

**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, September 16, 2014.

This day came Amy E. Kovach, daughter of Susan Elizabeth Bullion, deceased, and filed an affidavit signed by William W. Bullion, heir of said decedent, requesting that she be appointed as such Administratrix of his said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Amy E. Kovach as such Administratrix.

THEREFORE, Amy E. Kovach as principal together with Bill Bullion 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 Amy E. Kovach qualified as Administratrix of the personal estate of Susan Elizabeth Bullion, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Susan Elizabeth Bullion departed this life on the 18th day of August, 2014, aged sixty-four years.

Attest:

State of West Virginia;

County of Lewis, To-Wit;

Mary Lou Myers Clerk

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 19, 2014.

Kathy Garrett appeared at a former date and presented and offered for probate a paper writing bearing date the 27th day of September, 2005, purporting to be the Last Will and Testament of Mary Garrett Riddle, 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 Tina M. McHenry and Joan L. Riffle. The said affidavit set forth the fact that the said Mary Garrett Riddle, 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 Tina M. McHenry and Joan L. Riffle 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

**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, September 19, 2014.

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

It is stated by said Executor that Mary Garrett Riddle departed this life on the 6th day of September, 2014, aged ninety-one years.

Attest:

Mary Ann Myers Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, SEPTEMBER 22, 2014**

Commission sat pursuant to adjournment of Monday, September 15, 2014.
PRESENT: Honorable Agnes G. Queen, President, and Thomas V. Fealy and Patrick D. Boyle, Commissioners.
The foregoing proceedings of this Commission were approved and signed by the President.

IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Agenda** – A copy of the Upshur County Commission agenda for September 18, 2014 was filed.
2. **Lewis County Parks and Recreation Agenda and Meeting Minutes** – The Lewis County Parks and Recreation agenda for Monday, September 15, 2014 and minutes of August 25, 2014 meeting was filed. No comments.
3. **Lewis County Regional Jail Invoice for August, 2014** – The Lewis County regional jail invoice for August, 2014: 1850 inmate days X \$48.25 per day = \$89,232.50. The regional jail bill dropped from last month's high of \$97,368.50.
4. **Change to Shentel Cable Channel Line-up** – Channel 182 – Glenville State College will be added to Shentel Cable for Lewis County customers on/after October 7, 2014. No comments.
5. **Jane Lew Public Service District meeting Minutes** – The minutes of the regular meeting of August 14, 2014 and minutes of the special meeting of August 7, 2014 was filed. Frank Lydon questioned the PSD selling mineral rights for \$5,000.00. Commissioner Boyle responded he asked the same question and was told it was a very small amount.
6. **Trans Allegheny chapter of the Daughters of American Revolution Thank You** – A note of appreciation from this organization for the proclamation of Constitution Week September 17 – 23, 2014 was received.
7. **West Virginia Department of Agriculture Certificate of Farm Statistic Compliance** – Assessor T. Chad Kelley has satisfactorily complied with the requirements of the West Virginia Department of Agriculture farm statistics law. President Queen asked Mr. Kelley to convey the thanks of the commission for a job well done.

IN RE: BOARD AND COMMITTEE REPORTS

President Agnes G. Queen and Commissioner Thomas V. Fealy attended the town hall meeting of Consol Gas. Commission was disappointed with the non-answered questions. Over 500 citizens attended. Commission felt more in-depth information was needed.

President Agnes G. Queen attended the Dominion Gas meeting in Buckhannon. The same problems (lack of in-depth information) was encountered at that meeting.

President Agnes G. Queen, County Administrator Cindy Whetsell, Lea Anne Hawkins, Prosecuting Attorney, and Sandra Smith, Deputy Circuit Clerk attended a meeting at the Regional Jail. They are looking for ways to cut the regional jail bill.

President Agnes G. Queen also attended the Lewis County Park and Recreation Board meeting.

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IN RE: CITY OF WESTON, COMPREHENSIVE PLAN

Julia Spelsburg, Mayor of Weston, Shannon Cunningham, Vice-President of the Weston Planning Commission presented the draft copy of the City of Weston's Comprehensive Plan. A copy if available for review at the Lewis County Commission's office. The commission was invited to the Weston Planning Commission meetings the second Tuesday of every month.

IN RE: LEWIS COUNTY COMMISSION PERSONNEL POLICY CHANGES

On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve tabling the vote on the personnel policy changes. Commission wishes to review the changes.

IN RE: LEWIS COUNTY RETIREE HEALTHCARE SUBSIDY MODIFICATIONS

Currently the county subsidizes retiree healthcare by paying 75% of the cost for the retiree and 50% for the cost of dependent coverage. On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve the suggested change of reimbursing the employee costs on a sliding scale mirroring the subsidy used by the West Virginia Public Employees Insurance Agency considering years of service. There will be no dependent subsidy. The effective date of this change is employees retiring after December 31, 2014. Current retirees or employees retiring before January 1, 2015 will be covered at the old rate of 75% of the cost for the retiree and 50% for the cost of dependent coverage.

