

**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, March 3, 2015.

This day came Robert L. Bailey, husband of Nancy L. Bailey, deceased, and presented and offered for probate a paper writing bearing date the 21st day of September 1981, 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 said paper writing had attached thereto, an affidavit signed by Joanna Davis and Karen Vanhorn. The said affidavit set forth the fact that the said Nancy E. Bailey, 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 Joanna Davis and Karen Vanhorn 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:

Cynthia S. Rowan 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, March 3 , 2015.

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

It is stated by said Executor that Nancy E. Bailey departed this life on the 18th day of January, 2015, aged seventy years.

Attest:

Cynthia S. Rowan 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 Tuesday, March 3, 2015.

This day came Kathleen C. Ergenekon, daughter of Frances Louise Riley, deceased, and presented and offered for probate a paper writing bearing date the 26th day of September 1989, 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 Karen E. Devare and Lesley A. North. The said affidavit set forth the fact that the said Frances Louise Riley, 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 Karen E. Devare and Lesley A. North 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:

Cynthia S. Rowan 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, March 3, 2015.

WHEREAS, Frances Louise Riley, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Patrick P. Riley and Kathleen C. Ergenekon as Co-Executor and Co-Executrix thereof and requested that no bond be required of them as such Co-Executor and Co-Executrix. Whereas due to health reasons the said Patrick P. Riley has declined to serve as such Co-Executor. THEREUPON, personally appeared the said Kathleen C. Ergenekon and qualified as Executrix of the Will of Frances Louise Riley, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Frances Louise Riley departed this life on the 12th day of January, 2015, aged eighty-eight years.

Attest:

Cynthia S. Rowan 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 Tuesday, March 3, 2015.

This day, W. T. Weber III, Attorney, offered an Authenticated Copy of the Will of Michael Edward Murphy, deceased, late a resident of Summit County, State of Ohio, who at the time of death owned Real Estate in Lewis County, West Virginia, in accordance with Chapter 41, Article 5, Section 13, of the Code of West Virginia, said Will is duly admitted to record, as and for the Last Will and testament of Michael Edward Murphy, deceased.

Attest:

Cynthia S. Rowan 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 the said Commission on Tuesday, March 3rd, 2015.

This day came W. T. Weber III, Attorney, and presented a paper writing from Brennan, Manna & Diamond, legal council for Linda J. Murphy, Executrix of the estate of Michael Edward Murphy, deceased, requesting that he be appointed Ancillary Administrator, CTA of the estate of the said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said W. T. Weber III as such Ancillary Administrator CTA of the estate of Michael E, Murphy, deceased.

THEREFORE, W. T. Weber III appeared and gave cash 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 W. T. Weber III qualified as Ancillary Administrator CTA w/will annexed of the estate of Michael Edward Murphy, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Michael Edward Murphy departed this life on the 21st day of September, 2014, aged sixty years.

Attest:

Cynthia S. Rowan 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, March 5, 2015.

Michael Linn Riffle appeared at a former date and presented and offered for probate a paper writing bearing date the 22nd of June, 2010, purporting to be the Last Will and Testament of Sharon Diana 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 was signed by Nancy E. Gee, Donna D. Goodwin and Charles N. Aspinall as the attesting witnesses thereto.

THEREFORE, before the undersigned authority, in the County of Lewis, State of West Virginia, this day personally appeared Nancy E. Gee, Donna D. Goodwin and Charles N. Aspinall, who each being first duly sworn upon their oaths, did depose and say that Sharon Diana 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 Testatrix, was of sound mind and disposing memory and over the age of eighteen years. And, at the request of the said Testatrix, they, the said Nancy E. Gee, Donna D. Goodwin and Charles N. Aspinall, signed their names to the 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 recorded and filed as directed by law.

Attest:

Cynthia S. Rowan 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, March 5, 2015.

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

It is stated by said Executor that Sharon Diana Riffle departed this life on the 21st day of January, 2015, aged fifty-five years.

Attest:

Cynthia S. Rowan Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, MARCH 9, 2015**

Commission sat pursuant to adjournment of Monday, March 2, 2015.

PRESENT: Honorable Agnes G. Queen, President, 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.

