

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 21, 2015.

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

THEREFORE, Velma Gay Davisson as principal together with Billy Eugene Davisson 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 Velma Gay Davisson qualified as Administratrix of the personal estate of Harvey Lee Davisson, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Harvey Lee Davisson departed this life on the 9th day of December, 2014, aged seventy-six 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 Tuesday, April 21, 2015.

This day came Robert Lynn Smith, II, a creditor, and requested that he be appointed as Administrator of the personal estate of Crystal Devon Sipe, deceased, since thirty days having lapsed and no one qualifying for said estate. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Robert Lynn Smith, II as such Administrator of the personal estate of Crrystal Devon Sipe, deceased.

THEREFORE, Robert Lynn Smith, II as principal together with Wendy S. Smith as his surety, entered into and acknowledged a bond in the penalty of One Thousand Five Hundred (\$1,500.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Robert Lynn Smith, II qualified as Administrator of the personal estate of Crystal Devon Sipe, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Crystal Devon Sipe departed this on the 17th day of March, 2015, aged forty-three years.

Attest:

Cynthia S. Rowan Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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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 21, 2015.

WHEREAS, on the 16th day of August, 2000, the Last Will and Testament of Russell B. Duncan, deceased, was fully proved, probated and admitted to record, and therein named Bettie J. Duncan as Executrix thereof; and

WHEREAS, it appears that the Estate of Russell B. Duncan, deceased, was properly administered and settled by said Bettie J. Duncan on February 5, 2001, and recorded in Inventory Book: 139 Page: 407; and

WHEREAS, it now appears that the said Estate of Russell B. Duncan, deceased, will need to be re-opened, there being further administration on said estate; and

NOW, THEREUPON, this day came Bettie J. Duncan and qualified as Executrix of the Estate of Russell B. Duncan, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Russell B. Duncan departed this life on the 2nd day of August, 2000, aged seventy-six 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 Tuesday, April 21, 2015.

This day came Mary J. Tran, on behalf of Catherine J. Halbert, mother of John B. Halbert, deceased, requesting that she be appointed as Administratrix of the personal estate of their said decedent. The Clerk is of the opinion to and doth hereby appoint the said Mary J. Tran as such Administratrix of the said estate due to the declining health of the said Catherine J. Halbert.

THEREFORE, Mary J. Tran 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 Mary J. Tran qualified as Administratrix of the personal estate of John B. Halbert, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that John B. Halbert departed this life on the 14th day of April, 2015, aged sixty-three years.

Attest:

Cynthia S. Rowan Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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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 21, 2015.

This day came Susan A. Kerrigan, daughter of Chloe L. Kerrigan, deceased, and presented and offered for probate a paper writing bearing date the 9th day of November, 2004, 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 Michael D. Golden and Derrick W. Love. The said affidavit set forth the fact that the said Chloe L. Kerrigan, 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 Michael D. Golden and Derrick W. Love 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, April 21, 2015.

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

It is stated by said Executrix that Chloe L. Kerrigan departed this life on the 14th day of April, 2015, aged ninety 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, April 23, 2015.

This day came Linda C. Kraus, wife of Francis P. Kraus, deceased, and presented and offered for probate a paper writing bearing date the 28th day of October, 2003, 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 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 Anna D. Morris and Gary Morris. The said affidavit set forth the fact that the said Francis P. Kraus, 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 Anna D. Morris and Gary Morris 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 Thursday, April 23, 2015.

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

It is stated by said Executrix that Francis P. Kraus departed this life on the 14th day of April, 2015, aged seventy-four years.

Attest:

Cynthia S. Rowan Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, APRIL 27, 2015**

Commission sat pursuant to adjournment of Monday, April 20th, 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 agenda for Thursday, April 23, 2015 was filed. Commissioner Fealy wondered if Lewis County would be required to furnish office space for the Drug Court. County Administrator Cindy Whetsell reported that yes we would but not right now.

IN RE: BOARD AND COMMITTEE REPORTS

Commissioners Boyle and Fealy, President Agnes Queen, County Administrator Cindy Whetsell and County Clerk Cindy Rowan met on Tuesday, April 21, 2015 to lay the levy.

President Agnes G. Queen attended the EDA Board meeting.

