed by William Cody Skinner, heir of said decedent, requesting that he be appointed as such Administrator of the personal estate of their said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said William Cody Skinner as such Administrator.

THEREFORE, Jason P. Skinner as principal together with Western Surety Company as his surety, entered into and acknowledged a bond in the penalty of Twenty-Five Thousand (\$25,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Jason P. Skinner qualified as Administrator of the personal estate of William Paul Skinner, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that William Paul Skinner departed this life on the 8th day of October, 2013, aged fifty-nine years.

Attest:

Mary Lou Myers Clerk

State of West Virginia
County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Tuesday, October 22, 2013.

This day came Christopher Devin Hill, Great Nephew of Lucille Hays, deceased, an offered an Authenticated Copy of the Will of his said decedent, late a resident of Wichita County, State of Texas, 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 Lucille Hays, deceased.

Attest:

Mary Lou Myers 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 said Commission on Tuesday, October 22, 2013.

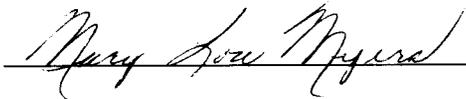
WHEREAS, Lucille Hays, whose Last Will and Testament was this day admitted to record therein, named Anna Mae Hardin as Executrix thereof and requested that no bond be required of her as such Executrix. Whereas, the said Anna Mae Hardin has since departed this life. The Will further named Howard Lee Hill as Executor thereof and requested that no bond be required of him as such Executor. Whereas, the said Howard Lee Hill has also departed this life; and

WHEREAS, this day came Christopher Devin Hill and requested that he be appointed as Ancillary Administrator, CTA of the Estate of Lucille Hays, deceased. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Christopher Devin Hill as such Ancillary Administrator, CTA of the Estate of Lucille Hays, deceased.

THEREUPON, Christopher Devin Hill as principal together with Westfield Insurance Company as his surety, entered into and 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 Christopher Devin Hill qualified as Ancillary Administrator, CTA of the Estate of Lucille Hays, deceased, by taking the oath prescribed by law.

It is stated by the said Administrator that Lucille Hays departed this life on the 27th day of March, 2011, aged ninety-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, October 23, 2013.

This day came Gary W. Postlethwait, son of Ervin Postlethwait, Jr., aka Ervin Junior Postlethwait, deceased, and presented and offered for probate a paper writing bearing date the 5th day of June, 2007, purporting to be the Last Will and Testament of his 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 Daniel R. Kane, II and Ernest R. Leggett. The said affidavit set forth the fact that the said Ervin Postlethwait, Jr., aka Ervin Junior Postlethwait, 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 Daniel R. Kane, II and Ernest R. Leggett 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

**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, October 23, 2013.

WHEREAS, Ervin Postlethwait, Jr., aka, Ervin Junior Postlethwait, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Gary W. Postlethwait and Raymond G. Postlethwait as Co-Executors thereof and requested that no bond be required of them as such Co-Executors. THEREUPON, personally appeared the said Gary W. Postlethwait and Raymond G. Postlethwait and qualified as Co-Executors of the Will of Ervin Postlethwait, Jr., aka, Ervin Junior Postlethwait, deceased, by taking the oath prescribed by law.

It is stated by said Co-Executors that Ervin Postlethwait, Jr., aka, Ervin Junior Postlethwait departed this life on the 20th day of October, 2013, aged eighty-six 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, October 23, 2013.

This day came Judith A. Stamper, wife of Raymond Stamper, 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 Judith A. Stamper as such Administratrix.

THEREFORE, Judith A. Stamper as principal together with Nancy J. Cutlip as her surety, entered into an acknowledged a bond in the penalty of Ten Thousand (\$10,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Judith A. Stamper qualified as Administratrix of the personal estate of Raymond Stamper, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Raymond Stamper departed this life on the 3rd day of September, 2013, aged seventy-four 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 Wednesday, October 23, 2013.

WHEREAS, the appraisalment of Francine B. Shea, deceased, was this day filed; and

WHEREAS, the estate of said Francine B. Shea, deceased, exceeded the sum of (\$100,000.00) Dollars and more than one heir; and

THEREFORE, the estate of Francine B. Shea, deceased, is hereby referred to Joseph W. Wagoner, Fiduciary Commissioner.

