

**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 Commission of the said County of Lewis, in the recess of said Commission on Wednesday, March 25th, 2015.

WHEREAS, on the 22nd day of September, 2004, Zelda C. Cutright qualified as Administratrix of the personal estate of Larry J. Cutright, deceased, with Harold V. Turner as her surety; and

WHEREAS, it appears that the said Zelda C. Cutright has since departed this life without completing the estate of the said Larry J. Cutright, deceased; and

WHEREAS, this day personally appeared the said Crystal Mae Riffle, daughter of Larry J. Cutright, deceased, and moved the Clerk that she be appointed as Administratrix de bonis non of the personal estate of her said decedent. The Clerk is of the opinion to and doth hereby appoint the said Crystal Mae Riffle as such Administratrix.

THEREUPON, Crystal Mae Riffle as principal together with Travis Riffle as her surety, entered into and acknowledged a bond in the penalty of Two Thousand (\$2,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Crystal Mae Riffle qualified as Administratrix dbn of the personal estate of Larry J. Cutright, deceased, by taking the oath prescribed by law, therefore the surety bond with Harold V. Turner is hereby cancelled and deemed null and void.

It is stated by said Administratrix that Larry J. Cutright departed this life on the 5th day of September, 2004, aged fifty-five years.

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 Wednesday, March 25, 2015.

Charles C. Stalnaker having previously been appointed as a member of the Lewis County Development Authority appeared this day, and was given the oath of office by the Clerk of the County Commission, Cynthia S. Rowan.

Attest:

Cynthia S. Rowan 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 Friday, March 27th, 2015.

This day came Tammy Jean Hicks, daughter of Emma Jean Woodson, deceased, and presented and offered for probate a paper writing bearing date the 25<sup>th</sup> of September, 2014, 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 paper writing had attached thereto, an affidavit signed by Linda Kramm and Debra A. Hull. The said affidavit set forth the fact that the said Emma Jean Woodson, 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 Linda Kramm and Debra A. Hull 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 Friday, March 27<sup>th</sup>, 2015.

WHEREAS, Emma Jean Woodson, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named William Dean Woodson as Executor thereof and requested that no bond be required of him as such Executor. Whereas, the said William Dean Woodson, declined to serve as such Executor, due to medical reasons. The Will further named Tammy Jean Hicks Executrix thereof with no bond required of her. THEREUPON, personally appeared the said Tammy Jean Hicks and qualified as Executrix of the Will of Emma Jean Woodson, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Emma Jean Woodson departed this life on the 4<sup>th</sup> day of February, 2015, aged eighty - three years.

Attest:

Cynthia S. Rowan Clerk

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REGULAR  
SESSION: MONDAY, MARCH 30, 2015**

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Commission sat pursuant to adjournment of Monday, March 23rd, 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 26, 2015 was filed.
2. **Lewis County Parks and Recreation Board Meeting Minutes and Agenda** – Lewis County Parks and Recreation February 23, 2015 meeting minutes and March 23, 2015 meeting agenda was filed.
3. **Silling Architects Award Notification** – Notification was received from Silling Architects that the West Virginia Chapter of the American Institute of Architects will be awarding the Lewis County Judicial Annex it “Merit Award for Achievement in Architecture” at their annual awards program on April 11, 2015. President Agnes G. Queen will be attending the award dinner.
4. **Correspondence from the West Virginia Department of Tax and Revenue Regarding Network Connection Issues** – The Lewis County Commission wrote a letter to the West Virginia Department of Tax and Revenue inquiring why the costs for the statewide computer network have increased but the network performance is declining. The Department of Tax and Revenue has responded: due to an error the cost for fiscal year 2014-2015 was incorrectly calculated. The department did not assess the additional amount during that fiscal year but did correct the fiscal year 2015-2016 rates to reflect the correct costs. The department is aware of the issues with performance and purchased a server and software. The cost of this upgrade will be distributed to the counties with Lewis County’s share being \$7,466.00.

**IN RE: OATH OF OFFICE, JANICE SUNDSTROM, LOUIS BENNETT PUBLIC LIBRARY BOARD**

Janice Sundstrom being previously appointed to the Louis Bennett Public Library Board on March 23, 2015 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 205.

