

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY

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 17, 2014.

Robert A. Thompson appeared at a former date and presented and offered for probate a paper writing bearing date the 20<sup>th</sup> of December, 1985 purporting to be the Last Will and Testament of Margaret A. Thompson, 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 was signed by Veronica Penrod and Tammy S. Cole as the attesting witnesses thereto. Whereas the said Veronica Penrod and Tammy S. Cole was unable to located: and

THEREFORE, came Carina Toothman and Kelly L. Hitt, they being of legal age, who after being first duly sworn, said witnesses examined the document and after comparison of the signature of other documents, Carina Toothman and Kelly L. Hitt did further and severally depose and say that they verily believe that the signature on the Will of Margaret A. Thompson, deceased, is in proper and genuine handwriting of the said decedent, thereof, and see no reason why this Will should not be probated.

The said Will being thus proved, is admitted to probate and ordered to be recorded and filed 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 Wednesday, December 17, 2014..

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

It is stated by said Executor that Margaret A. Thompson departed this life on the 10th day of December, 2014, aged seventy-four years.

Attest:

Mary Lou Myers Clerk

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

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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 17, 2014.

Jo Ann (Skinner) Blake appeared at a former date and presented and offered for probate a paper writing bearing date the 30th of August, 2007, purporting to be the Last Will and Testament of Wayne Franklin Blake, aka, Wayne F. Blake, deceased

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 was signed by Freda M. Crislip, Aretta P. Gum and Jean Ours as the attesting witnesses thereto. Whereas the said Jean Ours has since departed this life.

THEREFORE, before the undersigned authority, in the County of Lewis, State of West Virginia, this day personally appeared Freda M. Crislip and Aretta P. Gum, who each being first duly sworn upon their oaths, did depose and say that Wayne Franklin Blake, aka, Wayne F. Blake, 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 Testator, was of sound mind and disposing memory and over the age of eighteen years. And, at the request of the said Testator, they, the said Freda M. Crislip and Aretta P. Gum, both signed their names to the 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 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 Wednesday, December 17, 2014.

WHEREAS, Wayne Franklin Blake, aka, Wayne F. Blake, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Debra Ann Helmick as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Debra Ann Helmick and qualified as Executrix of the Will of Wayne Franklin Blake, aka, Wayne F. Blake, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Wayne Franklin Blake, aka, Wayne F. Blake departed this life on the 22<sup>nd</sup> day of September, 2014, aged ninety-three 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 the said Commission on Thursday, December 18, 2014.

This day came Kimberly Morris, wife of Ronald Lee Morris, deceased, and moved the Clerk that she be appointed Administratrix of the personal estate of her said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Kimberly Morris as such Administratrix.

THEREFORE, Kimberly Morris as principal together with Carol J. Wiant as her surety, entered into an acknowledged a bond in the penalty of Forty-Five Thousand (\$45,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Kimberly Morris qualified as Administratrix of the personal estate of Ronald Lee Morris, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Roger Lee Morris departed this life on the 8th day of December, 2014, aged fifty-three years.

Attest:

 Clerk

**X**

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REGULAR  
SESSION: MONDAY, DECEMBER 22, 2014**

