

**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, April 7th, 2015.

This day came Rose Ann Carder, and filed affidavits signed by John Cecil Morris and Pam Louise Morris, heirs of the said Charles Eddie Morris, deceased, requesting that she be appointed as Administratrix of the personal estate of their said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Rose Ann Carder as such Administratrix.

THEREFORE, Rose Ann Carder as principal together with Western Surety/CNA Surety Company as her surety, entered into and 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 Rose Ann Carder qualified as Administratrix of the personal estate of Charles Eddie Morris, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Charles Eddie Morris departed this life on the 14th day of March, 2015, aged eighty-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 Thursday, April 9th, 2015.

At an earlier date came Frances L. Cressman, sister of Joseph B. Lightburn, Jr., deceased, and presented and offered for probate a paper writing bearing date the 24th day of November, 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 his death, had known place of residence in the County of Lewis, State of West Virginia, and it further appearing to the Clerk that the said paper writing was wholly in one handwriting, thereupon came Kim Curtis and Cindy Dever, they being of legal age, who after being first duly sworn, did depose and say that they were well acquainted with the handwriting of the said Joseph B. Lightburn, Jr., deceased. Then, the witnesses examined the document and did further and severally depose and say that they verily believe that the writing and signature of the said instrument and every part thereof is in the proper and genuine handwriting of the said Joseph B. Lightburn, Jr., deceased.

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

**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, 9th, 2015.

WHEREAS, Joseph B. Lightburn, Jr., whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Frances L. Cressman as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Frances L. Cressman and qualified as Executrix of the Will of Joseph B. Lightburn, Jr., deceased, by taking the oath prescribed by law.

It is stated by said Executor that Joseph B. Lightburn, Jr. departed this life on the 21st day of March, 2015, aged eighty-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 Friday, April 10, 2015.

This day came Lewis Mittchel Starr, and filed an affidavit signed by Margaret Ann Keener Starr, mother of the said Connie L. Starr, deceased, requesting that he be appointed as Administrator of the personal estate of their said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said as such Administrator.

THEREFORE, Lewis Mittchel Starr as principal together with Western Surety/CNA Surety Company as his surety, entered into and acknowledged a bond in the penalty of Twenty-Five Hundred (\$2,500.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Lewis Mittchel Starr qualified as Administrator of the personal estate of Connie L. Starr, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Connie L. Starr departed this life on the 23rd day of March, 2015, aged fifty-three 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 Friday, April 10, 2015.

This day came Connie S. Kurtz, daughter of Pauline Jo Kurtz, deceased, and presented and offered for probate a paper writing bearing date the 16th day of October, 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 said paper writing had attached thereto an affidavit signed by Cynthia Angotti and W.T. Weber, Jr. The said affidavit set forth the fact that the said Pauline Jo Kurtz, 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, Cynthia Angotti and W.T. Weber, Jr. the said 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, April 10, 2015.

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

It is stated by said Executrix that Pauline Jo Kurtz departed this life on the 13thth day of March, 2015, aged eighty - two 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 Friday, April 10, 2015.

This day came Sandra Jo Jones Stalnaker and Joyce Ellen Wright Zirkle, daughters of Kenneth Lane Stalnaker, deceased, and presented and offered for probate a paper writing bearing date the 20th day of November, 1980, 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 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 Willdene Carol Kincade and Mary L. Corathers. The said affidavit set forth the fact that the said Kenneth Lane Stalnaker, 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 Willdene Carol Kincade and Mary L. Corathers 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:

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, April 10, 2015

WHEREAS, Kenneth Lane Stalnaker, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Haroldine M. Stalnaker as Executrix thereof and requested that no bond be required of her as such Executrix. Whereas the said Haroldine M. Stalnaker has since departed this life. The Will further named Sandra Jo Jones Stalnaker and Joyce Ellen Wright Zirkle as Co-Executrices thereof and requested that no bond be required of them as such Co-Executrices.

