

**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 County Commission on Tuesday, March 17<sup>th</sup>, 2015.

WHEREAS, on the 17<sup>th</sup> day of June, 2014, Dane Hull was appointed as Administrator of the estate of Peter V. Hull, deceased, at which time they entered into and acknowledged a bond in the penalty of Twelve Thousand (\$12,000.00) Dollars with Linda F. Kelly, as his surety; and

WHEREAS, on the 8<sup>th</sup> Day of October, 2014 Linda F. Kelly appeared and filed a paper writing revoking the bond as surety for Dane Hull as such Administrator of the estate of Peter Vaughn Hull, deceased. The Clerk is of the opinion to and doth hereby declare the bond null and void and the said Dane Hull be required to furnish new bond as Administrator to complete further administration of said estate; and

NOW THEREUPON, this day came Dane Hull as principal together with Western Surety / CNA Surety Company as his surety, entered into and acknowledged a bond in the penalty of Sixteen Thousand (\$16,000.00) Dollars , payable to the State of West Virginia, conditioned according to the law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Dane Hull qualified as Administrator of the personal estate of Peter V. Hull, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Peter V. Hull departed this life on the 20th day of March, 2014, aged forty-three years.

Attest:

 Clerk

**X**

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
REGULAR  
SESSION: MARCH 23, 2015**

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Commission sat pursuant to adjournment of Monday, March 16th, 2015.

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** – The Upshur County Commission meeting agenda for Thursday, March 18, 2015 was filed.
2. **Federal Energy Regulation Commission Meeting for Comments on the Proposed Atlantic Coast Pipeline Project** – The Federal Energy Regulation Commission will be taking public comment on the proposed Atlantic Coast Pipeline Project. The comment period will close April 28, 2015. A public comment session will be held Tuesday, March 24, 2015 at 7:00 PM at Bridgeport High School. The Lewis County Commission has been asked to attend. Commissioner Patrick Boyle will attend.

**IN RE: BOARD AND COMMITTEE REPORTS**

Commissioner Thomas V. Fealy attended the Community Corrections board meeting. Michelle Posey is being replaced by Brooks Ware.

Commissioner Thomas V. Fealy, President Agnes G. Queen, Commissioner Patrick D. Boyle, County Administrator Cindy Whetsell, County Clerk Cynthia Rowan and Deputy County Clerk Debra Hull attended budget meetings.

County Administrator Cindy Whetsell attended the LEPC meeting on the 18<sup>th</sup>. They are working on a hazardous material assessment and a special needs registry.

County Administrator Cindy Whetsell attended the Lewis County Planning Commission meeting. The exotic ordinance is with the prosecuting attorney for review. Meetings have been changed from monthly to quarterly.

County Administrator Cindy Whetsell attended the Community Action meeting. They are looking at an assistance housing project in Lewis County that is similar to one in Harrison County.

**IN RE: APPOINTMENT OF LOUIS BENNETT PUBLIC LIBRARY  
BOARD MEMBER, JANICE SUNSTROM**

Commission approved the requested appointment of Janice Sunstrom to the Louis Bennett Public Library Board to fill the unexpired term of Raymond Sunstrom (deceased) upon motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous.

**IN RE: APPROVAL OF PREVENTION RESOURCE OFFICER GRANT**

Sgt. Michael Cayton presented the Prevention Resource Officer Grant application to the Lewis County Commission for signature. Sgt. Cayton reported the commission has been receiving the PRO Grant for approximately 14 years. Total cost for two officers is \$118,206.62 with \$28,000.00 from the grant, and Lewis County Commission paying \$52,620.53 and Lewis County Board of Education paying \$37,586.09. This will put one officer at the Robert L. Bland Middle School and one officer at the Lewis County High School. On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to sign the grant application.