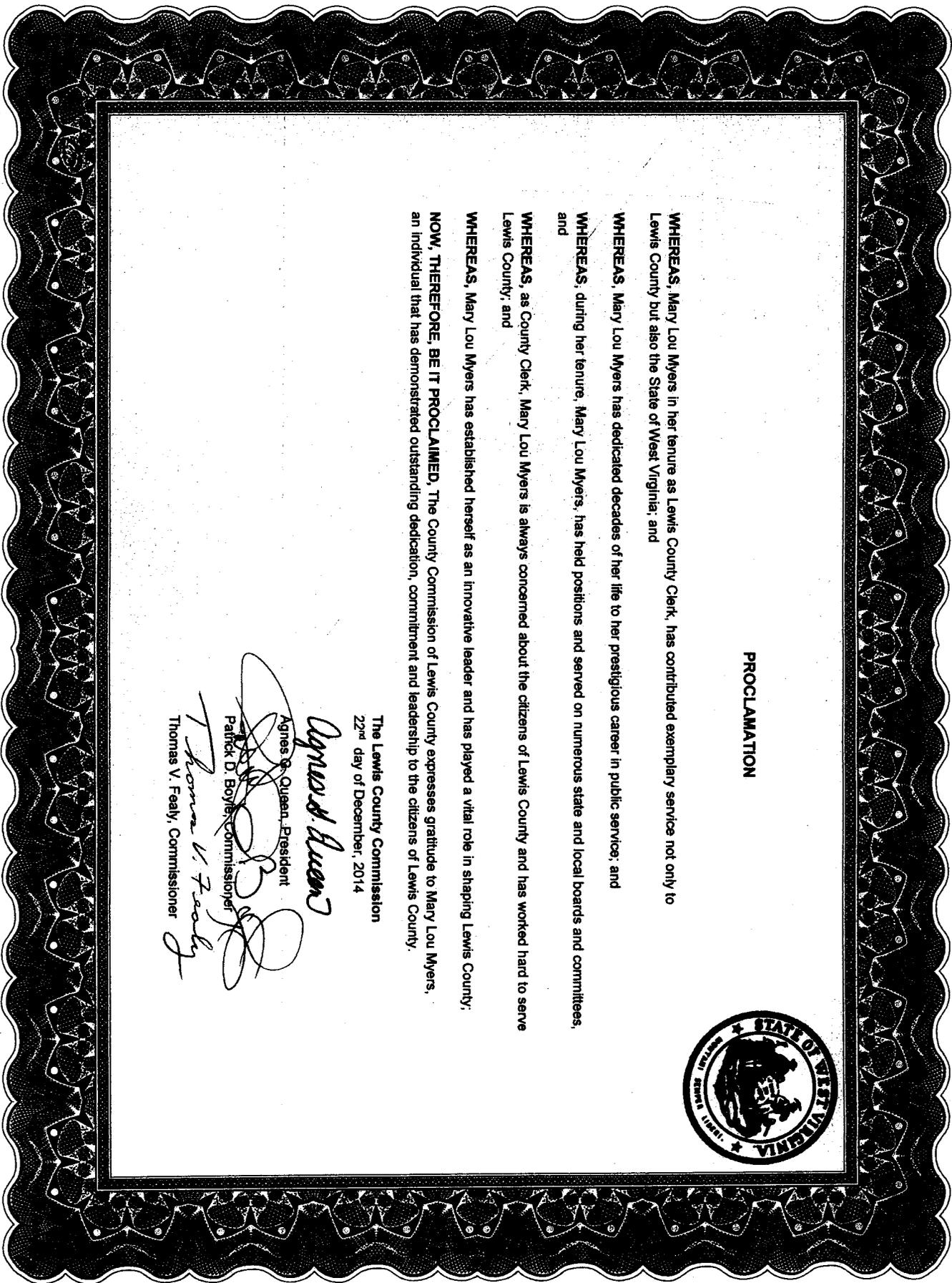
Commission sat pursuant to adjournment of Monday, December 15, 2014.

PRESENT: Honorable Agnes G. Queen, President, Patrick D. Boyle and Thomas V. Fealy, Commissioners with Commissioner Patrick D. Boyle leaving at 10:15 AM.

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

**IN RE: PROCLAMATION HONORING MARY LOU MYERS, COUNTY CLERK**

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



**PROCLAMATION**



WHEREAS, Mary Lou Myers in her tenure as Lewis County Clerk, has contributed exemplary service not only to Lewis County but also the State of West Virginia; and

WHEREAS, Mary Lou Myers has dedicated decades of her life to her prestigious career in public service; and

WHEREAS, during her tenure, Mary Lou Myers, has held positions and served on numerous state and local boards and committees, and

WHEREAS, as County Clerk, Mary Lou Myers is always concerned about the citizens of Lewis County and has worked hard to serve Lewis County; and

WHEREAS, Mary Lou Myers has established herself as an innovative leader and has played a vital role in shaping Lewis County;

NOW, THEREFORE, BE IT PROCLAIMED, The County Commission of Lewis County expresses gratitude to Mary Lou Myers, an individual that has demonstrated outstanding dedication, commitment and leadership to the citizens of Lewis County.

The Lewis County Commission  
22<sup>nd</sup> day of December, 2014

*Agnes G. Queen*  
Agnes G. Queen, President

*Patrick D. Boyle*  
Patrick D. Boyle, Commissioner

*Thomas V. Fealy*  
Thomas V. Fealy, Commissioner

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SESSION: MONDAY, DECEMBER 22, 2014**

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**IN RE: CLOSURE OF COURTHOUSE ON DECEMBER 26, 2014 APPROVED**

The President of the United States has issued an order closing federal offices on December, 26, 2014 and the WV Supreme Court has issued an order closing the courts on December 26, 2014. After discussion and on motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve closing the courthouse on December 26, 2014 and asking the elected officials to run their offices with skeleton staff on December 24 and 31, 2014 so that employees have one or the other day off.

