

**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, December 17, 2013.

This day came Jerry Russell Furr, Jr., son of Jerry Russell Furr, Sr., deceased, and presented and offered for probate a paper writing bearing date the 27th day of November, 2013, 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 James M. Scott and Geraldine W. Scott. The said affidavit set forth the fact that the said Jerry Russell Furr, Sr., 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 James M. Scott and Geraldine W. Scott 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:

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, December 17, 2013.

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

It is stated by said Executor that Jerry Russell Furr, Sr. departed this life on the 16th day of December, 2013, aged eighty years.

Attest:

Mary Lou Myers 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, December 18, 2013.

This day came Danel R. Hurst, husband of Elizabeth L. Hurst, deceased, and moved the Clerk that he be appointed Administrator of the estate of his said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Danel R. Hurst as such Administrator.

THEREFORE, Danel R. Hurst as principal together with Jesse A. Shackelford 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 Danel R. Hurst qualified as Administrator of the personal estate of Elizabeth L. Hurst, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Elizabeth L. Hurst departed this life on the 16th day of December, 2013, aged sixty-seven 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, December 18, 2013.

This day came Ronald E. Foudray, Jr., brother of John G. Foudray, deceased, and presented and offered for probate a paper writing bearing date the 26th day of November, 2013, 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 Angela Faulkner-VanDeysen and Lisa R. Buttermore. The said affidavit set forth the fact that the said John G. Foudray 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 Angela Faulkner-VanDeysen and Lisa R. Buttermore 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;

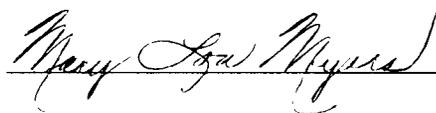
County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Wednesday, December 18, 2013.

WHEREAS, John G. Foudray whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Ronald E. Foudray, Jr. as Executor thereof and requested that no bond be required of him as such Executor. THEREUPON, personally appeared the said Ronald E. Foudray and qualified as Executor of the Will of John G. Foudray deceased, by taking the oath prescribed by law.

It is stated by said Executor that John G. Foudray departed this life on the 18th day of December, 2013, aged forty-five 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, December 19, 2013.

This day came Joyce A. Nicholson, wife of Jonathan Brian Nicholson, deceased, and moved the Clerk that she be appointed Administratrix of the estate of her said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Joyce A. Nicholson as such Administratrix.

THEREFORE, Joyce A. Nicholson as principal together with William S. Kiser as her surety, entered into and 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 Joyce A. Nicholson qualified as Administratrix of the personal estate of Jonathan Brian Nicholson, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Jonathan Brian Nicholson departed this life on the 3rd day of December, 2013, aged fifty-one years.

Attest:

 Clerk

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RECESS
SESSION:**

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County of Lewis, To-Wit;

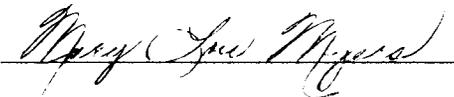
In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Friday, December 20, 2013.

This day came William S. Kiser, son of Donna Jean Kiser, deceased, and filed affidavits signed by Mark A. Kiser, Joyce A. Nicholson and Nancy L. McCue, heirs of said decedent, requesting that he be appointed as such Administrator. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said William S. Kiser as such Administrator.

THEREFORE, William S. Kiser as principal together with Joyce A. Nicholson as his surety, entered into and acknowledged a bond in the penalty of Fifty Thousand (\$50,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said William S. Kiser qualified as Administrator of the personal estate of Donna Jean Kiser, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Donna Jean Kiser departed this life on the 18th day of December, 2013, aged eighty-one years.

Attest:

 Clerk

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

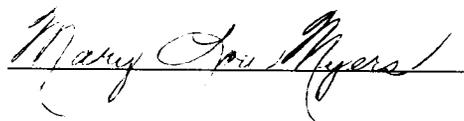
In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Friday, December 20, 2013.

This day came William Eric Childers, son of Charlotte D. Childers, deceased, and moved the Clerk that he be appointed Administrator of the estate of his said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said William Eric Childers as such Administrator.

THEREFORE, William Eric Childers as principal together with Western Surety Company as his surety, entered into and 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 William Eric Childers qualified as Administrator of the personal estate of Charlotte D. Childers, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Charlotte D. Childers departed this life on the 18th day of December, 2013, aged sixty-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 said Commission on Friday, December 20, 2013.

This day came Terry Boram Given, daughter of Cecil E. Boram, deceased, and presented and offered for probate a paper writing bearing date the 21st day of February, 1972, 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 Beatrice E. Brooks and Monoka J. Moore. The said affidavit set forth the fact that the said Cecil E. Boram, 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 Beatrice E. Brooks and Monoka J. Moore 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:

Mary Ann Myerson 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, December 20, 2013.

