

**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 23, 2014.

Roger D. Gould appeared at a former date and presented and offered for probate a paper writing bearing date the 15th day of April, 1977, purporting to be the Last Will and Testament of Wanda Gould Adams, deceased.

And, it further 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 appearing that the said paper writing was signed by Gerald H. Brooks and Beatrice E. Brooks as the two attesting witnesses thereto, and it further appearing that the said Gerald H. Brooks has since departed this life.

THEREFORE, before the undersigned authority, in the county of Lewis, State of West Virginia this day personally appeared Beatrice E. Brooks, who being first duly sworn upon her oath, did depose and say that Wanda Gould Adams, the Testatrix, signed and declared the said paper writing as and for her Last Will and Testament in her presence and at the time thereof, the said Testatrix was of sound mind and disposing memory and over the age of eighteen years. And, at the request of the said Testatrix, she, the said Beatrice E. Brooks, signed her name to the said paper writing in the presence of the said testatrix and in the presence of Gerald H. Brooks, the other attesting witness thereto.

And, came also W. T. Weber, III, who being first duly sworn, did depose and say that he is well acquainted with the handwriting of the said Gerald H. Brooks, deceased, and verily believe that the signature of the said Gerald H. Brooks as the attesting witness to the Will of Wanda Gould Adams, is his genuine signature.

The said Will being thus proved, is admitted to probate and ordered to be recorded and filed 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, September 23, 2014.

WHEREAS, Wanda Gould Adams, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Ercil Gould as Executor thereof and requested that no bond be required of his as such Executor. Whereas, the said Ercil Gould has since departed this life. The Will further named Roger D. Gould as Executor thereof with no bond required of him as such Executor. THEREUPON, personally appeared the said Roger D. Gould and qualified as Executor of the Will of Wanda Gould Adams, deceased, by taking the oath prescribed by law.

It is stated by said Executor that Wanda Gould Adams departed this life on the 9th day of September, 2014, aged eighty-eight years.

Attest:

 Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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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 Thursday, September 25, 2014.

George Cumberledge appeared at a former date and presented and offered for probate a paper writing bearing date the 21st day of May, 1976, purporting to be the Last Will and Testament of Helen A. Masters, deceased.

And, it further 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 appearing that the said paper writing was signed by Raymond R. Hyre and Allegra Burch as the two attesting witnesses thereto, and it further appearing that the said Raymond R. Hyre and Allegra Burch has since departed this life.

THEREUPON, by signed Affidavit by J. K. Chase, who being first duly sworn upon his oath, did depose and say that he is well acquainted with the handwriting of the said Raymond R. Hyre, deceased and verily believe that the signature of the said Raymond R. Hyre as the attesting witness to the Will of Helen A. Masters, is his genuine signature.

And, also by signed Affidavit by Sharon A. Fankhauser, who being first duly sworn, did depose and say that she is well acquainted with the handwriting of the said Allegra Burch, deceased, and verily believe that the signature of the said Allegra Burch as the attesting witness to the Will of Helen A. Masters, is her genuine signature.

The said Will being thus proved, is admitted to probate and ordered to be recorded and filed 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 Thursday, September 25, 2014.

WHEREAS, Helen A. Masters, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Kenneth L. Masters as Executor thereof and requested that no bond be required of him as such Executor. Whereas, the said Kenneth L. Masters has since departed this life. The Will further named Patricia L. Cumberledge and Jocelyn M. Heath as Co- Executrices thereof with no bond required of them as such Co-Executrices. Whereas the said Jocelyn M. Heath has since departed this life. THEREUPON, personally appeared the said Patricia L. Cumberledge and qualified as Executrix of the Will of Helen A. Masters, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Helen A. Masters departed this life on the 5th day of May, 2003, aged eighty 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 Thursday, September 25, 2014.

This day came Jackie Lee McCullough, husband of Alda Avis McCullough, deceased, and presented and offered for probate a paper writing bearing date the 6th day of March, 1992, 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 her death, had a known place of residence in the County of Lewis, State of West Virginia, and it further appearing that the paper writing had attached thereto, an affidavit signed by Frances Yeager and Bernice Linger. The said affidavit set forth the fact that the said Alda Avis McCullough, 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 Frances Yeager and Bernice Linger 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.

And, also presented and offered for probate a paper writing bearing date the 20th day of January, 2012, purporting to be a Codicil to the Last Will and Testament of Alda Avis McCullough, deceased.

And it further appearing that the said paper writing had attached thereto, an affidavit subscribed by Cynthia L. Gain and LouEllen Blake. The said affidavit set forth the fact that the said Alda Avis McCullough, the Testatrix, signed and declared the said paper writing as and for a Codicil to 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 year. And, at the request of the said Testatrix, they, the said Cynthia L. Gain and LouEllen Blake both 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 and Codicil being thus proved, is admitted to probate and ordered to be filed and recorded as directed by law.