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, October 25, 2013.

Jerry Kirk and Francene Kirk appeared at a former date and presented and offered for probate a paper writing bearing date the 15th day of February, 2012 purporting to be the Last Will and Testament of Frances McCue, aka, Frances McCue Wilfong, 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 was signed by Jeffrey N. Sims and Cynthia G. Sims as the attesting witnesses thereto.

THEREFORE, before the undersigned authority, in the County of Lewis, State of West Virginia, this day personally appeared Jeffrey N. Sims and Cynthia G. Sims, who each being first duly sworn upon their oaths, did depose and say that Frances McCue, aka, Frances McCue Wilfong, 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 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 said and Jeffrey N. Sims and Cynthia G. Sims, both signed their names to the 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 recorded and filed as directed by law.

Attest:

 Clerk

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

State of West Virginia;
County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Friday, October 25, 2013.

WHEREAS, Frances McCue, aka, Frances McCue Wilfong, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Jerry Kirk and Francene Kirk as Co-Executor and Co-Executrix thereof and requested that no bond be required of them as such Co-Executor and Co-Executrix. THEREUPON, personally appeared the said Jerry Kirk and Francene Kirk and qualified as Co-Executor and Co-Executrix of the Will of Frances McCue, aka, Frances McCue Wilfong, deceased, by taking the oath prescribed by law.

It is stated by said Co-Executor and Co-Executrix that Frances McCue, aka, Frances McCue Wilfong departed this life on the 24th day of September, 2013, aged ninety-two years.

Attest:

 Clerk

X

**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 28, 2013**

Commission sat pursuant to adjournment of Tuesday, October 21st, 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: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Meeting Agenda** – A copy of the Upshur County commission Agenda for October 17, 2013 was filed. No comments.
2. **Lewis County Parks and Recreation Board: Lewis County Parks and Recreation** – A copy of the board minutes for the meeting held on September 16, 2013 and the agenda for October 28, 2013 was filed. Commissioner Fealy noted the stage is being built. Commissioner Queen noted that things are “winding down” at the park and tonight will be the last monthly meeting till spring.
3. **Lewis County Hazardous Material Response Team** – The minutes for the Lewis County Hazardous Materials Response Team for September 16, 2013 and the financial report to date was filed. No comments.
4. **West Virginia Regional Jail and Correctional Facility Authority Invoice for September 2013** – The invoice for the West Virginia Regional Jail and Correctional Facility Authority for September was received. Inmate days 1279 times per diem rates \$48.25 equal \$61,711.75. No comments.
5. **Lewis County Family Resource Network September 3, 2013 Meeting Minutes** – The minutes of the September 3, 2013 for the Lewis County Family Resource Network Board of Directors was filed. No comments.

IN RE: BOARD AND COMMITTEE REPORTS

Commissioners Thomas V. Fealy, Patrick D. Boyle and Agnes G. Queen attended the Lewis County Chamber of Commerce dinner. Commissioner Queen noted that Johnny White received “Citizen of the Year” award.

Commissioner Agnes G. Queen attended an award meeting. The Lewis County Judicial Annex received the 2013 Excellence In Construction Award for the category Institutional \$5 to 10 million.

Commissioner Queen also attended the Lewis County Fair Board meeting. The fair board intends to shift the focus of the fair to a regional youth fair. The next meeting on November 13, 2013 at 7:00 PM will focus on this development. Other counties have been invited.

Commissioner Patrick D. Boyle attended the annual Halloween costume party at the Robin’s Nest. Commissioner Boyle was a judge for the event. Approximately 250 children attended, with total attendance at approximately 700.

Commissioner Patrick D. Boyle reported receiving a thank you card from Imogene Wimer for the Breast Cancer Awareness grant.

IN RE: LEASE FOR FAMILY COURT SPACE

Lucinda Whetsell, County Administrator presented to the commission for signature a lease contract for Family Court Space at the Lewis County Judicial Annex between the Lewis County Commission and the WV Supreme Court of Appeals. On motion of Agnes G. Queen, second by Thomas

**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 28, 2013**

V. Fealy, vote unanimous to approve signature for the Family Court Space at the rate of \$11.00 per square foot. Commissioner Queen noted that the going rate was \$9.00, but because the commission complied with all security requirements from the WV Supreme Court of Appeals, they were willing to pay the extra \$2.00 per square foot price. The contract is filed in Miscellaneous Book 15 Page 765.