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**IN RE: PROCLAMATION APRIL, 2015 AS SEXUAL ASSAULT AWARENESS MONTH**

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

***Proclamation  
April, 2015 as Sexual Assault Awareness Month***

**Whereas**, sexual violence against the citizens of Lewis County continues, and

**Whereas**, sexual violence affects every person in Lewis County as a victim/survivor, or as a family member, domestic partner, friend, co-worker or neighbor of a victim/survivor; and

**Whereas**, to prevent the future violation of our citizens, it is critical to foster greater public awareness of the causes and effects of sexual violence, and to address this problem at every civic level; and

**Whereas**, Lewis County recognizes the importance of designating a time devoted to increasing the general public's awareness of sexual violence, celebrating the courage of victims/survivors, and recognizing the tireless efforts of sexual assault program advocates throughout the state; and

**Whereas**, West Virginia sexual assault programs, other professionals and supporters have joined together as the **West Virginia Foundation for Rape Information and Services (WVFRIS)** to support each other in their work and to provide the State of West Virginia and its citizens with a central source of information on sexual assault; and

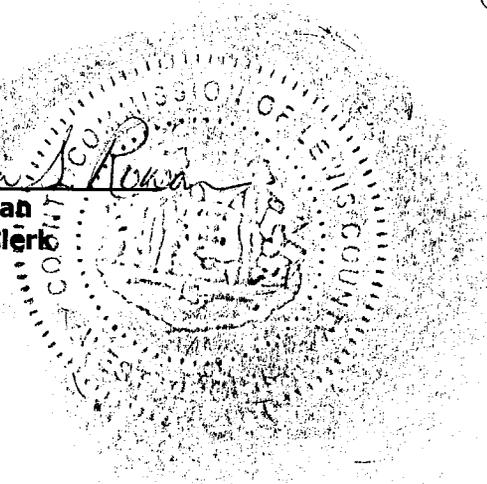
**Whereas, HOPE INC., THE TASK FORCE ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT** volunteers and staff promote sexual prevention by offering educational services in Lewis County throughout the year; and

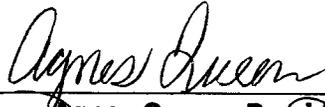
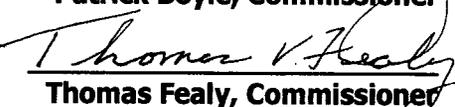
**Whereas, HOPE INC., THE TASK FORCE ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT** requests public support and assistance as it continues as to work toward a society where all women, children and men can live in peace, free from violence and exploitation;

**Now, Therefore, I, Agnes Queen, President of the Lewis County Commission, do hereby proclaim April 1<sup>st</sup> through April 30, 2015 as Sexual Assault Awareness Month in Lewis County, and I commend this observance to all citizens.**

Adopted by the Lewis County commission on this, the 23<sup>rd</sup> day of March, 2015.

Attest:   
**Cynthia S. Rowan  
Lewis County Clerk**



  
**Agnes Queen, President**  
  
**Patrick Boyle, Commissioner**  
  
**Thomas Fealy, Commissioner**

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
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**IN RE: PROCLAMATION MARCH 22-28, 2015 AS FOOD CHECK-OUT WEEK**

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

**PROCLAMATION**

**WHEREAS**, it is important that Americans have access to and consume healthful foods containing adequate vitamins, minerals, fiber and other nutrients even during challenging economic times; and

**WHEREAS**, achieving better nutrition with fewer resources remains a shared concern of our citizens that can be addressed through education and wise shopping strategies; and

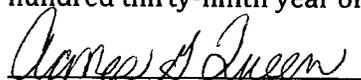
**WHEREAS**, farmers and ranchers are unmatched in their ability to consistently produce an abundance of safe, nutritious and affordable food; and

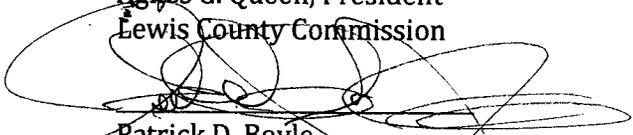
**WHEREAS**, producers confront significant uncertainties including inclement weather, damaging insects and other challenges, on a daily basis; and