It is stated by the said Jackie Lee McCullough that the said Alda Avis McCullough departed this life on the 29th day of June, 2013, aged seventy years.

Attest:

 Clerk

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, SEPTEMBER 29, 2014**

Commission sat pursuant to adjournment of Monday, September 22, 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: 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 Patrick D. Boyle, motion passing, the following amounts were released.

Joseph or Janet Waggoner - 2013	\$	261.87
Joseph or Janet Waggoner - 2014	\$	219.55
Robert & Margaret McClung	\$	36.92

IN RE: R. GARY HALL, LEWIS COUNTY FIREFIGHTERS THANK COMMISSION

R. Gary Hall, Lewis County Firefighters Association appeared before the commission to thank them for their donation of funds to attend the Meth Class training at the Firefighters Academy. Approximately 30 individuals from Lewis County attended the training.

IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Agenda** – A copy of the Upshur County Commission agenda for September 25, 2014 was filed.
2. **Lewis/Upshur (Local Emergency Planning Committee) Meeting Minutes and Agenda** – The meeting agenda for the September 17, 2014 and minutes for August 20, 2014 meeting including financial report was filed.

IN RE: BOARD AND COMMITTEE REPORTS

President Agnes G. Queen and Commissioners Thomas V. Fealy and Patrick D. Boyle attended a conference call with EQT. Commission was informed of a possible second pipe line to be built through Lewis County. Two possible routes were discussed. This is still in the planning stages. Line will go to Virginia

President Agnes G. Queen attended the EDA Board meeting.

President Agnes G. Queen attended the Lewis County Park and Recreation meeting. The members looked at handicap accessible playground equipment to order.

County Administrator Cindy Whetsell attended a Central WV Community Action meeting. They have opened a new site in Lewis County at the old Kids R Kids building.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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**IN RE: RESIGNATION OF CINDY SHAVER,
LEWIS COUNTY PARK AND RECREATION BOARD**

On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve the resignation of Cindy Shaver from the Lewis County Park and Recreation Board. The Commission was very appreciative of the years of service put in by Ms. Shaver.

**IN RE: APPROVAL OF BARBARA PAUGH TO THE
LEWIS COUNTY PARK AND RECREATION BOARD**

At the recommendation of Gene Edwards, President of the Lewis County Park and Recreation Board to approve Barbara Paugh to fill the unexpired term of Cindy Shaver on the board, upon motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve Barbara Paugh as new board member.

IN RE: APPROVAL OF LEWIS COUNTY PERSONNEL POLICY MODIFICATIONS

The Lewis County Commission met in several work sessions to discuss modifications to the County Personnel Policy. The draft including revisions was presented to the County Commission for review at the September 22, 2014 meeting. Consideration of approval was tabled to allow the Commission to review the draft. President Agnes G. Queen recommended removal of the change on page 23 (Social Media). On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve the draft with the recommended change.

IN RE: INVITATION TO THE LEWIS COUNTY 4-H CELEBRATION CIRCLE

The County Commission has received an invitation to the Lewis County 4-H Celebration Circle on October 5, 2014 at 4:00 PM at the Rotary Pavilion at WVU Jackson's Mill. No action taken.

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:

Barbara Winans	November 3, 5, 6, 7, 10, 12, 13, 14, 2014	8 days Annual leave
Rick Stout	October 17 & 20, November 24, 25, 26	
Rick Stout	December 24 (1/2 day), 26, 29, 30, 31(1/2 day)	56 Hours Annual and 16 Comp Hours

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: 2014-2015 COURTHOUSE FACILITIES IMPROVEMENT GRANT APPLICATION

Upon motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous, the following Courthouse Facilities Improvement Grant application was approved in the amount of \$98,331.40 (\$78,664.00 Grant and 19,666.40 match) for replacement of fluorescent lights with LED in the main courthouse, as well as the following in the former jail: main panel upgrades, fire alarm system, lighting fixtures and controls, branch circuitry, tele-data cabling, and receptacles:

RESOLUTION

The County Commission of Lewis County met on 9/29/14 (date) with a quorum present and passed the following resolution.