**IN RE: SIGNATURE OF VICTIMS OF CRIME ACT GRANT SUB-GRANTEE
REQUIREMENTS**

The commission received a request from the West Virginia Division of Justice requesting execution of an agreement that the county will comply with the Victims of Crime Act of 1984. After discussion and upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to table the issue until 2:00 PM, for a call to Sara E. Miller, Justice Program Specialist, for further information. President Patrick D. Boyle called the meeting to order at 2:14 PM. After determining that Sara Miller was unavailable, on motion of Thomas V. Fealy, second by Patrick D. Boyle, motion passing to approve the president to sign the VOCA Requirements Certification.

IN RE: ANNEX UPDATE

Lucinda Whetsell, County Administrator reported several applications for the part time janitorial positions had been picked up. Complaints on access to private offices had been received. Ms. Whetsell was directed to send a memo that deep cleaning of offices will only be done on request of the office holder.

IN RE: EDA UPDATE

Mr. Michael Herron, EDA Executive Director was unavailable. Ms. Lucinda Whetsell, County Administrator received a request from the Hardwood Alliance Zone for a letter confirming Mr. Michael D. Herron as a voting member appointed by the County Commission. On motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve President Patrick Boyle signing a letter to the Hardwood Alliance Zone confirming Michael D. Herron as a voting member representing Lewis County.

FOR YOUR INFORMATION

Lucinda Whetsell, County Administrator presented to the commission a Christmas ornament donated by Appalachian Glass for the Governor’s Christmas Tree as requested by the West Virginia Association of Counties. The ornament is a blue and gray friendship bulb with Lewis County, 1817 in gold script.

Ms. Whetsell reported receiving a request from Mayor Julia Spelsberg for support from the commission on two projects: 1) A grant to tear down dilapidated buildings. 2) A grant to build a bridge from Haleville to River Avenue. On motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to write letters of support for the projects.

The commission received letters from the Roane County EDA referencing “The Blue & Gray Trail”, after discussion it was decided to refer the letter to the Lewis County EDA.

**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 28, 2013**

IN RE: GRANT PAYMENT REQUEST #12LEDA0105, LEWIS COUNTY HONOR GUARD

The following reimbursement was approved for signature on the Grant #12LEDA0105 in the amount of \$1,798.50 for Lewis County Honor Guard upon motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous:

**GOVERNOR'S COMMUNITY PARTICIPATION GRANT PROGRAM
FINANCIAL REPORT/REQUEST FOR PAYMENT**

Submit with original signature to:

West Virginia Development Office
Governor's Community Participation Grant Program
1900 Kanawha Boulevard, East
Building 6, Room 553
Charleston, West Virginia 25305
304-558-4010

Local Governing Agency (Grantee): LEWIS COUNTY COMMISSION
Chief Elected Official: PATRICK D. BOYLE, PRESIDENT
Street Address: 110 CENTER AVENUE * PO BOX 466
City: WESTON Zip: 26452
Phone: 304- 269-8200 Fax: 304- 269-2416
Form Completed By: CINDY WHETSELL, ADMINISTRATOR
Email: cindywhetsell@yahoo.com

Project Title: LEWIS COUNTY HONOR GUARD Grant No.: 13-722 Project No.: 12LEDA0105
Period Covered by this Document: 6/30/13 to 10/28/13 (present date) Payment Request Number:
Percent of Work Completed: 88% (If requesting more than 90 percent of grant funds, submit certification of grant completion.)

The following documents are required for the release of grant funds. Check all documents attached.