Beverly Elliott	\$ 15.71
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IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Agenda** – A copy of the Upshur County Commission Agenda for March 5, 2015 was filed. Commission noted that Community Corrections board meeting is tonight.
2. **Lewis County Parks and Recreation Audit Report** – The Auditor’s report for the Lewis County Parks and Recreation Board for the Fiscal Year Ending June 30, 2015 was filed. The findings were as follows: 1. Segregation of duties 2. Adequate supporting documentation for all payments 3. Receipts for cash need to be issued 4. All checks must have dual signatures.
3. **Public Hearing Notification for Comment on National Disaster Resilience Competition Funds** – Notification of public hearing and invitation to comment on the state application for National Disaster Resilience Competition Funding. The local meeting will be held March 10, 2015 from 6-7 PM at Fairmont State University, Falcon Center. The federal government has nearly \$1 billion in funds to be awarded to states for assistance in disaster recovery/hazard mitigation. West Virginia is requesting input from counties, cities and community members for the state application.
4. **US Department of Homeland Security Hazard Mitigation Grant Approval** – The Lewis County Commission has been awarded a US Department of Homeland Security Hazard Mitigation Grant in the amount of \$41, 138.00 to install an emergency generator for critical areas of the Lewis County Judicial Annex. This grant will require a \$13,727.00 match from the county.

IN RE: OATH OF OFFICE, LISA J. PARKS

Lisa J. Parks being approved for the position of Deputy County Clerk at the March 2, 2015 meeting appeared before the commission to take her oath of office. Oath of office was given by President Agnes G. Queen. Oath of Office is recorded in Oath of Office Book 2 Page 201.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, MARCH 9, 2015**

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

5. **Lewis County Retiree Medical Subside Actuarial Study** – Per GASB 45, the county must have a retiree medical subsidence actuarial study. This report details the other post employment benefit obligations the county has for current and future retirees. This is required due to the additional subsidence provided by the county that is over the premiums assessed the Public Employees Insurance Agency. The report is for the 2014 fiscal year. A copy is available for review by request in the county clerk's office or the county commission office.
6. **Sheriff's Monthly Vehicle Report** – The sheriff's vehicle report including mileage and maintenance for the fleet in February, 2015 was filed.
7. **Region VII Planning and Development Council Draft 2016-2020 Comprehensive Economic Development Strategy** – Region VII Planning and Development Council's Comprehensive Economic Development Strategy (CEDS) Draft for 2016-2020 is presented for review and comment prior to adoption.
8. **Lewis County Animal Control Monthly Report** – Lewis County Animal Control Report for February, 2015 including number of animals picked up, dropped at facility, adopted, bounty collected and animal control vehicle mileage was filed.
9. **Suddenlink Cable Price Adjustments** – Due to multiple contract changes, Suddenlink will be adjusting some of their cable prices beginning with the April 2015 billing cycle. There will be no change in the price for telephone service, internet service and basic television service. A \$3.00 sports programming surcharge will be applied to Expanded Basic; the broadcast station surcharge will increase \$3.07 per month; optional tiers of digital service will increase \$1.00 per month per tier; HBO, Cinemax, Showtime, The Movie Channel, Starz and Encore will increase \$1.00 per month; wireless router lease fee will increase \$1.00 per month. Taxes, fees, and surcharges will be adjusted accordingly.
10. **Louis Bennett Public Library Amended Hotel Motel Tax Allocation Financial Statements** – Amended hotel motel tax allocation financial statements of the Louis Bennett Public Library were filed. The Louis Bennett Public Library receives hotel motel appropriations from the county's portion of taxes collected, per the Lewis County Ordinance, for preservation and protection of the building.

IN RE: BOARD AND COMMITTEE REPORTS

President Agnes G. Queen and Commissioner Thomas V. Fealy along with the Lewis County Board of Education finalized the Election on Thursday night.

President Agnes G. Queen reported on the power outages in the county.

IN RE: EDA BOARD APPOINTMENTS

At the recommendation of the Lewis County Economic Development Authority Board and on motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to approve the following reappointments to the board: Charles Stalnaker, Alicia Flesher, Bruce Loyd, William White and Mike Hines, and the appointment of Chris Heater, all appointments are for a three year term ending on December 31, 2017.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, MARCH 9, 2015**

IN RE: LEWIS COUNTY PARK BOARD APPOINTMENTS

At the recommendation of the Lewis County Parks and Recreation Board and on motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to approve the following reappointments, Alyce Henry, Tracey Weber, III, Richard Messenger and Barb Paugh to the board for a three year term ending March 1, 2018.

