

**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 2, 2014.

Debbie Jones appeared at an earlier date and presented and offered for probate a paper writing bearing date the 26th day of May, 2011, purporting to be the Last Will and Testament of Evelyn Sealie Riffle, 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 W. T. Weber, Jr. and Cynthia Angotti. The said affidavit set forth the fact that the said Evelyn Sealie Riffle, 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 W. T. Weber, Jr. and Cynthia Angotti 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:

 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 2, 2014.

WHEREAS, Evelyn Sealie Riffle, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Debbie Jones and Betty Pumphrey as Co-Executrices thereof and requested that no bond be required of them as such Co-Executrices. THEREUPON, personally appeared the said Debbie Jones and Betty Pumphrey and qualified as Co-Executrices of the Will of Evelyn Sealie Riffle, deceased, by taking the oath prescribed by law.

It is stated by said Co-Executrices that Evelyn Sealie Riffle departed this life on the 28th day of November, 2014, aged seventy-seven years.

Attest:

 Clerk

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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, December 2, 2014.

This day came Lonnie Kincaid and Delores Jean Moats, son and daughter of Madge Kincaid, deceased, and presented and offered for probate a paper writing bearing date the 31st day of March, 2000, purporting to be the Last Will and Testament of their 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 said paper writing had attached thereto, an affidavit signed by Greg Garton and R. Russell Stobbs. The said affidavit set forth the fact that the said Madge Kincaid, 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 Greg Garton and R. Russell Stobbs 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:

 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 2, 2014.

WHEREAS, Madge Kincaid, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Burl Kincaid as Executor thereof and requested that no bond be required of him as such Executor. Whereas the said Burl Kincaid has since departed this life. The Will further named Lonnie Kincaid and Delores Jean Moats as Co-Executor and Co-Executrix thereof. THEREUPON, personally appeared the said Lonnie Kincaid and Delores Jean Moats and qualified as Co-Executor and Co-Executrix of the Will of Madge Kincaid, deceased, by taking the oath prescribed by law.

It is stated by said Co-Executor and Co-Executrix that Madge Kincaid departed this life on the 17th day of November, 2014, aged ninety years.

Attest:

 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 Wednesday, December 3, 2014.

This day came Debra K. Fealy, daughter of Lorena B. Metzgar, deceased, and filed an affidavit signed by Vanessa Linger, heir of said decedent, requesting that she be appointed as such Administratrix of their said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Debra K. Fealy as such Administratrix.

THEREFORE, Debra K. Fealy as principal together with Bryan Metzgar 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 Debra K. Fealy qualified as Administratrix of the personal estate of Lorena B. Metzgar, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Lorena B. Metzgar departed this life on the 28th day of November, 2014, aged eighty 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 3, 2014.

This day came Roger Lee Williams, son of Harriet A. Bennett, deceased, and presented and offered for probate a paper writing bearing date the 9th day of April, 1997, 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 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 Gary Morris and Anna D. Morris. The said affidavit set forth the fact that the said Harriet A. Bennett, 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 Gary Morris and Anna D. Morris 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:

 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 3, 2014.

WHEREAS, Harriet A. Bennett, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Roger Lee Williams as Executor thereof and requested that no bond be required of him as such Executor. THEREUPON, personally appeared the said Roger Lee Williams and qualified as Executor of the Will of Harriet A. Bennett, deceased, by taking the oath prescribed by law.

It is stated by said Executor that Harriet A. Bennett departed this life on the 18th day of November, 2014, aged eighty-two 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 5, 2014.

This day came Vernie Louise Lester, widow of Shirley Clarence Lester, deceased, and presented and offered for probate a paper writing bearing date the 9th day of April, 1997, 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 R. Russell Stobbs and Elizabeth A. Stobbs. The said affidavit set forth the fact that the said Shirley Clarence Lester, 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 R. Russell Stobbs and Elizabeth A. Stobbs 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
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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 Friday, December 5, 2014.

WHEREAS, Shirley Clarence Lester, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Vernie Louise Lester as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Vernie Louise Lester and qualified as Executrix of the Will of Shirley Clarence Lester, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Shirley Clarence Lester departed this life on the 25th day of December, 2014, aged eighty-four years.

Attest:

 Clerk

X

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, DECEMBER 8, 2014**

Commission sat pursuant to adjournment of Monday, December 1, 2014.