**IN RE: APPROVAL OF CYNTHIA ROWAN AS INTERIM COUNTY CLERK**

Glenn Brown, Jr., Lewis County Republican Executive Committee Member, delivered the recommendation of the Lewis County Republican Executive Committee for Interim County Clerk to the Lewis County Commission. Mr. Brown informed the commission that 5 (five) individuals had been interviewed. Before opening the letter the commission informed the public that the commission would be approving the recommendation of the Executive Committee. Upon opening the letter, President Agnes G. Queen, read the recommendation of Cynthia Rowan as Interim County Clerk. Upon motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve Cynthia Rowan as Interim County Clerk.

Commissioner Patrick D. Boyle left at 10:15 AM.

**IN RE: APPOINTMENT OF ERIKA N. BRADY, ADMINISTRATRIX OF THE  
PERSONAL ESTATE OF DWIGHT EUGENE SHOCKEY, DECEASED**

This day came Erika N. Brady, daughter of Dwight Eugene Shockey, deceased, and moved the Commission that she be appointed Administratrix of the personal estate of her said decedent, since thirty days have lapsed and no person having qualified for the said estate, the Commission is of the opinion to and doth hereby appoint the said Erika N. Brady as such Administratrix.

THEREFORE, Erika N. Brady as principal together with Western Surety Company/CNA Surety Company as her surety, entered into an 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 Erika N. Brady qualified as Administratrix of the personal estate of Dwight Eugene Shockey, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Dwight Eugene Shockey departed this on the 16<sup>th</sup> day of May, 2014, aged fifty-five years.

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IN RE: 911 ADDRESSING, ROAD APPROVAL  
MOUNTAIN RETREAT DRIVE

The following request for approval of a road name for a new private road located from US Hwy 33 E at Garton Plaza, go 5.1 miles, turn right onto Georgetown Road, go 3/10 mile turn left onto Spillway Road, go 6/10 mile turn left onto Lakeview Drive, go 4/10 mile turn left onto Lakeview Heights go 2/10 mile and turn left onto new road, was approved upon motion of Thomas V. Fealy, second by Agnes-G. Queen, motion passing:



## Lewis ~ Gilmer E-911 Addressing

201 Orchard St • Weston, WV 26452  
Phone 304-269-6567 or 304-462-4346

TTY 304-269-8241 or 304-462-7306 • Fax 304-269-8203

December 22, 2014

Dear Lewis County Commission,

The addressing office has received a request to name a new Private Road located at 205 LAKEVIEW HTS. We believe this road is eligible because of planned future development that will be using the same driveway to access multiple planned structures.

Directions are: FROM US HWY 33 E AT GARTON PLAZA GO 5.1 MILES TURN RIGHT ONTO GEORGETOWN ROAD GO 3/10 OF A MILE TURN LEFT ONTO SPILLWAY RD GO 6/10 OF A MILE TURN LEFT ONTO LAKEVIEW DR GO 4/10 OF A MILE TURN LEFT ONT LAKEVIEW HEIGHTS GO 2/10 MILE TURN LEFT

1. MEADOW LN

3. FOREST LANE / ROAD

2. MEADOW HEIGHTS

4. HILL TOP LANE / ROAD

All four road names are currently in use other places within Lewis County, upon discovering this the attached email correspondence was submitted it is upon the request of the developer and the addressing office that the following road name be used.

**MOUNTAIN RETREAT DRIVE**

Respectfully Submitted

*Steve Moneypenny*  
Steve Moneypenny

Addressing

APPROVED

*Agnes G. Queen*

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IN RE: 911 ADDRESSING, ROAD APPROVAL  
BYPASS LANE

The following request for approval of a road name for a new private road located from city limits at Butchers Lane go 6/10 mile turn left onto new road, was approved upon motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing:



# Lewis ~ Gilmer E-911 Addressing

201 Orchard St • Weston, WV 26452  
Phone 304-269-6567 or 304-462-4346

TTY 304-269-8241 or 304-462-7306 • Fax 304-269-8203

December 22, 2014

Dear Lewis County Commission,

The addressing office has received a request to name a new Private Road located at 611 Old Mill Road. We believe this road is eligible because of planned future development that will be using the same driveway to access multiple planned structures.