IN RE: LEWIS COUNTY CLERK'S SOFTWARE UPGRADE

Cynthia S. Rowan, County Clerk presented a quote to the commission for a needed upgrade on the indexing inquiry software. With the addition of online printing and additional inquiry computers in the record room there are not enough user license available. CSSI quoted \$4,455.00 for RM/COBOL software upgrade from v11 to v12 and 20 users to 100 users. This is a one time cost. On motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to approve the upgrade at \$4,455.00, to be taken from the 001-427-342.0 line.

IN RE: APPROVAL OF ADDITIONAL FUNDS TO COUNTY CLERK FOR SEPARATE CASH DRAWERS FOR THE EMPLOYEES

The West Virginia State Auditor's office has issued an audit finding for numerous years mandating individual cash drawers for all employees in the County Clerk's office. Cynthia S. Rowan, County Clerk has purchased eight (8) cash drawers, one to be assigned to each of her eight employees. Currently her office carries \$100.00 in daily operations funds for one cash drawer. Ms. Rowan requests an additional \$140.00 to be kept in the daily operations fund balance to allow resources for each employee to process daily transactions. On motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to approve the additional \$140.00 in daily operational funds.

IN RE: DISPATCH AGREEMENT APPROVED WITH THE CITY OF WESTON

William Rowan, 911 Director, sent a dispatch agreement with the City of Weston, to be approved by the Lewis County Commission. This is for the fiscal year 2015-2016 and is for 911 dispatch of non-emergency call answering services. Annual compensation from the city is \$36,000.00. Mayor Julia Spelsberg has already signed the agreement. On motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to approve the signing of the dispatch agreement. The agreement is recorded in Miscellaneous Book 17 Page 52.

IN RE: NOTIFICATION OF THE ARMY CORPS OF ENGINEERS INTER-AGENCY DAM SAFETY MEETING AT STONEWALL JACKSON DAM

The annual Stonewall Jackson Dam inter-agency dam safety meeting will be held Thursday, April 2, 2015 at 9:30 AM at the dam. President Agnes G. Queen directed County Administrator Cindy Whetsell to sign her up.

IN RE: LEAVE REQUESTS APPROVED

The following leave request was approved upon motion of Agnes G. Queen, second by Thomas V. Fealy, motion passing:

RICK STOUT

2 DAYS ANNUAL – May 15 & 18, 2015

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, MARCH 9, 2015**

IN RE: RESOLUTION FOR LEWIS COUNTY SMALL CITIES BLOCK GRANT

The following Resolution was approved upon motion of Agnes G. Queen, second by Thomas V. Fealy, motion passing:

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
PO Box 466
Weston, WV 26452
Phone: (304)269-8200
Fax: (304)269-2416
Email: lewiscountycommission@lewiscountywv.org
Website: lewiscountywv.org



COMMISSIONERS:
AGNES G. QUEEN
President
PATRICK D. BOYLE
Commissioner
THOMAS V. FEALY
Commissioner

RESOLUTION

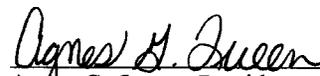
**RESOLUTION OF THE COUNTY COMMISSION OF LEWIS COUNTY, WEST VIRGINIA
TO ACCEPT ALL TERMS AND CONDITIONS OF THE CONTRACT WITH
THE WEST VIRGINIA DEVELOPMENT OFFICE FOR THE PURPOSE OF
FISCAL YEAR 2016 SMALL CITIES BLOCK GRANT FOR
CONSTRUCTION AND ADMINISTRATION OF
NORTHWEST LEWIS COUNTY WATERLINE EXTENSION
PROJECT #14SCBG0001: \$250,000.00**

WHEREAS; The County Commission of Lewis County, West Virginia finds it necessary and desirable to accept all terms and conditions of the contract with the West Virginia Development Office, and

WHEREAS; The financial assistance from the Small Cities Block Grant Program will be used to begin the construction and administration to enable the Lewis County Commission to expand their water system.

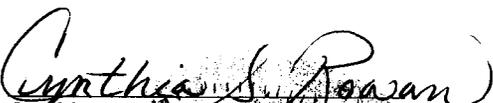
NOW THEREFORE BE IT RESOLVED; The Lewis County Commission authorizes its President Agnes G. Queen to accept all terms and conditions of the contract with the West Virginia Development Office, including understandings and assurances therein; and further directs the President to act as the official representative for the Lewis County Commission, West Virginia and to provide such additional information as may be required.