PRESENT: Patrick D. Boyle and Thomas V. Fealy, Commissioners and
Honorable Agnes G. Queen, President, via telephone.
The foregoing proceedings of this Commission were approved and signed by the
Acting President.

IN RE: RETIREMENT OF MARY LOU MYERS, COUNTY CLERK

Mary Lou Myers, Lewis County Clerk submitted a letter notifying the commission of her retirement on December 31, 2014. Ms. Myers has 43 years of service to the citizens of Lewis County as a county clerk and county commissioner. Commissioner Thomas Fealy regretfully made a motion to accept, second by Patrick D. Boyle, motion passing.

IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Agenda** – The Upshur County Agenda for Thursday, December 4, 2014 was received. The assistant prosecuting attorney is serving as interim prosecuting attorney.
2. **Invitation for Retirement Celebration** – An invitation to Upshur County Commissioner Donnie Tenney's retirement celebration on Thursday, December 11, 2014 from 1 – 2 PM was received. Commissioner Patrick Boyle and County Administrator Cindy Whetsell will attend and then continue to a surprise celebration for Vicky Cole, Preston County.
3. **Lewis County Convention and Visitor's Bureau Meeting Agenda and Minutes** – The Agenda for December 2, 2014 meeting and minutes for October 7, 2014 meeting was received. No comments.
4. **West Virginia Division of Justice Victims of Crime Grant Adjustment Notice** – The West Virginia Division of Justice and Community Services has made the following change for Victims of Crime Assistance (VOCA) grant – Project Director change to Christina Flanigan, Lewis County Prosecuting Attorney.
5. **West Virginia Development Office Notification of Changes to the Plans for the Lewis County Park Land and Water Conservation Grant** – The National Park Service Land and Water Conservation Fund Project Agreements No. 54-0094 and 54-0489 on-site inspections findings. The following changes to meet American With Disabilities Act (ADA) were suggested and need completed before December 31, 2015:
 1. Bring pool shower floors level with existing floor (already fixed)
 2. Check in counter needs to be lowered to 35 inches above floor level
 3. Stripe and add signage to additional handicapped parking areas
 4. The creek footbridge needs to be ramped on both sides
 5. Water fountains need to be ADA compliant with an offset basin
 6. Replace grill at Shelter #2
 7. All bathrooms sinks need lever or push-button spigots.

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6. **Lewis County Sheriff's Department Monthly Vehicle Report** – The Lewis County Sheriff's Department November, 2014 vehicle report including mileage of vehicle and/or maintenance was submitted.
7. **Lewis County Animal Control Monthly Report** – The Lewis County animal Control Report for November, 2014 including number of complaints, bounty collected and mileage driven was filed. Mileage for the vehicle was half of prior month.
8. **Lewis Gilmer Emergency 911 Monthly Report** – The Lewis Gilmer Emergency 911 Report for November, 2014 including number of calls, disposition of calls, and agency total was filed. Calls were down from prior month.
9. **Invitation to the 2014 Lewis County Employee Annual Holiday Luncheon** – The Lewis County WVU Extension Service will be hosting the 2014 Lewis County Employee Annual Holiday Luncheon on Friday, December 19, 2014 from 11 AM to 1 PM at the Extension Office. The cost for the meal is \$5.00 per employee. RSVP and payment is requested before Noon, December 15, 2014.

IN RE: BOARD AND COMMITTEE REPORTS

Commissioner Thomas V. Fealy and County Administrator Cindy Whetsell reported attending the reception for the Honorable Jacob Reger, 26th Circuit Court Judge.

Commissioner Fealy also attended the Public Hearing for the Alum Fork Water Extension. Attendance was poor. The project should be completed late 2015 or early 2016.

County Administrator Cindy Whetsell attended a meeting with Frontier Communications on the new telephone system for 911 Center. The new system will allow the center to accept text messages.

Ms. Whetsell attended a pre-bid meeting with Silling Associates and potential contractors for the old law enforcement building renovations. Eleven contractors attended. The due date for the bid was moved from December 29, 2014 to January 12, 2014.

IN RE: WV COURTHOUSE FACILITIES IMPROVEMENT GRANT 21-0112-012015

Upon motion of Thomas V. Fealy, second by Patrick D. Boyle, motion passing to sign the acceptance contract for the grant award from the WV Courthouse Facilities Improvement Authority in the amount of \$80,000.00 to be used to replace lighting with LED, rewire old jail, and rework fire system at the Lewis County Courthouse Recorded in Miscellaneous Book 16 Page 522.