Be it resolved that the County Commission hereby authorizes Agnes (first name) Queen (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
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IN RE: NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION

The following Proclamation was approved for signature upon motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous:

National Domestic Violence Awareness Month

Whereas, domestic violence is a serious crime that affects people of all races, ages, income levels, and sexes;

Whereas, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to the systematic use of physical, emotional, sexual, psychological, and economic control or abuse;

Whereas, in our country, more than three women are murdered by their husbands or boyfriends every day;

Whereas, children who grow up in violent homes are believed to be abused and neglected at a rate higher than the national average;

Whereas, domestic violence costs the nation billions of dollars annually in medical expenses, police, court costs, shelters, foster care, sick leave, absenteeism, and non-productivity;

Whereas, only a coordinated community effort will put a stop to this heinous crime;

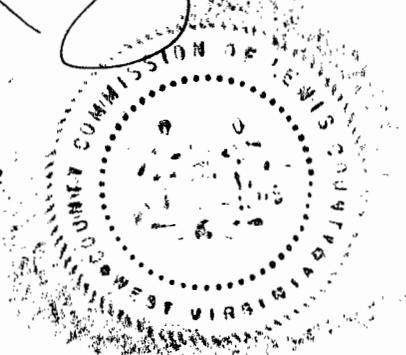
*Now, Therefore, the Lewis County Commission hereby proclaims the month of October 2014 to be **National Domestic Violence Awareness Month** and urges all citizens to participate actively in the scheduled events and programs to eliminate the use of personal and institutional violence against women.*

Agnes Queen
Agnes Queen, President

Thomas Fealy
Thomas Fealy, Commissioner

Patrick Boyle
Patrick Boyle, Commissioner

Attest: *Mary Lou Myers*
Mary Lou Myers, Lewis County Clerk



**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: POSTPONE UMWA LOCAL UNION RESOLUTION REGARDING THE ENVIRONMENTAL PROTECTION AGENCY'S PROPOSED CLEAN POWER PLAN

County Administrator Cindy Whetsell informed the commission that Mr. Marion Russell, United Mine Workers Association representative, could not be present due to an illness. After discussion and on motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve the postponement of action on the UMWA Local Union Resolution regarding the Environmental Protection Agency's proposed clean power plan.

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:

Anna Belmont Thompson, Executrix, Waiver of Settlement of the Fiduciary,
Account of the Estate of Barbara Sue Kerns, deceased.

William Joseph Wyatt, Executor, Waiver of Settlement of the Fiduciary,
Account of the Estate of Betty Tindell, deceased.

Jacob Davis Post, Administrator Waiver of Settlement of the Fiduciary,
Account of the Estate of Jane Davis Post, deceased.

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:

2924	Guttman Oil Company	09/29/2014	47.89
	Assessors Valuation Fund	Total	47.89

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:

70944	CSSI, Inc.	09/29/2014	15,065.00
70945	Guardian	09/29/2014	3,347.00
70946	Guttman Oil Company	09/29/2014	1,312.88
70947	K & Z Construction, LLC	09/29/2014	15,000.00
70948	National Assoc of Countie	09/29/2014	450.00
70949	Diana Posey	09/29/2014	110.88
150004	American Heritage Life (Allstate)	09/26/2014	2,023.18
120138	WV PEIA	09/30/2014	54,206.06
	General County Fund	Total	91,515.00

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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:

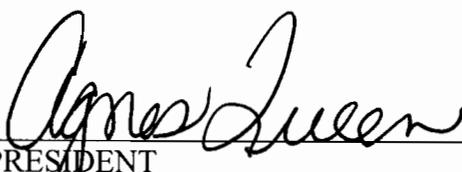
7738	Biser's Radio Service	09/29/2014	7,817.00
7739	Century Link	09/29/2014	22.59
7740	Finish First	09/29/2014	150.00
7741	Foremost Promotions	09/29/2014	2,604.61
7742	Staples	09/29/2014	580.18
7743	Verizon Business Services	09/29/2014	150.00
	E911 Fund	Total	11,324.38

IN RE: CHECK S RECEIVED

WV, State of	\$270.50	WV, State of	\$10,312.50
LC Bd of Education	3,062.20	LC Development Auth.	4,920.84
Upshur Veterinary Hospital	35.00	LC Emerg. Ambulance Auth.	40,748.98
AT&T	122.50	Interface Security Syst.	1.75
Cebridge Telecom WV	84.00	Compliance Solutions, Inc.	85.75
Digital Connections, Inc.	0.64	Frontier	7,238.85
Frontier	1,551.52	Granite Telecomm.	280.00
Hughes Network Syst.	6.93	IDT Corp.	7.00
Level 3 Communications, LLC	31.50	Lumos	637.81
MCIMETRO Access Transmission	3.50	Shentel	2,142.19
Shentel	2,140.98	Vonage	133.00
Gilmer County Sheriff	4,041.29	Gilmer County Sheriff	8,159.45

Given under my hand this 29th day of September 2014.

ORDERED, That this Commission doth now adjourn until Monday, October 6th, 2014.



PRESIDENT