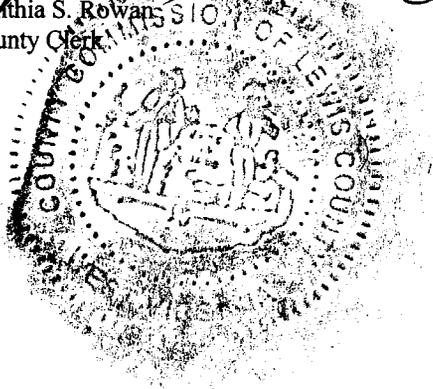
This resolution was passed with a quorum of the membership present and voting in the affirmative this the 9th day of March, 2015.



Agnes G. Queen, President
Lewis County Commission

ATTEST:


Cynthia S. Rowan, SIO
County Clerk



**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, MARCH 9, 2015**

IN RE: EDA UPDATE

Michael Herron, EDA Executive Director reported on the EDA meeting appointing board members. He also reported that Chris Heater will be replacing Martin Riley.

IN RE: PROBATE THE LAST WILL AND TESTAMENT OF JANET GAY, DECEASED

This day came Cheryl Denise Gay Phares, daughter of Janet Gay, deceased, and presented and offered for probate a paper writing bearing date the 9th day of March, 2015, 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 said paper writing had attached thereto, an affidavit signed by Lonnie E. Carpenter, George W. Alfred and James E. Williams. The said affidavit set forth the fact that the said Janet Gay, 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 Lonnie E. Carpenter, George W. Alfred and James E. Williams 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.

**IN RE: QUALIFICATION OF CHERYL DENISE GAY PHARES, EXECUTRIX
OF THE WILL OF JANET GAY, DECEASED**

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

It is stated by said Executrix that Janet Gay departed this life on the 1st day of March, 2015, aged eighty-two years.

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;

Kathryn D. Radcliff, Administratrix, Affidavit of Personal Representative,
Unadministered Estate of Kenneth L. Radcliff, deceased.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, MARCH 9, 2015**

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:

71507	Bill Bailey Ins AgencyInc	03/09/2015	5,851.00
71508	Cynthia S. Rowan, Clerk	03/09/2015	33.00
71509	Guttman Oil Company	03/09/2015	693.35
71510	Richards Heating & AC	03/09/2015	7,800.00
71511	Tri-County Visitation Cen	03/09/2015	8,000.00
71512	WV State Auditor	03/09/2015	12,335.00
	GENERAL COUNTY	TOTAL	34,712.35

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:

2637	Guttman Oil Company	03/09/2015	115.60
	DOG AND KENNEL	TOTAL	115.60

E-911 EMERGENCY COMMUNICATIONS 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:

7853	APCO International, Inc.	03/09/2015	318.00
7854	Frontier	03/09/2015	1,595.80
7855	Daniel Johnston Trucking	03/09/2015	2,275.00
7856	Verizon Business Services	03/09/2015	150.00
	E-911	TOTAL	4,338.80

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:

2434	Intrinsic Intervention	03/09/2015	443.50
	HOME CONFINEMENT	TOTAL	443.50

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:

1944	General County Fund	03/09/2015	1,689.00
1945	Michael Gissy	03/09/2015	24.95
	MAGISTRATE COURT	TOTAL	1,713.95

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, MARCH 9, 2015**

CONCEALED WEAPONS 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:

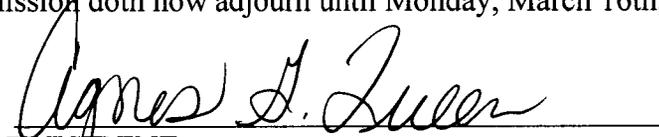
837	John Perdue	02/28/2015	645.00
	CONCEALED WEAPONS	TOTAL	645.00

IN RE: CHECKS RECEIVED

L.C. Emergency Amb. Services	\$21,453.21
State of WV	\$1,568.00
L.C. Park	\$624.37
State of WV	\$1,142.97

Given under my hand this 9th day of March, 2015.

ORDERED, That this Commission doth now adjourn until Monday, March 16th, 2015.



PRESIDENT

X