

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

State of West Virginia;

County of Lewis, To-Wit;

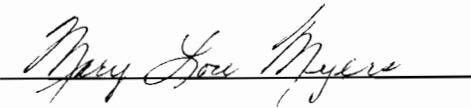
In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Tuesday, August 19, 2014.

This day came Keith Stalnaker, brother of Edsel (NMI) Stalnaker, deceased, and presented and offered for probate a paper writing bearing date the 22nd day of February, 2012, 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 Robert R. Fultineer, Sr and Nga T. Golden. The said affidavit set forth the fact that the said Edsel (NMI) Stalnaker, 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 Robert R. Fultineer, Sr. and Nga T. Golden signed their names to said paper writing in the presence of the said Testator and in the presence of each other as the attesting witnesses thereto.

The said Will being thus proved, is admitted to probate and ordered to be filed and recorded as directed by law.

Attest:

 Clerk

State of West Virginia;

County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Tuesday, August 19, 2014.

WHEREAS, Edsel (NMI) Stalnaker, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Keith (NMI) Stalnaker as Executor thereof and requested that no bond be required of him as such Executor. THEREUPON, personally appeared the said Keith Stalnaker and qualified as Executor of the Will of Edsel (NMI) Stalnaker, deceased, by taking the oath prescribed by law.

It is stated by said Executor that Edsel (NMI) Stalnaker departed this life on the 12th day of August, 2014, aged ninety years.

Attest:

 Clerk

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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, August 22 2014.

William Eugene Hibbs appeared at an earlier date and presented and offered for probate a paper writing bearing date the 18th day of February, 2014, purporting to be the Last Will and Testament of Ida Belle Hibbs, deceased.

And, it appearing to the Clerk that the said decedent, at the time of her death, had a known place of residence in the County of Lewis, State of West Virginia, and it further appearing that the said paper writing had attached thereto, an affidavit signed by Herbert Grogg and Russell Cavalier. The said affidavit set forth the fact that the said Ida Belle Hibbs, 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 Herbert Grogg and Russell Cavalier signed their names to said paper writing in the presence of the said Testatrix and in the presence of each other as the attesting witnesses thereto.

The said Will being thus proved, is admitted to probate and ordered to be filed and recorded as directed by law.

Attest:

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 Friday, August 22, 2014.

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

It is stated by said Executrix that Ida Belle Hibbs departed this life on the 2nd day of August, 2014, aged seventy-four years.

Attest:

Mary Lou Myers Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, AUGUST 25, 2014**

Commission sat pursuant to adjournment of Monday, August 18, 2014.

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

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.

William & Mable Smarr	\$	163.66	Donald A. Bagley - Corrective Ticket	\$	8.45
Patrick J. Robinette	\$	73.24	Thomas O. or Joann Salmon	\$	31.41
C. G. Alfred Heirs	\$	33.80	Myers Body Shop & Rebuilders	\$	23.07
Justus A. Eakin - Corrective Ticket	\$	8.45			

IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Meeting Agenda** – A copy of the Upshur County Commission meeting Agenda for August 21, 2014 was filed. No comments.
2. **Mountain Lakes Convention and Visitor's Bureau** – The Annual report for the Mountain Lakes Convention and Visitor's Bureau was filed. Large bound report available at the Lewis County Commission office upon request.
3. **Lewis County Planning Commission** – The agenda for the Lewis County Planning Commission meeting of August 20, 2014 was filed. No comments.
4. **West Virginia Attorney General Opinion Regarding County Retiree Health Insurance** – The opinion of Attorney General as requested by the Lewis County Commission pertaining to county retiree health insurance subsidy was received. Commissioner Thomas Fealy commented that it was up to the commission as to what to do, changes could be made. The opinion is available upon request at the Lewis County Commission or County Clerk's office.
5. **WV Division of Highways Statewide Transportation Improvement Projects** – A list of Statewide Transportation Improvement Program (STIP) Projects for 2014 – 2019 showing the proposed amendments to the approved 2014 – 2019 STIP was filed. Written comments will be received until August 26, 2014. President Agnes Queen commented that Lewis County was not on the list.
6. **Lewis Upshur Community corrections Day Report Center** – A request for 2014-2015 fiscal year match for Lewis County's contribution. Total match is \$43,859.00 with \$13,254.00 being cash match. The balance is the Home Confinement officer's salary listed as in kind match.

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IN RE: BOARD AND COMMITTEE REPORTS

President Agnes G. Queen and County Administrator Cindy Whetsell attended a meeting at the library with Danny Gum. Meeting was about inventorying the antiques.

President Agnes G. Queen and County Administrator Cindy Whetsell attended a meeting at the Lewis County Park regarding bridge repair.

President Agnes G. Queen and County Administrator Cindy Whetsell attended a meeting with the Lewis County Planning Commission. The planning commission is working on a handout to be distributed to newcomer to Lewis County. It will be presented at the next Lewis County Commission meeting.

**IN RE: GARY HALL, LEWIS COUNTY FIREFIGHTERS ASSOCIATION
ON FUNDING FOR METH LABS**

President of the Lewis County firefighters Association, R. Gary Hall, appeared before the commission requesting funding for a class on how to handle meth labs if there is a fire. Mr. Hall said they are inviting 5 (five) members from each fire department and the EMS to attend. If there are any openings in the class, the sheriff's officer could attend. The class is being presented by the West Virginia University. 16 continuing education credits will be given for the class. On motion of Thomas Fealy, second by Agnes G. Queen, motion passing to table request until next week. Commission is going to check with Sheriff Adam Gissy to see if he is willing to pay for the class.