- Copies of bids, quotes or verbal bid summary
- Copy of legal ad, which requires prevailing wages for construction
- Copies of certified payroll records for construction.
- Copies of invoices
- Project Photograph(s)

Competitive bids were obtained for purchases exceeding \$2,500 in cost in accordance with West Virginia Code §59-3 and the contract for this project. Indicate price range of project and procedures followed. Attach copies of bids.
N/A \$2,500 or less No bids required \$2,500.01 to \$5,000 Three verbal bids documented on verbal bid summary
 \$5,000.01 to \$25,000 Three written bids \$25,000 or more Class II Legal Ad

State prevailing wages were paid for all construction associated with this project as specified by the West Virginia Division of Labor, West Virginia Code §21-5A and the contract for this project. All contractors must have a West Virginia contractor's license. These regulations apply to every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration and/or repair work, regardless of cost. If federal funds are included, the highest rate (West Virginia or Davis-Bacon) will be paid.
N/A

COST CATEGORIES	Approved Budget Amount	Amount Requested to Date	Amount Requested This Draw	Total Amount Requested	Amount Disbursed to Date
Construction/Improvements	\$				
Materials, Supplies, Equipment	\$ 2,000.00	-0-	\$ 1,798.50	\$ 1,798.50	-0-
Other:	\$				
Total Project Cost	\$ 2,000.00	-0-	\$ 1,798.50	\$ 1,798.50	-0-

A progress report must be provided. Progress reports will be filed in the West Virginia Development Office for inspection.

Funding was used to purchase tires, rims, alignment and nitrogen for tires on the Lewis County Honor Guard van.

I certify costs claimed by this report are correct and just and based upon actual requirements; that all applicable laws and regulations regarding payment of state prevailing wages for construction and competitive bidding were followed in accordance with the contract for this project; 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.

Patrick D. Boyle, President

10/28/13

MAYOR OR COUNTY COMMISSION PRESIDENT
ORIGINAL SIGNATURE REQUIRED--USE BLUE INK

DATE

**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 28, 2013**

**IN RE: 2014-2015 WEST VIRGINIA RECORDS MANAGEMENT AND PRESERVATION
GRANT APPLICATION FOR THE LEWIS COUNTY CLERK'S OFFICE**

Upon motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous, the following West Virginia Records Management Grant application for the Lewis County Clerk's Office was approved in the amount of \$10,000.00 for scanning and indexing of deed books:

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
PO Box 466
Weston, WV 26452
Phone: (304)269-8200
Fax: (304)269-2416
Email: lccommission@yahoo.com
Website: lewiscountywv.org



COMMISSIONERS:
PATRICK D. BOYLE
President
AGNES G. QUEEN
Commissioner
THOMAS V. FEALY
Commissioner

RESOLUTION

WHEREAS: the WV Division of Culture and History will grant funds to eligible governments to finance records management and preservation projects, and

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

WHEREAS: the Lewis County Commission does authorize the grant application of the WVRMP Grant for the Lewis County Clerk's document imaging project, and

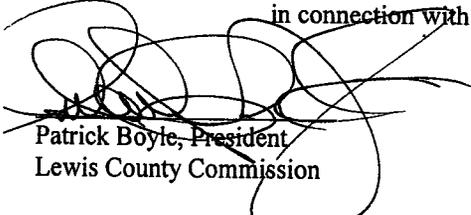
WHEREAS: is it necessary for the Lewis County Commission to authorize the grant application of said funds for the Lewis County Clerk's document imaging project, and

WHEREAS: the Lewis County Commission must give assurances that WVRMP Grant 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 WVRMP Grant application for Lewis County Clerk's document imaging project, 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 Lewis County Clerk's document imaging project, and
4. Patrick Boyle, President, or Lucinda A. Whetsell, Administrator is designated as the authorized official to act in connection with this grant.

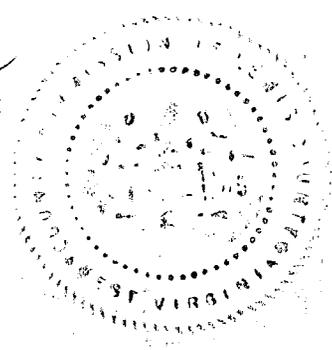

Patrick Boyle, President
Lewis County Commission

10/28/2013
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

10/28/2013
Date



**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY
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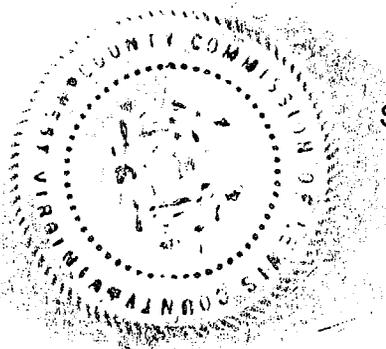
**IN RE: WEST VIRGINIA COURTHOUSE FACILITIES IMPROVEMENT 11TH CYCLE
GRANT APPLICATION FOR HVAC FOR THE FORMER JAIL AND TAX OFFICE**

Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous, the following West Virginia Courthouse Facilities Improvement 11th Cycle Grant application for HVAC for the former jail and tax office in the amount of \$112,500.00, grant requires a 20% match, Commission portion is \$32,500.00:

RESOLUTION

The County Commission of Lewis County met on 10/28/13 (date) with a quorum present and passed the following resolution.

Be it resolved that the County Commission hereby authorizes Patrick (first name) Boyle (last name), Commission President of the Lewis County Commission, to act on its behalf to enter into a contractual agreement with Courthouse Facilities Improvement Authority to receive and administer funds pursuant to provisions of the Courthouse Facilities Improvement Fund program.



Signed:

Mary Lou Myers

County Clerk

*****Please complete and return this form with your completed application.*****

**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 28, 2013**

**IN RE: CHANGE OF SCOPE IN THE 2013-2014 WEST VIRGINIA RECORDS
MANAGEMENT PRESERVATION GRANT FOR THE LEWIS COUNTY CIRCUIT CLERK'S
OFFICE**

Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous, to approve the request for change of scope of the West Virginia Records Management Preservation Grant received by the Lewis County Circuit Clerk's Office to allow all funds to be used for costs to scan documents.

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
PO Box 466
Weston, WV 26452
Phone: (304)269-8200
Fax: (304)269-2416
Email: lccommission@yahoo.com
Website: lewiscountywv.org



COMMISSIONERS:
PATRICK D. BOYLE
President
AGNES G. QUEEN
Commissioner
THOMAS V. FEALY
Commissioner

Mr. Joe Geiger
Director of Archives and History
West Virginia Division of Culture and History
1900 Kanawha Blvd., East
Charleston, WV 25305-0300

LEWIS COUNTY, WV
FILED
2013 OCT 29 A 10: 22
MARY LOU MYERS
COUNTY CLERK

October 28, 2013

Dear Mr. Geiger;

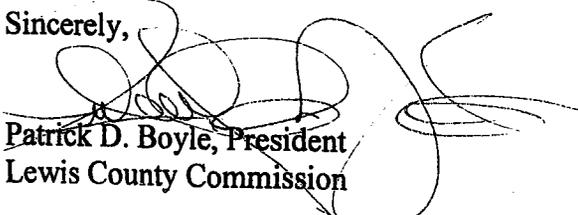
The Lewis County Commission was awarded a 2013-14 Records Management and Preservation Grant for the Lewis County Circuit Clerk's Office. This grant award for \$10,000 was to purchase scanners and provide funds for personnel to scan county order books.

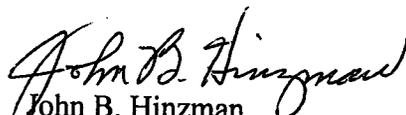
In July 2013, Lewis County was selected by the West Virginia Supreme Court of Appeals as a pilot county for an inclusive document system. This award provided scanners. They were installed early this month.

We respectfully request a change of scope for the Lewis County 2013-14 Records Management and Preservation Grant to allow the entire grant award, \$10,000, to be used after hours work by employees to scan Circuit Clerk Order Books. This amount will allow employees working after business hours (overtime rate) to scan approximately 31,250 pages of the total 393,750 pages housed in the Circuit Clerk's Office

Thank you advance for your consideration of our request.