IN RE: CITIZEN REQUEST CONCERNING "NO JAKE-BRAKE ZONE"

The commission received a request from David R. Martin, Lewis County Citizen for a no jake-brake zone on Route 33 at the intersection of Berlin Road. After discussion the request was to be sent to the City of Weston and the West Virginia Department of Transportation. The intersection is within the City of Weston city limits.

IN RE: CITIZENS CONCERNS REGARDING DRILLING ACTIVITY IN LEWIS COUNTY

Citizens Allen Shaw and John Cobb addressed the commission on their concerns over the safety of drilling and proposed gas lines in Lewis County. No action was taken.

IN RE: APPOINTMENT OF ALYCE HENRY TO THE LEWIS COUNTY PARKS AND RECREATION BOARD MEMBER

At the recommendation of the Lewis County Parks and Recreation Board to replace the position on the board left by the resignation of Connie Chapman with Alyce Henry and on motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve Alyce Henry.

IN RE: APPROVAL OF LEAVE REQUEST

On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve the following leave request:

Homer Parsons	October 6 thru 10, 2014	5 days Annual leave
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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:

Patricia Bush, Executrix, Annual Receipts and Disbursements of the Fiduciary Account of the Estate of Wilber H. Cox 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;

Ann Marie Riley Zirkle, Executrix, Affidavit of Personal Representative, Unadministered Estate of Faye E. Riley, deceased.

IN RE: REPORT OF HEARING FOR ACCOUNTS FOR JOSEPH W. WAGONER.,
FIDUCIARY COMMISSIONER

Joseph W. Wagoner, Fiduciary Commissioner, having filed with the Clerk of this Commission during the month of September, 2014, and at least ten (10) days prior to this date, the following Report of Hearing for Claims and Shares of Distributees, which have been made by him, advertised and otherwise handled in accordance with the Statutes; and there having been no objections thereto, the same is hereby confirmed:

W. Todd Hall, Administrator of the Estate of Marcellus Ralph Hall, deceased

IN RE: SETTLEMENT OF ACCOUNTS FOR CHARLES C. HATHAWAY,
FIDUCIARY COMMISSIONER

Charles C. Hathaway., Fiduciary Commissioner, having filed with the Clerk of this Commission during the month of September, 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 is hereby confirmed:

Robert A. D'Angelo, Executor, Waiver of Accounting and Final Settlement of the Fiduciary Account of the Estate of Arthur D'Angelo, deceased

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: PROBATING THE LAST WILL AND TESTAMENT OF
EDWARD KENNEDY BLANKENBAKER, DECEASED

This day came Nancy Louise Blankenbaker, wife of Edward Kennedy Blankenbaker, deceased, and presented and offered for probate a paper writing bearing date the 20th day of January, 2012, purporting to be the Last Will and Testament of her said decedent.

And, it appearing to the Commission 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 W. T. Weber, III and Cynthia Angotti. The said affidavit set forth the fact that the said Edward Kennedy Blankenbaker, 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 W. T. Weber, III and Cynthia Angotti 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.

IN RE: QUALIFICATION OF NANCY LOUISE BLANKENBAKER, EXECUTRIX OF
THE WILL OF EDWARD KENNEDY BLANKENBAKER, DECEASED

WHEREAS, Edward Kennedy Blankenbaker, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Nancy Louise Blankenbaker, Executrix thereof and requested that no bond be required of her as such Executrix.

THEREUPON, personally appeared the said Nancy Louise Blankenbaker and qualified as Executrix of the Will of Edward Kennedy Blankenbaker, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Edward Kennedy Blankenbaker departed this life on the 12th day of September, 2014, aged seventy-three years.

ASSESSORS VALUATION 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:

2922	Guttman Oil Company	09/22/2014	57.13
	Assessors Valuation Fund	Total	57.13

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:

2605	Guttman Oil Company	09/22/2014	98.02
	Dog & Kennel Fund	Total	98.02

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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:

70927	AFLAC	09/22/2014	188.44
70928	Biser's Radio Service	09/22/2014	2,500.00
70929	CSSI, Inc.	09/22/2014	11,769.00
70930	Dominion Hope	09/22/2014	126.37
70931	Guttman Oil Company	09/22/2014	1,521.95
70932	Jackson's Mill V.Fire Dep	09/22/2014	1,000.00
70933	Lewis County Park	09/22/2014	21,773.99
70934	LC Conven. & Visitors Bur	09/22/2014	20,936.53
70935	Louis Bennett Pub.Library	09/22/2014	8,374.62
70936	Mt Lake Convention &	09/22/2014	20,936.53
70937	Straight Fork CEOS	09/22/2014	1,000.00
70938	Town of Jane Lew	09/22/2014	11,724.46
70939	Travelers	09/22/2014	52,954.50
70940	Weston Sanitary Board	09/22/2014	232.08
	General County Fund	Total	155,038.47

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:

7735	Lewis Co. CPR Training Cn	09/22/2014	25.00
7736	Weston Sanitary Board	09/22/2014	41.67
	E911 Fund	Total	66.67

IN RE: CHECK S RECEIVED

Lewis County Park	\$ 6,358.18
Prudential	106.00

Given under my hand this 22nd day of September 2014.

ORDERED, That this Commission doth now adjourn until Monday, September 29th, 2014.


PRESIDENT