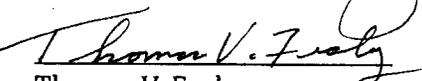
**WHEREAS**, Lewis County farmers, ranchers and other involved in the agriculture industry, working together in an environmentally sustainable way, help feed people here in Lewis County, our Nation and in other countries around the world;

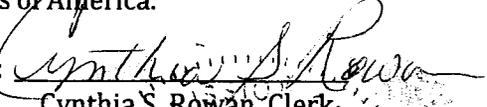
**NOW THEREFORE, I, Agnes G. Queen, President of the Lewis County Commission, do hereby proclaim March 22-28, 2015, as Food Check-Out Week.** I call upon all Americans to join me in recognizing and reflecting upon the strength of our diverse agriculture industry and in celebrating the benefits of agriculture with appropriate observances and activities.

**IN WITNESS WHEREOF**, I have hereunto set my hand this **23rd day of March 2015**, the two hundred thirty-ninth year of Independence of the United States of America.

  
Agnes G. Queen, President  
Lewis County Commission

  
Patrick D. Boyle  
Lewis County Commissioner

  
Thomas V. Fealy  
Lewis County Commissioner

ATTEST:   
Cynthia S. Rowan, Clerk



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**IN RE: APPROVAL OF 2013 – 2014 BUDGET**

The Lewis County Commission, after meeting with elected officials appearing before the Commission with requests and concerns regarding their office, did on the 23rd day of March, 2015, approve and adopt the budget estimates for General Current Expenses upon motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous. Commission directed that a copy be forwarded to the West Virginia Auditor's Office, Local Government Division, Clarksburg, West Virginia, for review and approval. The Clerk sent the budget estimate and levy page to the Weston Democrat for Class II Publication.

**Lewis County Commission Levy Estimate (Budget)  
2015 - 2016 Fiscal Year**

STATE OF WEST VIRGINIA  
County of: Lewis, West Virginia

In accordance with WV Code §11-8-10, as amended, the Lewis County Commission proceeded to make an estimate of the amounts necessary to be raised by a levy of taxes for the current year, and doth determine and estimate the several amounts to be as follows:

<b>General Fund</b>	<b>Estimated Revenues</b>
Fund Balance	\$ 2,500,000
Property Taxes Current year	4,469,400
Prior Year Taxes	228,700
Tax Penalties, Interest & Publication Fees	100,000
Property Transfer Tax	62,000
Gas and Oil Severance Tax	150,000
Wine & Liquor Tax	7,500
Hotel Occupancy Tax	742,000
Miscellaneous Permits	320
Federal Grants / Federal Payment in Lieu of Taxes	105,865
Other Grants	46,819
Charges for Services	19,000
County Clerk's Earnings	175,000
Circuit Clerk's Earnings	35,000
Prosecuting Attorney's Earnings	700
Accident Reports	700
Motor Vehicle License Fee	5,000
Rents & Concessions	20,268
Franchise Agreement	40,000
IRP Fees (Interstate Registration Plan)	30,000
Fines, Fees & Court Costs	72,000
Regional Jail Operations Partial Reimbursement	50,000
Interest Earned	15,000
Miscellaneous Revenue	13,000
Sheriff's Commission	15,000
Commissions	7,200
Gaming Income	60,000
Video Lottery	48,000
Refunds/Reimbursements (External Sources)	84,189
Emergency 911 Reimbursement	4,260
Home Confinement Reimbursements	1,500
General School Reimbursements	71,000
Magistrate Court Reimbursements	5,000
Payroll Reimbursements	400
<b>Total Estimated General Fund Revenues</b>	<b>\$ 9,184,821</b>
<b>Coal Severance Tax</b>	<b>Estimated Revenues</b>
Assigned Fund Balance	\$ 10,000
Coal Severance Tax	30,000
Interest Earned on Investment	10
<b>Total Coal Severance</b>	<b>\$ 40,010</b>