**IN RE: OATH OF OFFICE, CHRISTOPHER HEATER, LEWIS COUNTY  
ECONOMIC DEVELOPMENT AUTHORITY**

Christopher Heater being previously appointed on March 9, 2015 to the Lewis County Economic Development Authority appeared before the commission to take his 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 206.

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**IN RE: BOARD AND COMMITTEE REPORTS**

Commissioner Thomas V. Fealy and Commissioner Patrick D. Boyle did not attend any meetings or committees.

President Agnes G. Queen attended the Lewis County Park Board meeting. All camper sites are full and the bridge top needs repaired.

President Agnes G. Queen attended the Lewis County EDA meeting. They are creating a sub-committee to focus on retail trade.

President Agnes G. Queen, County Administrator Cindy Whetsell and the elected officials attended a meeting regarding the escaped patient from Sharpe Hospital.

**IN RE: APPROVAL OF 911 EMPLOYEE TO TEACH CLASS  
IN BARBOUR COUNTY 911 CENTER**

Roberta Stalnaker is a certified instructor and employee of the Lewis-Gilmer Emergency 911 Center. As part of the E911 regional networking program, she requests to teach classes in Barbour County. The request was approved by the E911 Director William Rowan. On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve Roberta Stalnaker to teach classes April 11-17, 2015.

**IN RE: APPROVAL HIRING MICHELLE POSEY, DEPUTY CIRCUIT CLERK**

Circuit Clerk John Hinzman sent a letter requesting to hire Michelle Posey as Deputy Circuit Clerk on April 6, 2015 with a wage of \$27,000.00 per year. Mr. Hinzman also requested any probationary period be waived for insurance purposes. Ms. Posey will be replacing Deena Saeler who will be retiring at the end of the year. On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve the hiring of Ms. Posey as per the request of Mr. Hinzman.

**IN RE: EDA UPDATE**

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

1. A public meeting will be held March 30, from 6 – 8 pm at the Churchville Church on the water project. Water usage agreement forms will be filled out.
2. EDA meeting. Creating Sub-committee for retail.

**IN RE: LEAVE REQUESTS APPROVED**

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

JOHN SNYDER	Annual Leave, May 19, 20, 21 & 22, 2015
	Comp Time May 12, 13, 14, 15 & 18, 2015

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**IN RE: DAMAGE TO HOLDING CELL**

Cindy Whetsell, County Administrator informed the commission of an incident where a prisoner had damaged the ceiling of the holding cell in the annex. Cost to fix was almost \$10,000.00. The prisoner will be charged for the damage. A claim has been filed with the insurance company.

**IN RE: RIDE-ALONG REQUESTS APPROVED FOR  
LEWIS COUNTY SHERIFF DEPARTMENT**

Michael Workman filed a request for ride along with Deputy Sheriff Lopez for the purpose of writing a paper for law school. The request for Michael Workman was approved for a 4 (four) hours on April 3<sup>rd</sup> or 4<sup>th</sup>, 2015 upon motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous. The Release and Waiver will be signed and attached to the request.

**IN RE: SETTLEMENT OF ACCOUNTS FOR CHARLES C. HATHAWAY,  
FIDUCIARY COMMISSIONER**

Charles C. Hathaway, Fiduciary Commissioner, having filed with the Clerk of this Commission during the month of March, 2015, and at least ten (10) days prior to this date, the following Settlement of Accounts, which have been made by him, advertised and otherwise handled in accordance with the Statutes; and there having been no objections thereto, the same is hereby confirmed:

Rick Allen Williams, Executor, Waiver of Accounting and Final Settlement of the Fiduciary Account of the Estate of Ada Virginia Williams, deceased.

**IN RE: APPOINTMENT OF BRITTANY SIAS ADMINISTRATRIX OF THE  
PERSONAL ESTATE OF MICHAEL PAUL SIAS, DECEASED**

This day came Brittany Sias, daughter of Michael Paul Sias, deceased, and filed affidavits signed by Michael P. Sias, heirs of said decedent, requesting that she be appointed as such Administratrix of the personal estate of their said decedent. Upon, consideration of which, the Commission is of the opinion to and doth hereby appoint the said Brittany Sias as such Administratrix.