WHEREAS, Cecil E. Boram whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Naomi Boram as Executrix thereof and requested that no bond be required of her as such Executrix. Whereas the said Naomi Boram has since departed this life. The Will further named Terry Boram Given as such Executrix and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Terry Boram Given and qualified as Executrix of the Will of Cecil E. Boram deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Cecil E. Boram departed this life on the 17th day of May, 2013, aged eighty-six years.

Attest:

Mary Ann Myerson Clerk

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

Commission sat pursuant to adjournment of Monday, December 16th 2013.

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

The foregoing proceedings of this Commission were approved and signed by the President.

IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Expression of appreciation** – The Lewis County Commission wished to express thanks to the Lewis County Assessor's office staff and the Bendale Church women for the Christmas Dinner.
2. **Upshur County Agenda** – A copy of the Upshur County Commission Agenda for December 19, 2013 was filed. No comments.
3. **Mini Grant Completion** – A copy of the mini grant completion report for the Straight Fork CEO's was filed. The grant was for Breast Cancer Awareness Luncheon. \$7.29 was not spent and returned to the commission.
4. **National Association of Counties Prescription Drug Discount Card Utilization Report for Lewis County** – A summary of Lewis County utilization of the National Association of Counties Prescription Drug Discount Program for November, 2013 was filed. Sixty-one citizens used the card for an average savings of 25.23%. Cards are available for any resident of Lewis County without prescription insurance or who have prescriptions not covered by their insurance provider.

IN RE: BOARDS & COMMITTEES REPORTS

Commissioner Thomas Fealy did not attend the LEPC meeting but Mr. Bill Rowan and Mr. Jim Gum attended. Mr. Rowan reported that the LEPC got the funding for the storage container and it will be delivered after the first of the year.

Commissioner Patrick Boyle and Mr. Bill Rowan attended the Haz Mat and Fire Association meeting. Mr. Rowan reported that Mr. Steve Byers will be finishing the Haz Mat inventory this week. Mr. Rowan also reported that Gary Hall reported on legislative issues. The fire academy will get funding to help with workers comp and the balance will go to the volunteer fire departments in the state.

County Administrator Cindy Whetsell and John Snyder, Dog Warden attended a meeting with Jan Cochran, Lewis Upshur Dog Pound and Megan Pomeroy, Upshur County Administrator. They are trying to iron out the difference in the policies of Lewis and Upshur Counties. Lewis County policy for quarantined dogs is that they have to be picked up by the owner. Upshur County policy leaves it to the discretion of the pound personnel. This has been sent to the prosecuting attorney for review.

**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: OATH OF OFFICE, CHARLES STRALEY LEWIS COUNTY PLANNING COMMISSION

Charles Straley being approved for the position of board member to the Lewis County Planning Commission appeared before the commission to take his oath of office. Oath of office was given by President Patrick D. Boyle. Oath of Office is recorded in Oath of Office Book 2 Page 145. Mr. Straley also reported on the public meeting at the Lewis County Senior Center for the Lewis County Comprehensive Plan. Ten people other than the presenters attended the meeting. Mr. Straley reported that they are going to try to address the problem of addressing seniors separately before presenting the document to the commission.

IN RE: APPROVAL OF PURCHASE OF ELECTION MODEL DS850 SCANNER

Mary Lou Myers, County Clerk presented to the commission a quote for \$95,500.00 for purchase of a model DS850 High Speed Digital Image Scanner. On motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous to approve purchase of the scanner. Funds will be transferred from the contingencies line to 001-983-459.0 (County clerk/Elections/capital projects).

IN RE: HIRING TWO PART TIME CUSTODIAL STAFF

On December 11, 2013 the Lewis County Commission interviewed for the part-time evening custodians, on motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the hiring of David Reed and Debra Ellis at the rate of \$10.00 per hours not to exceed 20 hours per week beginning January 1, 2014. The custodians will be paid out of 424 Courthouse.

IN RE: HIRING OF FULL TIME ADMINISTRATIVE ASSISTANT

Mr. William Rowan, Director 911 Center presented to the commission five names from 19 applications received. On motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to approve the name in the number one position, Leslie Slaughter. Mr. Rowan also requested that the probation period for insurance be waived and that was also approved. Start date for Leslie Slaughter is January 16, 2014 at the rate of \$12.00 per hour.

IN RE: MILEAGE REIMBURSEMENT RATE INCREASE TO .56 PER MILE

On motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous to approve the change in the mileage rate reimbursement as of January 1, 2014 to .56 per mile as per the IRS code.

IN RE: ANNEX UPDATE

As reported by Lucinda Whetsell, there will be a meeting at 2 pm today with Silling and Associates, March Westin, ASAP, and the Lewis County Commission.