Sincerely,


Patrick D. Boyle, President
Lewis County Commission


John B. Hinzman
Lewis County Circuit Clerk

**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 28, 2013**

**IN RE: GRANT PAYMENT REQUEST AND CLOSURE #13LEDA0127, LEWIS COUNTY
BASEBALL ASSOCIATION**

The following Resolution was approved for signature on the closing of Grant #13LEDA0127 in the amount of \$5,000.00 for Lewis County Baseball Association upon motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous:

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
PO Box 466
Weston, WV 26452
Phone: (304)269-8200
Fax: (304)269-2416
Email: lccommission@yahoo.com
Website: lewiscountywv.org



COMMISSIONERS:
PATRICK D. BOYLE
President
AGNES G. QUEEN
Commissioner
THOMAS V. FEALY
Commissioner

RESOLUTION

WHEREAS: the WV Development Office will grant funds to eligible governments to finance local projects, and

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

WHEREAS: the Lewis County Commission does authorize the completion of the GCP grant for the Lewis County Baseball, and

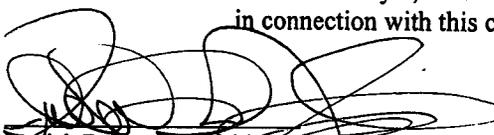
WHEREAS: is it necessary for the Lewis County Commission to authorize the completion of said funds for the Lewis County Baseball and

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

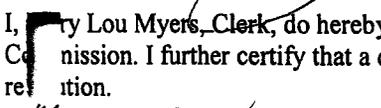
WHEREAS: the Lewis County Commission must designate an official representative to act in connection with the completion and execute all necessary program documents,

NOW THEREFORE BE IT RESOLVED THAT:

1. The Lewis County Commission authorizes the filing of an completion for the Lewis County Baseball, and
2. The Lewis County Commission will comply with all laws and regulations pertaining to the program, and
3. The Lewis County Commission will utilize the funds for the Lewis County Baseball, and
4. Patrick D. Boyle, President, or Lucinda A. Whetsell, Administrator is designated as the authorized official to act in connection with this completion.


Patrick D. Boyle, President
Lewis County Commission

October 28, 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

October 28, 2013
Date



**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 28, 2013**

IN RE: THE ESTATE OF T. EDWARD MULLOOLY, DECEASED

MOTION TO REMOVE EXECUTRIX

Come now Lisa M. Chambers and Thomas Edward Mullooly, II (hereinafter referred to as "the Mullooly children"), beneficiaries of the Estate of T. Edward Mullooly, by their counsel, Richard R. Marsh, James A. Varner, Sr., and McNeer, Highland, McMunn and Varner, L.C., and move that this Commission remove Lisa Dawn Mullooly from her position as Executrix of the Estate of T. Edward Mullooly, pursuant to West Virginia Code § 44-5-5; that this Commission issue a summons to the appropriate officer of Lewis County, West Virginia, requiring said officer to summon Lisa Dawn Mullooly to present to the Fiduciary Commissioner a statement of receipts and disbursements with accompanying vouchers for the time period from June 1, 2011 through the date of the Commission's order; that this Commission deny Lisa Dawn Mullooly a commission for services; and that this Commission appoint Lisa M. Chambers as Executrix pursuant to West Virginia Code § 44-5-5, on the following grounds:

- (1) That T. Edward Mullooly died testate on June 1, 2011, devising his probate estate to his wife, Lisa Dawn Mullooly (2/3rds) and to his two children, Lisa M. Chambers and T. Edward Mullooly, II (1/6th each);
- (2) That Lisa Dawn Mullooly, surviving spouse of the decedent, qualified as Executrix of said Estate on or around June 9, 2011;
- (3) That Lisa M. Chambers and T. Edward Mullooly, II are the children of the decedent but are not the children of Lisa Dawn Mullooly;
- (4) That Charles Hathaway was appointed as Fiduciary Commissioner for the Estate;

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(5) That Lisa Dawn Mullooly has not responded to communication attempts made by Mr. Hathaway and the Mullooly children;

(6) That Lisa Dawn Mullooly, a distributee of the Estate and the Executrix of the Estate, by various actions has acted in a manner which is hostile to the interest of the Mullooly children, who are also distributees of their father's estate; and

(7) That the Mullooly children have evidence of improper and incomplete accounting of funds to which the estate is entitled, as well as a failure to pay the proper debts of the estate or otherwise resolve said debts, and is otherwise not following the mandates of the last will and testament of T. Edward Mullooly.