THEREUPON, personally appeared the said Sandra Jo Jones Stalnaker and Joyce Ellen Wright Zirkle and qualified as Co-Executrices of the Will of Kenneth Lane Stalnaker, deceased, by taking the oath prescribed by law.

It is stated by said Co-Executrices that Kenneth Lane Stalnaker departed this life on the 28th day of January, 2015, aged ninety years.

Attest:

Cynthia S. Rowan Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, APRIL 13, 2015.**

Commission sat pursuant to adjournment of Monday, April 6, 2015.

PRESENT: Honorable Agnes G. Queen, President and Patrick D. Boyle, Commissioner and Thomas V. Fealy, Commissioner being absent.

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 agenda for Thursday, April 9, 2015 was filed.
2. **Sheriff's Monthly Vehicle Report** – The Sheriff's monthly vehicle report for March, 2015 including mileage and maintenance for the fleet was filed.
3. **Animal Control Monthly Report** – The Lewis County Animal Control Report for March, 2015 including number of animals picked up, dropped at facility, adopted, bounty collections and vehicle mileage was filed.
4. **Jane Lew Public Service District Meeting Agenda** – The Jane Lew Public Service District meeting agenda for the April 9, 2015 regular meeting was filed.
5. **29th Judicial Circuit Community Corrections Meeting Notice** – Notice was received that the 26th Judicial Circuit Community Corrections Board Meeting will be held April 13, 2015 at 6:00 PM at the Upshur County Day Report Center.
6. **Lewis County Sheriff's Monthly Settlement** – The Sheriff's monthly settlement (reconciliation) of Lewis County Financial accounts was filed for the month of March, 2015.
7. **Lewis County Fiscal Year 2015 Audit Report** – The West Virginia State Auditor remits the fiscal year 2014 Lewis County Audit report. The following findings are noted: 1- Individual cash drawers for all employees in the County and Circuit Clerk's offices are needed (Note: This finding has been corrected for the Lewis County Clerk's office.) 2 – Segregation of Duties 3 – County Clerk's agreement signed in 2009 with Chesapeake Energy for the purpose of digitizing documents, giving a copy to the county and the company, is in violation of WV Code §7-1-3 and §59-1-10 4- Other post employment benefits for retirees must be listed as per Government Accounting Standards Statement Number 45. (Note: This finding has been corrected.)

IN RE: OATH OF OFFICE, WILLIAM WHITE

William White being appointed to the position of member of the Lewis County Economic Development Authority on March 9, 2015, 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 210.

IN RE: OATH OF OFFICE, RICHARD MESSENGER

Richard Messenger being appointed to the position of member of the Lewis County Parks and Recreation Board on March 9, 2015, 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 209.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, APRIL 13, 2015.**

IN RE: NOTICE OF APPROVAL OF LEVY ESTIMATE (BUDGET)

The approval of the levy estimate (budget) was received from Ora L. Ash, Director, Local Government Services Division as follows:



State of West Virginia

Office of the State Auditor
Glen B. Gainer III
State Auditor
www.wvsao.gov

Building 1, Room W-100
Charleston, West Virginia 25305
Telephone: (304) 558-2251
FAX: (304) 558-5200

200 West Main Street
Clarksburg, West Virginia 26301
Telephone: (304) 627-2415
FAX: (304) 627-2417

March 27, 2015

**NOTICE OF APPROVAL OF THE LEVY ESTIMATE
(BUDGET)**

To: Lewis County Commission

In accordance with the provisions of Chapter 11, Article 8, of the West Virginia Code, as amended, the State Auditor of West Virginia hereby approves your Levy Estimate (Budget) for the fiscal year beginning July 1, 2015.

I find that any levy rates to be imposed in excess of those prescribed by the West Virginia Constitution were legally authorized by a vote of the people.

With this written approval, the levying body shall meet on the third Tuesday in April (April 21) to hear and consider any objections and to officially adopt the levy rates for property taxation. The clerk/recording officer, within three days of such meeting, shall prepare and forward to the State Auditor the officially adopted levy rates and levy order.