**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: EDA UPDATE

Michael Herron, EDA Executive Director reported that coal lost 43% through closure of power plants, which means more dependence on natural gas. T. J. Meadows is working to get the natural gas station at the old industrial park open by December 31, 2013, when tax credits run out. More and more fleets are converting to natural gas. The new industrial park is working on the access road grant, widening the road to three lanes. They are looking into paving the road with the grant. Midstream is scheduled to be opened by the end of the year. A new oil and gas company is moving into the old JDad building.

IN RE: REQUEST FROM HOLLAND SERVICES TO BE OPEN SATURDAYS

Tiffany Hess and Jennifer Cosner appeared before the commission requesting that the county clerk's office be opened on Saturdays until January 15. Ms. Cosner reported having a dead line for 18 title searches. If the deadline is met it would mean 2-3 years work in this area.

On motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous to enter into executive session as per WV Code 6-9A-4 at 10:46 AM.

On motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to return to regular session at 11:10 AM.

President Patrick D. Boyle explained that no decision could be reached in executive session. He said that the commission is going to have the Prosecuting Attorney Michael Smith look at the decision letter from the Attorney General Patrick Morrissey and render an opinion on the legality of opening the county clerks record room on Saturday.

IN RE: FOR YOUR INFORMATION

President Patrick Boyle requested that Lucinda Whetsell send out copies of the emails to county offices that the governor's office will not be closing for a full day on Christmas eve and that the commission is following the governors dictates.

Prosecuting Attorney Michael Smith request use of the conference rooms outside of his office ,that have been given to home confinement and process server. Mr. Smith opined that he would only need the room on Tuesdays and Thursdays. Commission directed Cindy Whetsell to coordinate between the sheriff and prosecuting attorney on this problem.

Cindy Whetsell informed the commission that the medical coroner in a case has moved to Texas and if needed to testify there will be expenses associated with the case.

Cindy Whetsell was directed to check into hiring from a temporary agency for the time that Phyllis Corathers will be gone from the office.

IN RE: PHYLLIS CORATHERS REQUEST FOR DONATED LEAVE

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

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

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:

Paul Michael Fulks & Melody Lu Fulks Bennett, Co-Executor and Co-Executrix
Waiver of Settlement of the Fiduciary Account of the Estate of Shirley B. Fulks, deceased.

Christopher Robert Franklin, Executor, Waiver of Settlement of the Fiduciary
Account of the Estate of Juanita Lamb, deceased.

Donna Jo Hull & Donald George Markley, Jr., Co-Executrix and Co-Executor,
Waiver of Settlement of the Fiduciary Account of the Estate of Mary Jo Markley, 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:

70217	Thomas J. Alkire	12/23/2013	99.90
70218	Frontier	12/23/2013	8.86
70219	Guttman Oil Company	12/23/2013	933.06
70220	Ireland Community Corp	12/23/2013	1,000.00
70221	Travelers	12/23/2013	54,243.58
70222	WV Pros. Attorneys' As	12/23/2013	600.00
	GENERAL COUNTY	TOTAL	56,885.40

ASSESSORS VALUATION FUND CLAIMS

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

2863	Dwight T. Goff	12/23/2013	6,150.00
2864	Guttman Oil Company	12/23/2013	85.24
	ASSESSOR	TOTAL	6,235.24

E-911 COMMUNICATION CLAIMS

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

7540	NENA	12/23/2013	548.00
	E-911	TOTAL	548.00

**ORDERS---BOARD OF COMMISSIONERS, LEWIS COUNTY
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CONCEALED WEAPONS CLAIMS

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

798	United Bank	12/19/2013	29.98
	CONCEALED WEAPON	TOTAL	29.98

CITIZENS EDUCATION FUND 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:

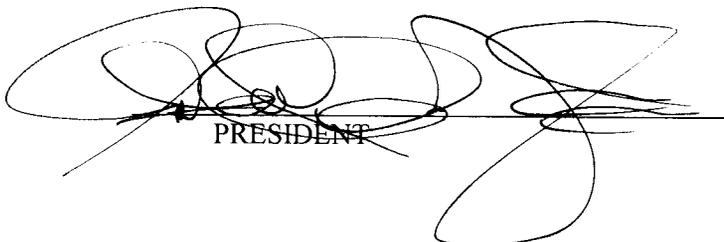
456	United Bank	12/19/2013	3,942.48
	CITIZENS ED	TOTAL	3,942.48

IN RE: CHECKS RECEIVED

Clarksburg, City of	\$1,137.68	Prudential	\$106.00
WV, State of	2,597.75	WV, State of	1,000.00

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, December 30th, 2013.



 PRESIDENT