County Administrator Cindy Whetsell attended the first construction meeting on the remodeling of the Assessor’s new offices. The asbestos abatement has been done and Lombardi is working on demolition. The project is on schedule. City Electric, the electrical subcontractor is looking to change the route of the electric wires. This could be a savings to the county, but will not be an additional cost.

County Administrator Cindy Whetsell attended the Lewis County Building Commission meeting.

County Administrator Cindy Whetsell and County Clerk Cindy Rowan attended the WVAC legislative roundup at Flatwoods.

**IN RE: OATH OF OFFICE, MICHAEL OLDAKER TO
THE LEWIS COUNTY CIVIL SERVICE COMMISSION**

Michael Oldaker being approved for the position of Board Member of the Lewis County Civil Service Commission at the April 13, 2015 commission meeting, 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 212.

**IN RE: OATH OF OFFICE, BRUCE LOYD TO
THE LEWIS COUNTY ECONOMIC DEVELOPMENT AUTHORITY**

Bruce Lloyd being approved for the position of Board Member of the Lewis County Economic Development Authority at the March 9, 2015 commission meeting, 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 211.

ORDERS --- BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, APRIL 27, 2015

IN RE: PROCLAMATION TO PROCLAIM MAY 7, 2015 AS A DAY OF PRAYER

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

*Proclamation
Of the County Commission of Lewis County,
West Virginia*

Whereas, prayer has been recognized by our leaders in times of war and peace as vital to the maintenance of a strong national character and necessary to procure the blessing of a just and benevolent God upon our Government and people; and,

Whereas, Lewis County is a richly beautiful home for its proud people who hold freedom in high regard and who strongly desire to preserve their County's heritage; and,

Whereas, joining in common prayer is one of the most profoundly constructive things we can do for our County and

Whereas, the National Day of Prayer is a tradition first proclaimed by the Continental Congress in 1775; and

Whereas, It is appropriate to honor God with a unified expression of gratitude and humbly request divine intervention in the preservation and continuation of strong religious principles upon which our Nation and our State and our County have been established;

Now, Therefore, Be it Resolved the County Commission of Lewis County, West Virginia hereby PROCLAIM the day of May 7, 2015, as

A Day of Prayer

in Lewis County, West Virginia, and invite all residents to pray with diligence and obedience and to seek the face of the Almighty God to direct our paths in the days and years ahead.

Adopted on the 27 day of April, in the year of our Lord, Two Thousand Fifteen.

Agnes G. Queen

Agnes G. Queen- President

Patrick D. Boyles

Patrick D. Boyles-Commissioner

Thomas V. Fealy

Thomas V. Fealy-Commissioner

Cynthia Rowan

attested -Cynthia Rowan -clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: LEWIS COUNTY CVB REPORT 1ST QUARTER 2015

Chris Richards, Executive Director, Lewis County CVB, filed the first quarter 2015 report with the Lewis County Commission. A copy of the report is available for viewing at the Lewis County Clerk's or the Lewis County Commission office upon request.

IN RE: LEWIS COUNTY CVB RECEIVES 50% HOTEL MOTEL TAX AS OF JULY 1, 2015

President Agnes G. Queen reported that during budget talks and because of the down turn in the economy the Commission decided it would be a savings to the county if the hotel motel tax be distributed to the Lewis County Convention & Visitors Bureau and none to the Mountain Lakes Convention & Visitors Bureau. This would do away with the duplication of services. This decision was not because of any wrong doing by anyone. WV Code §7-18-14 requires 50% of all hotel motel funds collected be distributed to a convention and visitors bureau. After discussion and on motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve the redistribution of the hotel motel tax to 50% to the Lewis County Convention & Visitors Bureau.

IN RE: EDA UPDATE

Michael Herron, Executive Director, EDA reported the following:

1. The transition to a new president was going very well.
2. The water projects are moving forward.
3. Working on funding for the Corr H completion.
4. Looking for sites for businesses with 20-25 employees.
5. Looking at housing for Lewis County – 95% occupancy for the hotels.