THEREFORE, Brittany Sias as principal together with Western Surety/CNA Surety Company as her surety, entered into an acknowledged a bond in the penalty of Twelve Thousand dollars (\$12,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Brittany Sias qualified as Administratrix of the personal estate of Michael Paul Sias, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Michael Paul Sias departed this life on the 20th day of December, 2014, aged forty-six years.

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IN RE: QUALIFICATION OF SAYRANN STALNAKER EXECUTRIX OF THE LAST WILL AND TESTAMENT OF OPAL MAE HALL, DECEASED

This day came Sayrann Stalnaker, daughter of Opal Mae Hall, deceased, and presented and offered for probate a paper writing bearing date the 7th day of June, 2012, purporting to be the Last Will and Testament of her said decedent.

And, it appearing to the Commission 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 Melinda Kay Wanless and Richard Finster. The said affidavit set forth the fact that the said Opal Mae Hall, 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 Melinda Kay Wanless and Richard Finster 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: PROBATING THE LAST WILL AND TESTAMENT OF  
OPAL MAE HALL, DECEASED

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

It is stated by said Executrix that Opal Mae Hall departed this life on the 3rd day of March, 2015, aged ninety years.

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:

7877	Century Link	03/30/2015	22.75
7878	Frontier	03/30/2015	1,596.42
7879	Guttman Oil Company	03/30/2015	77.92
7880	Daniel Johnston Trucking	03/30/2015	3,350.00
7881	Verizon Business Services	03/30/2015	150.00
	E-911	TOTAL	5,197.09

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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:

2643	Guttman Oil Company	03/30/2015	131.69
	DOG AND KENNEL	TOTAL	131.69

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:

841	Quill	03/25/2015	23.80
	CONCEALED WEAPONS	TOTAL	23.80

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:

71551	AFLAC	03/30/2015	188.44
71552	Debbie Williams	03/30/2015	59.00
71553	Elite Cleaners	03/30/2015	101.20
71554	Guttman Oil Company	03/30/2015	1,043.40
71555	Steven A. Jones	03/30/2015	83.95
71556	Kelly Hamon McLaughlin	03/30/2015	16.45
71557	Ronald D. Pearse, ED,D	03/30/2015	150.00
71558	U S Bank Equip Finance	03/30/2015	1,818.00
71559	WF Soil Conservation Dist	03/30/2015	5,000.00
	GENERAL COUNTY	TOTAL	8,460.44

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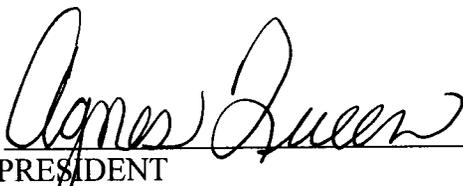
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IN RE: CHECKS RECEIVED

WV State of	2,062.50	AT & T	119.00
Wv State of	2,062.50	Interface Security System, INC	3.33
Wvaco	675.00	Cebridge Telecom WV	103.25
LC EDU	3,935.23	Compliance Solutions INC	78.75
WV State of	4,444.44	Digital Connections, Inc	0.64
WV State of	2,940.01	Digital Connections, Inc	0.64
WV State of	2,089.22	Frontier	7,056.57
Copperhead Oilfield Services	15.00	Frontier	1,554.91
Pickrell, David C.	14.65	Granite Telecommunications LLC	264.25
City of Clarksburg	685.92	Hughes Network Systems, LLC	1.75
Lumos	619.92	IDT Corporation	7.00
Mcimetro Access Trans Svcs	3.50	Level Three Comm., LLC	26.25
WV State of	200.00	Vonage Business solutions	19.25
WV State of	200.00	Vonage Tax Acct	126.00
Shentel	2,215.42	Sheriff of Gilmer Co.	99.85
Sheriff of Gilmer Co.	93,315.75	Sheriff of Gilmer Co.	8,280.11

Given under my hand this 30th day of March, 2015.

ORDERED, That this Commission doth now adjourn until Monday, April 6th, 2015.

  
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PRESIDENT