Directions are: FROM CITY LIMITS GO 6/10 MILE TURN LEFT

The road name choices supplied by the land owner were:

- 1. MACKENROWE LANE
- 2. ROWEMACK LANE
- 3. BYPASS LANE

The first two road names are both containing portions of the names of the owner/residents, the first may also be a homonym of another road in the county. It is the recommendation of the addressing office that the third choice "BYPASS LANE" be used.

Respectfully Submitted

*Steve Money Penny*  
Steve Money Penny

Addressing

APPROVED

*Agnes G. Queen*

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**IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE**

1. **Upshur County Commission Agenda** – The Upshur County Agenda for Thursday, December 18, 2014 was received. No comment.
2. **WV Regional Jail Invoice for November, 2014** – The WV Regional Jail invoice for November, 2014 for Lewis County was received. 1,538 inmate days X \$48.25 per day equal \$74,208.50. Commission noted the bill was more than last month but less than the highest of \$97,000.00
3. **Mini Grant completion Report Straight Fork Community** – Straight Fork CEOS was awarded a mini-grant in the amount of \$1,000.00 for a public county Breast Cancer Awareness Event. A final report of expenditures provided by this grant as well as a copy of check for refund of \$19.05 was submitted. Commission commented a nice event and great job by the Straight Fork CEOS.
4. **Lewis County Animal Control Monthly Report** – The November monthly report including number of complaints, animals picked up, pound money and dogs adopted was filed. Commission noted complaints were down.
5. **Lewis Upshur Animal Control Facility Monthly Report** – The November monthly report for the Lewis Upshur animal Control Facility including number of dogs and cats housed at the facility, number of adoptions, number of animals returned to owners and number of animals brought in to the shelter by staff and citizens for both Lewis and Upshur Counties. No comments.
6. **Sheriff's Monthly Settlement** – The Lewis County Sheriff Adam Gissy submits the Sheriff's Monthly Settlement (reconciliation of accounts) for November, 2014 to the commission.
7. **WV State Auditor's Office Schedule of Comments on Applying Agreed-Upon Procedures for the Lewis County Magistrate Court** – The West Virginia State Auditor's Office monitored the Lewis County Magistrate Court for compliance on applying agreed-upon procedures for the period ending December 31, 2013. Recommendations and comments are available upon request from the Lewis County Commission office. County Administrator Cindy Whetsell reported a new state software system has been implemented since this audit and may correct the findings.

**IN RE: BOARD AND COMMITTEE REPORTS**

Commissioners Agnes G. Queen and Thomas V. Fealy did not have any meetings. President Agnes G. Queen and County Administrator Cindy Whetsell attended the Lewis County Christmas Dinner and they wished to thank the staff of the WVU Lewis County Extension Service for the excellent luncheon provided.

**IN RE: LEWIS COUNTY COURT SECURITY DRAFT PROCEDURE FOR BOMB, PERSON OR OTHER THREATS APPROVED**

Court Security Director Jim McAtee presented to the commission a draft of the Lewis County Court Security Procedure for Bomb, Personal or other Threats for approval. The documented is in compliance with the West Virginia Supreme Court. On motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to approve the draft as submitted.

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**IN RE: APPROVAL OF RESIGNATION OF CAM GOLDEN, PART TIME SECURITY  
GUARD AND APPROVAL OF REQUEST TO ADVERTISE FOR REPLACEMENT**

Sheriff Adam Gissy submitted the letter of resignation from Cam Golden, part time Security Guard. On motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to approve the resignation of Mr. Cam Golden. Sheriff Adam Gissy also requested approval to post/advertise the position. On motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to approve the request to post/advertise the position.

**IN RE: APPROVAL OF OVERTIME AS NEEDED  
FOR THE LEWIS COUNTY CLERK'S OFFICE**

Mary Lou Myers, County Clerk requested at the prior commission meeting approval for overtime money for her employees to make copies for the abstractors in her office. Ms. Myers submitted to the commission an accounting of overtime hours for the last week. Cost for employee overtime was \$2,353.37 and copy cost was \$7,287.00. The county made a profit of \$4,933.63. On motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to approve overtime as need to keep the copies current.