If you have any questions, please do not hesitate to contact me at 304-627-2415 or 1-877-982-9148 extension 5114, Shellie Humphrey extension 5114 or Karen Drain extension 5101.

Sincerely,
Glen B. Gainer III
WV State Auditor

By: Ora L. Ash,
Deputy State Auditor
Local Government Services

With this written approval, the Commission shall meet on the third Tuesday in April (April 21) at 9:00 A.M. to officially adopt the levy rates for property taxation.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, APRIL 13, 2015.**

IN RE: NATIONAL ANIMAL CONTROL APPRECIATION WEEK RESOLUTION

The following Resolution was approved for signature upon motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing:

Proclamation

**NATIONAL ANIMAL CONTROL APPRECIATION WEEK
APRIL 13-19, 2015**

WHEREAS, the National Animal Control Association has designated the second week of April as National Animal Control Appreciation Week; and

WHEREAS, the various Federal, State and Local Government Officials throughout our country take this time to recognize, thank, and commend all Animal Control Officers for the dedicated service they provide to our citizens and agencies throughout the county; and

WHEREAS, the Lewis County Commission would like to express its sincere thanks and appreciation for the outstanding service our Animal Control Officers, John Snyder and Dwight Senter provides on a daily basis to our county's citizens; and

WHEREAS, the Lewis County Commission recognizes and commends the Animal Control Officers for the many dedicated and long hours of service performed in serving the community, and for fulfilling the Animal Control Officers commitment to providing the highest and most caring level of service; and

WHEREAS, the Lewis County Commission wishes to commend Mr. Snyder and Mr. Senter for their service; and

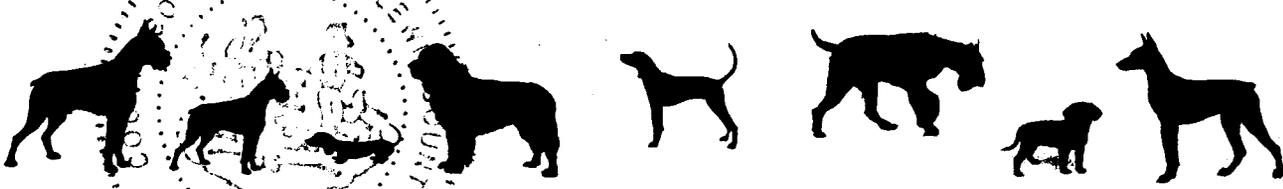
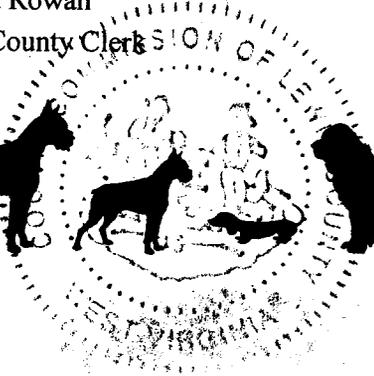
NOW, THEREFORE, BE IT RESOLVED that the Lewis County Commission does hereby officially recognize the week of April 13-17, 2015 as Lewis County Animal Control Officers Week, and respectfully asks all citizens to join in expressing their sincere appreciation for the many long hours of outstanding service these individuals provide throughout the year to assure the safety and welfare of all.

Agnes Queen
Agnes Queen, President

Patrick Boyle
Patrick Boyle, Commissioner

Thomas Fealy
Thomas Fealy, Commissioner

Attested: *Cynthia Rowan*
Cynthia Rowan
Lewis County Clerk



**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, APRIL 13, 2015.**

IN RE: ELISSA MILLS, UPSHUR COUNTY ANIMAL CARE AND CONTROL BOARD MEMBER

Elissa Mills, Upshur County Animal Care and Control Board member appeared before the commission requesting the commission consider a holding time before cat euthanasia. She also informed the commission of a new law on vicious dogs.