IN RE: APPROVAL OF USE OF PARKING LOT DURING CHRISTMAS LUNCHEON

Upon motion of Thomas V. Fealy, second by Patrick D. Boyle, motion passing to approve the request of Bruce Loyd, Extension Agent for county employees that work off the main campus and retirees attending the Christmas Luncheon be allowed to use the parking lot during the hours of the dinner on December 19.

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IN RE: EDA UPDATE

Michael Herron, Executive Director, Lewis County EDA updated the commission on the following:

1. Sent 60 letters to residents of Alum Fork for the public meeting on the water project.
2. Notified the commission of public meeting for the Laurel Fork water project on December 16, 2014 from 6 PM – 8 PM at the Berlin United Methodist Church.
3. IJDC – seeking commitment letter, Tuesday, December 16.
4. Board meeting, five board members terms expire.
5. WV Department of Highway is holding a public meeting at Peterson School on the 9th of December, 2014 from 4 PM – 7 PM.

IN RE: REFERRING THE ESTATE OF RAMONA MERLE RAMSBURG, DECEASED, TO JOSEPH W. WAGONER, FIDUCIARY, COMMISSIONER

WHEREAS, the appraisalment of Ramona Merle Ramsburg, deceased, was this day filed; and
WHEREAS, the estate of said Ramona Merle Ramsburg, deceased, exceeded the sum of (\$100,000.00) Dollars and more than one heir; and

THEREFORE, the estate of Ramona Merle Ramsburg, deceased, is hereby referred to Joseph W. Wagoner, Fiduciary Commissioner.

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:

Robert Stephen Smith, Executor, Waiver of Settlement of the Fiduciary Account the Estate of Mary Maxine Jordan Smith, deceased

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:

71209	Bill Bailey Ins AgencyInc	12/08/2014	5,851.00
71210	Biser's Radio Service	12/08/2014	165.00
71211	Sheryl D. Burnside	12/08/2014	212.00
71212	Election Syst.&Sftwar,Inc	12/08/2014	4,125.00
71213	Guttman Oil Company	12/08/2014	893.90
71214	Lewis/Upshur LEPC	12/08/2014	2,000.00
71215	Prescription Pest Control	12/08/2014	165.00
71216	WV American Water Company	12/08/2014	78.82
	GENERAL COUNTY	TOTAL	13,490.72

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ASSESSOR VALUE CLAIMS

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

2945	Guttman Oil Company	12/08/2014	27.71
2946	WHAW Radio	12/08/2014	247.50
2947	WOTR Radio	12/08/2014	247.50
2948	WVRW Radio	12/08/2014	247.50
	ASSESSOR	TOTAL	770.21

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:

7788	Dominion Hope	12/08/2014	30.58
7789	Daniel Johnston Trucking	12/08/2014	400.00
7790	Prescription Pest Control	12/08/2014	80.00
7791	Kathryn Ann Ruppert	12/08/2014	220.00
7792	WHAW Radio	12/08/2014	247.50
7793	WVRW Radio	12/08/2014	247.50
	E-911	TOTAL	1,225.58

WV RETIRED DEPUTY SHERIFF'S CLAIMS

ORDERED, that drafts be issued payable out of the 2015, Levy, WV RETIRED DEPUTY SHERIFF'S FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

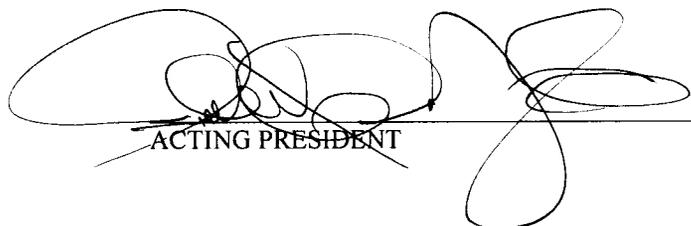
230032	WV Deputy Shf Retr System-Nov	12/03/2014	551.50
	DEPUTY SHERIFF RETIREMENT	TOTAL	551.50

IN RE: CHECKS RECEIVED

WV, State of	\$8,820.03	WV, State of	6,951.74
WV, State of	3,950.00	Lewis County Park	2,772.44

The minutes of this meeting were approved upon motion of Thomas V. Fealy, second by Patrick D. Boyle, motion passing.

ORDERED, That this Commission doth now adjourn until Monday, December 15th, 2014.


ACTING PRESIDENT