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**  
**REGULAR**  
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**Lewis County Commission Levy Estimate (Budget)**  
**2015 - 2016 Fiscal Year**

<b>ESTIMATED EXPENDITURES</b>	<b>General Fund</b>	<b>Coal Severance Tax Fund</b>
<b>GENERAL GOVERNMENT</b>		
County Commission	\$ 347,983	\$ -
County Clerk	452,032	-
Circuit Clerk	311,692	-
Sheriff - Treasurer	289,618	-
Prosecuting Attorney	411,824	-
Assessor	383,989	-
Statewide Computer Network	49,762	-
Agricultural Agent	70,636	-
Elections - County Clerk	85,250	-
Courthouse	1,783,284	-
Regional Development Authority	16,372	-
Economic Development	72,849	-
Contingencies - Not to Exceed 10% of Budget	<u>914,982</u>	<u>-</u>
<b>TOTAL GENERAL GOVERNMENT</b>	<u>5,190,273</u>	<u>-</u>
<b>PUBLIC SAFETY</b>		
Sheriff - Law Enforcement	818,555	-
Sheriff - Service of Process	48,649	-
Regional Jail	800,000	-
Civil Defense	1,375	-
Emergency Services	33,322	-
Communication Center	25,000	40,010
Fire Department	9,000	-
Ambulance Authority	15,000	-
Dog Warden/Humane Society	123,827	-
Watershed Project	5,000	-
Public Safety Grants	163,463	-
Courthouse Security	133,189	-
Community Based Corrections Program	<u>20,404</u>	<u>-</u>
<b>TOTAL PUBLIC SAFETY</b>	<u>2,196,784</u>	<u>40,010</u>
<b>HEALTH AND SANITATION</b>		
Local Health Department	15,000	-
Mental Health	<u>500</u>	<u>-</u>
<b>TOTAL HEALTH &amp; SANITATION</b>	<u>15,500</u>	<u>-</u>
<b>CULTURE AND RECREATION</b>		
Parks & Recreation	346,278	-
Fair Associations/Festivals	5,000	-
Visitor's Bureau	371,000	-
Library	<u>74,200</u>	<u>-</u>
<b>TOTAL CULTURE &amp; RECREATION</b>	<u>796,478</u>	<u>-</u>
<b>SOCIAL SERVICES</b>		
Family Law Judge	8,000	-
<b>TOTAL SOCIAL SERVICES</b>	<u>8,000</u>	<u>-</u>
<b>CAPITAL PROJECTS</b>		
Courthouse	653,066	-
Other Boards & Authorities	<u>324,720</u>	<u>-</u>
<b>TOTAL CAPITAL OUTLAY</b>	<u>977,786</u>	<u>-</u>
<b>Total Expenditures</b>	<u>\$ 9,184,821</u>	<u>\$ 40,010</u>

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**IN RE: EDA UPDATE**

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

1. Attended a Region 6 Workforce meeting. Unemployment rates went up .7% and the labor force is shrinking.
2. EDA board meeting is Wednesday from 5 – 6 pm.
3. Corr H meeting in Washington DC on the 2020 completion date.
4. A public meeting will be held March 30, from 6 – 8 pm at the Churchville Church on the water project.

**IN RE: OATH OF OFFICE, ALICIA FLESHER, LEWIS COUNTY  
ECONOMIC DEVELOPMENT AUTHORITY**

Alicia Flesher being previously appointed to the Lewis County Economic Development Authority 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 203.

**IN RE: LEAVE REQUESTS APPROVED**

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

BARBARA WINANS

Annual Leave, March 24, 2015

RICK STOUT

Annual Leave, May 7, 8, 11, 2015

**IN RE: EXECUTIVE SESSION**

The Commission was previously contacted about the potential to purchase property. The owner has submitted a proposal for review. The exact location and price are not being publically disclosed due the confidential nature of this matter. The Lewis County Commission will enter into an Executive Session per WV Code §6-9A-4 to discuss this item on motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to enter into executive session at 11:04 AM.

On motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing to enter back into regular session at 11:29 AM. Commissioner Patrick D. Boyle was late.

President Agnes G. Queen directed County Administrator Cindy Whetsell to setup an appointment with the land owner.

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**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;

Mary L. Devericks, Executrix, Affidavit of Personal Representative,  
Unadministered Estate of Paul E. Devericks, deceased.

**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:

Nancy Louise Blankenbaker, Executrix, Waiver of Settlement of the Fiduciary Account of the Estate of Edward Kennedy Blankenbaker, deceased

Lewis County Commission  
March 20, 2015 Payroll (Checks)

CHECK NO	NAME	Gross Pay	TD	Net Pay
39564	Stutler, Ashley C	630.04	153.11	476.93
TOTALS		630.04	153.11	476.93

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:

71513	Nationwide Retr Solutions	03/13/2015	860.01
71514	Voya Financial	03/13/2015	230.00
99461	Elec.Fed.Tax Pymt System	03/13/2015	51,058.04
200087	Bureau for Child Support	03/13/2015	545.85
	General County Fund	Total	52,693.90

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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:

7871	APCO Institute, Inc.	03/23/2015	150.00
7872	Guttman Oil Company	03/23/2015	40.40
7873	Pacific Interpreters	03/23/2015	3.90
7874	William F. Rowan	03/23/2015	56.50
7875	Weston Sanitary Board	03/23/2015	45.37
	E-911	TOTAL	296.17

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:

2639	Utility Boards	03/23/2015	35.31
2640	Guttman Oil Company	03/23/2015	55.02
2641	Upshur Veterinary Hospita	03/23/2015	266.50
	DOG AND KENNEL	TOTAL	356.83

GENERAL COUNTY 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:

71539	WV Association of Circuit	03/23/2015	100.00
71540	Dominion Hope	03/23/2015	2,362.03
71541	Guttman Oil Company	03/23/2015	876.48
71542	Legal Directories Pub Co	03/23/2015	188.70
71543	Richards Heating & AC	03/23/2015	5,000.00
71544	Travelers	03/23/2015	45,827.50
71545	Weston Sanitary Board	03/23/2015	261.68
71546	WV Correctional Industrie	03/23/2015	390.20
71547	WV FRIS	03/23/2015	100.00
	GENERAL COUNTY	TOTAL	55,106.59

224	Sam Hicks	03/25/2015	123.60
225	Dave Coffman	03/25/2015	264.45
226	Bob Rinehart	03/25/2015	65.05
227	Debbie Scarff	03/25/2015	74.60

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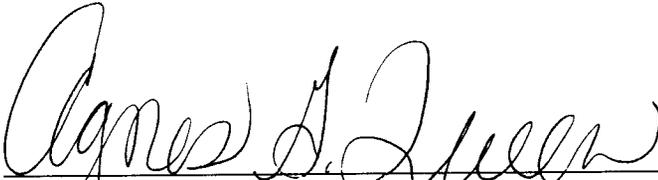
228	Gary Morris	03/25/2015	614.25
229	Wilma McKee	03/25/2015	11.60
230	Donald Beane	03/25/2015	378.60
231	Michael Smith	03/25/2015	807.00
232	Janice Whitehair	03/25/2015	328.95
233	Mary Lou Myers	03/25/2015	64.35
234	Diane Posey	03/25/2015	173.70
	MARCH RETIREE INSURANCE	TOTAL	2,906.15

IN RE: CHECKS RECEIVED

L.C. Board of Education	\$3,935.23
State of WV	\$4,444.44
State of WV	\$2,940.01
State of WV	\$2,089.22
Copperhead Oilfield Services	\$15.00

Given under my hand this 23rd day of March, 2015.

ORDERED, That this Commission doth now adjourn until Monday, March 30<sup>th</sup>, 2015.

  
 \_\_\_\_\_  
 PRESIDENT