IN RE: SOFTWARE SYSTEMS INC MAINTENANCE CONTRACTS

On motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to approve the Software Systems, Inc. maintenance contracts as follows (monthly cost):

Program	Last Year	New Year
DMV Processing	\$ 53.00	\$ 78.00
Tax Collection	\$390.00	\$352.00
Tax Internet Inquiry	\$102.00	\$102.00
System/Hardware	\$153.00	\$ 97.00
Assessor Supplementals	\$ 53.00	\$ 58.00
Budget/Payroll	\$ 2.00	\$ 2.00
Jury Selection & Processing	\$ 52.00	\$ 52.00
Circuit Court Processing	\$213.00	\$228.00

IN RE: DENIAL OF REQUEST TO TRANSFER SICK LEAVE, SCOTT CHAPMAN

Scott Chapman, Deputy Assessor requested to transfer his sick time from his prior position at West Virginia University, Jackson Mill to his current position with the Lewis County Assessor's office. After discussion and on motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to deny the request.

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IN RE: EDA UPDATE

Michael Herron, EDA Executive Director appeared before the commission with the following update:

1. IJADC meeting Tuesday, the engineering surveyors are working on Roanoke water project.
2. Prison Industries – checking on labor provided, not to compete with private industries.
3. Met with the Mayor on setting up a series of public meetings to attract industry.

FOR YOUR INFORMADTION – CINDY WHETSELL

1. Send a letter to the offices in the annex that all carpets need to be cleaned.
2. Met with John Snyder and Bill Rowan on the dispatch of animal control officer. The law enforcement officers direct 911 operators to call Animal Control Officer John Snyder, without checking to make sure it was a vicious dog. Sheriff Gissy and Chief Hyre will direct officers to check and if not vicious dog, ACO Snyder will be scheduled for next day.

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:

Charles T. Raines, Executor, Waiver of Settlement of the Fiduciary Account of the Estate of John F. Raines, deceased.

Willie V. Mick, Jr., Executor, Waiver of Settlement of the Fiduciary Account of the Estate of Willie V. Mick, 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;

Mary Lou Bonnett, Administratrix, Affidavit of Personal Representative, Unadministered Estate of Donald E. Enoch, deceased.

David Lewis Rastle, Executor, Affidavit of Personal Representative, Unadministered Estate of Lucille Rastle, deceased

Minda Louise Fisher Briley, Executrix, Affidavit of Personal Representative, Unadministered Estate of Sandra Ruth Hosay, aka Ruth Sandra Hosay, deceased.

Joyce A. Nicholson, Administratrix, Affidavit of Personal Representative, Unadministered Estate of Jonathan Brian Nicholson, deceased

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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 July, 2014, 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:

Hunter M. Bennett, Jr., Executor, Receipts and Disbursements and Final Accounting
Of the Fiduciary Account of the Estate of Madge Hinzman Bennett, deceased

ASSESSORS VALUATION FUND CLAIMS

ORDERED, that drafts be issued payable out of the 2015, Levy, ASSESSORS VALUATION FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

2914	Guttman Oil Company	08/25/2014	50.94
	Assessor Valuation Fund	Total	50.94

MISCELLANEOUS CLAIMS

ORDERED, that drafts be issued payable out of the 2015, Levy, GENERAL COUNTY FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

70884	Co Commissioners' Assoc	08/25/2014	600.00
70885	Guttman Oil Company	08/25/2014	1,281.21
70886	Inmate Services Corp	08/25/2014	350.00
70887	Lewis County Park	08/25/2014	6,014.00
70888	Spilman Thomas & Battle	08/25/2014	3,500.00
70889	Sheriff Upshur County	08/25/2014	13,254.00
	General County Fund	Total	24,999.21

E-911 EMERGENCY COMMUNICATION CLAIMS

ORDERED, that drafts be issued payable out of the 2015, Levy, E-911 EMERGENCY COMMUNICATION FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

7717	Guttman Oil Company	08/25/2014	65.30
7718	WHAW Radio	08/25/2014	247.50
	E911 Fund	Total	312.80

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HOME CONFINEMENT CLAIMS

ORDERED, that drafts be issued payable out of the 2015, Levy, HOME CONFINEMENT FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

2419	Constance Rinehart	08/25/2014	105.00
	Home Confinement Fund	Total	105.00

DOG AND KENNEL CLAIMS

ORDERED, that drafts be issued payable out of the 2015, Levy, DOG AND KENNEL FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

2601	Guttman Oil Company	08/25/2014	103.79
	Dog & Kennel Fund	Total	103.79

MAGISTRATE COURT CLAIMS

ORDERED, that drafts be issued payable out of the 2015, Levy, MAGISTRATE COURT FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

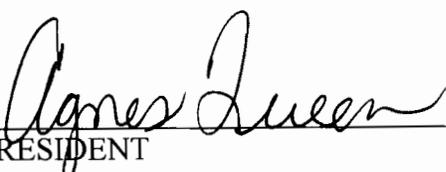
1927	Michael Gissy	08/25/2014	24.95
	Magistrate Court Fund	Total	24.95

IN RE: CHECK S RECEIVED

Lewis County Park	\$17,113.83
WV, State of	1,702.22
LC Emerg. Ambul. Auth	38,633.06

Given under my hand this 25th day of August, 2014.

ORDERED, That this Commission doth now adjourn until Tuesday, September 2nd, 2014.



PRESIDENT