**IN RE: APPOINTMENT OF NANCY C. HAYHURST, ADMINISTRATRIX,
OF THE PERSONAL ESTATE OF RUBY MARIE SNIDER, DECEASED**

This day came Nancy C. Hayhurst, daughter of Ruby Marie Snider, deceased, and filed affidavits signed by Larry E. Snider and Mary Cathlyn Snyder, heirs of said decedent, requesting that she be appointed as Administratrix of their said decedent. Upon, consideration of which, the Commission is of the opinion to and doth hereby appoint the said Nancy C. Hayhurst as such Administratrix.

THEREFORE, Nancy C. Hayhurst as principal together with Larry E. Snider as her surety, entered into and acknowledged a bond in the penalty of Twenty-Five Hundred (\$2,500.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Nancy C. Hayhurst qualified as Administratrix of the personal estate of Ruby Marie Snider, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Ruby Marie Snider departed this life on the 9th day of February, 2015, aged ninety years.

IN RE: UPDATE EDA

Michael Herron, EDA Executive Director updated the commission on the water projects, Corr H completion date in five years, 2-3 motels at Exit 99, annual meeting on the 25th.

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;

Billy Joe Dever, Executor, Affidavit of Personal Representative,
Unadministered Estate of Shirley Ann Dever, deceased.

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:

NUMBER	VENDOR NAME	DATE	AMOUNT
2646	Guttman Oil Company	04/13/2015	53.55
	DOG AND KENNEL	TOTAL	53.55

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

7885	Bennett Home & Auto, Inc.	04/13/2015	1,449.95
7886	Guttman Oil Company	04/13/2015	77.07
7887	Daniel Johnston Trucking	04/13/2015	1,550.00
7888	Mon Power	04/13/2015	945.70
7889	Kathryn Ann Ruppert	04/13/2015	275.00
7890	WHAW Radio	04/13/2015	247.50
7891	WV American Water Company	04/13/2015	65.39
7892	WVRW Radio	04/13/2015	247.50
E-911		TOTAL	4,858.11

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:

843	FBI NAA WV	04/09/2015	250.00
844	WV Chief Police Assoc	04/10/2015	45.00
845	United Bank Card (Idville)	04/10/2015	41.65
	CONCEALED WEAPONS	TOTAL	336.65

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:

71578	Washington Ntl Ins Co.	04/13/2015	512.00
71579	Companion Life	04/13/2015	152.90
71580	WV Assoc of County Clerks	04/13/2015	550.00
71581	Edward S. Shiflett	04/13/2015	400.00
71582	Guardian	04/13/2015	3,528.29
71583	Guttman Oil Company	04/13/2015	787.99
71584	Jane Lew Lions Club	04/13/2015	1,000.00
71585	Lewis County Park	04/13/2015	8,663.51
71586	LC Conven. & Visitors Bur	04/13/2015	8,330.30
71587	Louis Bennett Pub.Library	04/13/2015	3,332.13
71588	Kelly Hamon McLaughlin	04/13/2015	66.74
71589	Mt Lake Convention &	04/13/2015	8,330.30
71590	Mon Power	04/13/2015	569.87
71591	Richards Heating & AC	04/13/2015	33,625.00
71592	Software Systems, Inc.	04/13/2015	1,069.00
71593	Town of Jane Lew	04/13/2015	4,664.97
71594	WV Bureau of Employment	04/13/2015	14.04
71595	84 Lumber	04/13/2015	147.87
	GENERAL COUNTY	TOTAL	75,744.91

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

1950	General County Fund	04/13/2015	1,689.00
	MAGISTRATE COURT	TOTAL	1,689.00

IN RE: CHECKS RECEIVED

Jody Paugh	\$15.00
M. Poling	\$250.00
LC Devopment Authority	\$4,920.84

X

Given under my hand this 13th day of April, 2015.

ORDERED, That this Commission doth now adjourn until Monday, April 20th, 2015.


President