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

8 hours annual – April 27, 2015

**IN RE: APPROVAL TO GET SPECIFICATION FROM FRONTIER FOR INTERNET
SERVICES TO SEND TO GLOBAL SCIENCE & TECHNOLOGY**

Cindy Whetsell, County Administrator presented quotes to the commission for internet services for the courthouse. Frontier was low bidder at \$139.99 per month for 40/10 with a one time fee of \$49.99. On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to get the specifications from Frontier and send to Global Science & Technology for review.

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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:

Gary R. Turner, Executor, Waiver of Settlement of the Estate of
Ruth E. Turner, deceased

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;

Kimberly Zaner, Administratrix, Affidavit of Personal Representative,
Unadministered Estate of Sandra K. Bridgers, deceased.

Lee Ann Coffield, Executrix, Affidavit of Personal Representative,
Unadministered Estate of Harry Clifford Coffield, III, deceased.

AQUATIC CLAIMS

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

1003	Citizens Bank of Weston	04/27/2015	504,433.33
	AQUATIC FUND	TOTAL	504,433.33

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

2969	Guttman Oil Company	04/27/2015	37.06
2970	Silling Architects & Plnr	04/27/2015	1,248.09
	ASSESSOR	TOTAL	1,285.15

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:

2648	Guttman Oil Company	04/27/2015	61.36
2649	Upshur County Commission	04/27/2015	17,318.26
	DOG AND KENNEL	TOTAL	17,379.62

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:

7894	Biser's Radio Service	04/27/2015	2,850.00
7895	EmergiTech	04/27/2015	9,495.50
7896	Guttman Oil Company	04/27/2015	47.01
7897	Miller Communications Inc	04/27/2015	270.00
7898	SBM Electronics, Inc.	04/27/2015	5,532.40
7899	Staples	04/27/2015	619.08
7900	Verizon Business Services	04/27/2015	150.00
7901	Weston Sanitary Board	04/27/2015	52.14
	E-911	TOTAL	19,016.13

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:

71604	AFLAC	04/27/2015	188.44
71605	Dog & Kennel Fund	04/27/2015	35,000.00
71606	Dominion Hope	04/27/2015	758.04
71607	Electronic Communications	04/27/2015	1,220.00
71608	Guttman Oil Company	04/27/2015	989.50
71609	WV Reg.Jail &Corr.FacAuth	04/27/2015	67,743.00
71610	Staples	04/27/2015	815.91
71611	Super Splash	04/27/2015	83.00

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71612	Weston Sanitary Board	04/27/2015	487.16
	GENERAL COUNTY	TOTAL	107,285.05
235	Sam Hicks	04/24/2015	123.60
236	Dave Coffman	04/24/2015	264.45
237	Bob Rinehart	04/24/2015	65.05
238	Debbie Scarff	04/24/2015	74.60
239	Gary Morris	04/24/2015	614.25
240	John Carroll	04/24/2015	19.80
241	Wilma McKee	04/24/2015	11.60
242	Don Beane	04/24/2015	378.60
243	Michael Smith	04/24/2015	807.00
244	Janice Whitehair	04/24/2015	328.95
245	Mary Lou Myers	04/24/2015	64.35
246	Diana Posey	04/24/2015	219.70
	RETIREE INSURANCE	TOTAL	2,971.95

IN RE: CHECKS RECEIVED

WV, State of	\$2,062.50	WV, State of	\$107,575.70
Compliance Solutions, Inc.	\$26.25	AT&T Corp.	\$120.75
Interface Securty Systems, Inc.	\$3.67	Birch Communications	\$5.25
Cebridge Telecom WV	\$98.00	Weston, City of	\$3,000.00
Compliance Solutions, Inc.	\$77.00	Frontier	\$7,070.56
Frontier	\$1,546.42	Level 3 Comm., LLC	\$21.00
Lumos	\$609.32	MetTel	79.78
ProCom	\$37.30	ProCom	\$37.30
Shentel	\$2,237.79	Compliance Solutions, Inc.	\$162.75
Vonage Tax Account	\$126.00	Vonage Tax Account	\$19.25
Gilmer County Sheriff	\$3,706.98	Gilmer County Sheriff	\$4,675.29
Lewis County Park	\$1,952.86	Lewis County Park	\$469.41

Given under my hand this 27th day of April, 2015.

ORDERED, That this Commission doth now adjourn until Monday, May 4th,
2015.



President