For these reasons, Lisa M. Chambers and T. Edward Mullooly, II, by counsel, move that a hearing be held to consider these matters and that upon the conclusion of such hearing, that this Commission issue an order removing Lisa Dawn Mullooly as Executrix; that Lisa Dawn Mullooly be required to present to the Fiduciary Commissioner a report of receipts and disbursements with accompanying vouchers for the time period from June 1, 2011 through the date of the Commission's order; that this Commission deny Lisa Dawn Mullooly a commission for services; and that Lisa M. Chambers be appointed Executrix pursuant to West Virginia Code § 44-1-4.

Dated this 25th day of October, 2013.

RESPECTFULLY SUBMITTED BY:


Richard R. Marsh WV Bar ID 10877
James A. Varner, Sr. WV Bar ID 3853
Empire Building
P. O. Box 2040
Clarksburg, West Virginia 26302
Telephone: (304) 626-1113
Facsimile: (304) 623-3035

After review of the said Motion, the Commission unanimously set Monday, November 18th, 2013, at 2:00 P.M. for the Hearing on said Motion, at the Lewis County Commission Office located on the second floor of the Lewis County Courthouse, Weston, WV

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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:

Eugene C. Groah, Executor, Waiver of Settlement of the Fiduciary Account of the Estate of Paul Andrew Groah, deceased.

Gina Darlene Westfall, Executrix, Waiver of Settlement of the Fiduciary Account of the Estate of Judith Ann Stutler, 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;

Elsie D. Metz, Affidavit of Personal Representatives, Unadministered Estate of Hugh C. Metz, deceased.

Robert Mitchell, Administrator, Affidavit of Personal Representative, Unadministered Estate of Ray Junior Simpson, deceased.

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:

70085	AFLAC	10/28/2013	188.44
70086	Allstate Tower Company	10/28/2013	5,800.00
70087	Washington Ntl Ins Co.	10/28/2013	512.00
70088	Dog & Kennel Fund	10/28/2013	50,000.00
70089	Electronic Communications	10/28/2013	3,000.00
70090	Guttman Oil Company	10/28/2013	1,003.39
70091	Mon Power	10/28/2013	238.23
70092	Travelers	10/28/2013	1,769.68
70093	U S Bank Equip Finance	10/28/2013	310.00
70094	Weston Sanitary Board	10/28/2013	240.63
120127	WV Public Empl Ins Agency	10/28/2013	53,686.34
	GENERAL COUNTY	TOTAL	116,748.71

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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:

7498	APCO International, Inc.	10/28/2013	95.00
7499	APCO International, Inc.	10/28/2013	1,127.00
7500	Biser's Radio Service	10/28/2013	2,060.00
7501	Guttman Oil Company	10/28/2013	60.59
7502	Staples	10/28/2013	250.90
7503	Weston Sanitary Board	10/28/2013	31.48
	E-911	TOTAL	3,624.97

CITIZENS EDUCATION CLAIMS

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

453	United Bank (Galls)	10/25/2013	1,946.30
	CITIZENS ED	TOTAL	1,946.30

DOG AND KENNEL CLAIMS

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

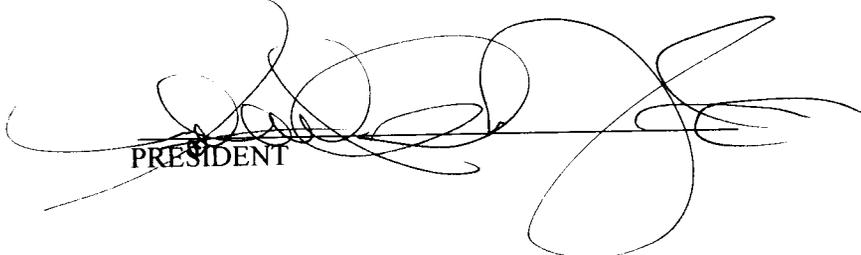
2550	Upshur County Commission	10/28/2013	38,501.36
	DOG AND KENNEL	TOTAL	38,501.36

IN RE: CHECKS RECEIVED

Lewis County Park	\$ 4,647.22	Suddenlink Comm.	\$1,402.46
WV, State of	1,773.87	WV - State of	101,730.46
Charles Stalnaker	15.00		

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, November 4th, 2013.


PRESIDENT