**IN RE: EMPLOYEES MILEAGE REIMBURSEMENT RATE**

County Administrator Cindy Whetsell submitted to the commission the Internal Revenue Service 2015 Mileage rate. The Internal Revenue Service increased the mileage reimbursement rate to 0.575 cents per mile (up from .56 cents in 2014). After discussion commission approved a new mileage rate of \$0.57 per mile effective January 1, 2015, upon motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing.

**IN RE: EDA UPDATE**

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

1. IJDC approved the Roanoke School Water Project funding.
2. In January, 2015 the funding for the Alum Fork and Laurel Lick Water projects will possibly be approve. The Northwest Water project will also possibly be approved in January.
3. EDA is looking for someone to open a saw mill in Lewis County.

**IN RE: MARY LOU MYERS, COUNTY CLERK  
SUBMITTED NOTICE OF ELECTION IN FEBRUARY**

Mary Lou Myers, Lewis County Clerk, submitted a letter to the commission from Dr. Joseph L. Mace, Lewis County Superintendent of Schools notifying her "that the Lewis County Board of Education has voted to hold a special election for the renewal of additional school levies. The date of the special election has been set for February 21, 2015. A copy of the adopted call in special meeting, December 11, 2014, is enclosed." A copy of the "Order and Notice of Special Election for an Additional School Levy to the Voters of Lewis County" is available for viewing in the Lewis County Clerk's office upon request.

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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:

John C. Strader, Executor, Waiver of Settlement of the Fiduciary Account the Estate of Anita Scarff, deceased

Erma Posey-Postalwait,, Committee, Receipts and Disbursements of the Fiduciary Account the Estate of Mamie Edenton, ~~deceased~~ Incompetent. (corrected 12/30/14 - dw)

Paul Titus, Executor, Waiver of Settlement of the Fiduciary Account the Estate of Evelyn Mae Villers, 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:

71244	ACS	12/22/2014	3,240.00
71245	AFLAC	12/22/2014	376.88
71246	Companion Life	12/22/2014	157.28
71247	Dominion Hope	12/22/2014	1,425.95
71248	Guttman Oil Company	12/22/2014	1,121.57
71249	Gerald B. Hough	12/22/2014	25.38
71250	John Stevens	12/22/2014	331.95
71251	Travelers	12/22/2014	58,621.50
71252	Weston Sanitary Board	12/22/2014	226.52
	GENERAL COUNTY	TOTAL	65,527.03

**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:

2952	Scott Chapman	12/22/2014	19.68
2953	Guttman Oil Company	12/22/2014	50.12
	ASSESSOR	TOTAL	69.80

**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:

7801	Guttman Oil Company	12/22/2014	90.92
7802	Staples	12/22/2014	73.33
7803	Weston Sanitary Board	12/22/2014	44.45
	E-911	TOTAL	208.70

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**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:

2622	Guttman Oil Company	12/22/2014	61.07
	DOG AND KENNEL	TOTAL	61.07

**JUSTICE FINE/GENERAL SCHOOL CLAIMS**

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

160	WV State Auditor	12/22/2014	13,070.00
	JUSTICE FINE	Total	13,070.00

**CONCEALED WEAPONS FUND CLAIMS**

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

823	United Bank/Weston Dem	12/02/2014	108.38
824	John Perdue	11/28/2014	390.00
	CONCEALED WEAPON	TOTAL	498.38

**CITIZENS EDUCATION FUND CLAIMS**

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

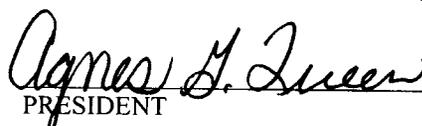
486	United Bank/Walmart	12/02/2014	34.33
487	United Bank/Pickens Auto	12/04/2014	35.00
488	United Bank/Walmart	12/12/2014	2,740.24
	CITIZENS ED	TOTAL	2,809.57

**IN RE: CHECKS RECEIVED**

American Water	\$20.00	Interface Security Systems	3.50
Cebridge Telecom, WV	92.75	Citizens Bank of Weston	400.00
Weston Housing Authority	200.00	Frontier	7,115.35
Frontier	1,543.03	Hughes Network Systems	5.25
Shentel	2,179.02	Gilmer County Sheriff	3,682.67
LC Emerg. Ambulance Serv.	45,793.50	LC Bd of Education	3,761.92
Jane Lew, Town of	73.10	Prudential	116.00
Lewis County Park	2,146.63	Buckhannon Animal Clinic	35.00

The minutes of this meeting were approved upon motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing.

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

  
PRESIDENT