

**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, May 19, 2015.

This day came Richard J. Lenard, husband of Dorothy Lenard, deceased, and presented and offered for probate a paper writing bearing date the 19th day of July, 2005, 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 paper writing had attached thereto, an affidavit signed by Amanda Cayton, Regina Stutler and Linda Hicks. The said affidavit set forth the fact that the said Dorothy Lenard, 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 Amanda Cayton, Regina Stutler and Linda Hicks 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, May 19, 2015.

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

It is stated by said Executor that Dorothy Lenard departed this life on the 8th day of May, 2015, aged eighty 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 Wednesday, May 20, 2015.

This day came Thomas M. Ruppert, husband of Marjorie A. Ruppert, deceased, and presented and offered for probate a paper writing bearing date the 16th day of February, 1976, 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 Lora Montgomery and Tyra B. Duncan. The said affidavit set forth the fact that the said Marjorie A. Ruppert, 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 Lora Montgomery and Tyra B. Duncan 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 Wednesday, May 20, 2015.

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

It is stated by said Executor that Marjorie A. Ruppert departed this life on the 14th day of May, 2015, aged seventy-nine years.

Attest:

Cynthia S. Rowan Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: TUESDAY, MAY 26, 2015**

Commission sat pursuant to adjournment of Monday, May 18th, 2015.

PRESENT: Honorable Agnes G. Queen, President and Patrick D. Boyle, Commissioner.
with Thomas V. Fealy, 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 Patrick D. Boyle, second by Agnes G. Queen, motion passing, the following amounts were released.

Billy J. Heater	\$ 268.78
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IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Agenda** – The Upshur County Commission agenda for Thursday, May 21, 2015 was filed.
2. **Jane Lew Public Service District** – The minutes of the Jane Lew Public Service District Regular Meetings of March 12, 2015 and April 9, 2015 and Special Meeting of March 23, 2015 was received.

IN RE: BOARD AND COMMITTEE REPORTS

Commissioners Boyle and Fealy, President Agnes Queen, County Administrator Cindy Whetsell and County Clerk Cindy Rowan attended the Lewis County CEOS Salad Luncheon. It was a wonderful meal. The County Commission received the first non-member CEOS Distinguished Service Award.

President Agnes G. Queen attended the Region VII Board meeting. They are thinking about moving their office due to the high rent.

IN RE: REQUEST FOR DECLARATION FO SURPLUS TABLED FOR LIST

County Administrator Cindy Whetsell reported that there were two vehicles from drug seizures, one cow and the Haz Mat trailer and inventory to be declared surplus. On motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing to table until a list can be compiled.

**IN RE: REQUEST FOR CONSIDERATION OF FIDUCIARY COMMISSIONER
FEE INCREASE TABLED**

WV State Code allows the County Commission to set the fees paid to county fiduciary commissioners. In 1982, the Lewis County Commission set this fee at \$45.00 (Forty-five dollars) per hour. County Administrator Cindy Whetsell reported that she had a request to increase this fee. At the May 18, 2015 meeting this item was tabled to allow the County Administrator to obtain more information. Ms. Whetsell surveyed the surrounding counties and presented the finding to the commission. After discussion it was decided on motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing to table until Prosecuting Attorney, Christina Flanigan could look at proper language for the order.

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: MINI GRANT FOR VFW POST 1976

Upon motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing to approve the mini grant application from the VFW Post 1976 for \$1,000.00 for funds to assist with the construction of a Vietnam Veteran's Memorial honoring Lewis County residents who served our county during the Vietnam War.

Lewis County Commission Mini-Grant Application

- Entity or group requesting aid: VFW- Post 1976
- 1. Address: 3596 VALLEY CHAPEL RD., WESTON
- 2. Phone#: 304-269-5313
- 3. Home, address and phone number (work and home) of person responsible for filing any report for this grant: SAME AS ABOVE
- 4. _____
- 5. Amount of aid requested: \$ 1000.⁰⁰ Date: 5-19-15
- 6. Name of Project: VIET NAM MEMORIAL
- 7. Briefly state your need: MONEY FOR CONSTRUCTION
- 8. How will this project help Lewis County: PRIDE IN OUR LEWIS Co, KILLED IN ACTION.
- 9. Anticipated date of project completion: FALL 2015
- 10. Have you **requested** funds from other sources for this project? Yes ___ No
- Please List : _____
- 11. Have you **received** any other funds? if so, please list: ONGOING FUND RAISING
- 12. Does your organization have an annual audit? YES Financial Statement?: YES
- 13. Are you NON-PROFIT? Yes No ___ TAX # EIN 23-7172891

FOR COMMISSION USE ONLY

Amount Approved \$ 1000⁰⁰ Date: 5/26/15 Order Book 69 Page # 547

Agnes Queen
President, Lewis County Commission

May 26, 2015
Date

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: APPROVAL TO CLOSE ALL POST OFFICE BOXES

On motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing to approve not renewing the post office boxes for the county offices. Mail will be delivered to the street addresses of the main court house and the annex. County Administrator Cindy Whetsell reported they are working on an afterhours drop off box.

IN RE: RESIGNATION OF DEPUTY DEVON MORGAN

Deputy Devin Morgan has tendered his resignation as a Lewis County Deputy Sheriff effective May 19, 2015 due to personal reasons. On motion Patrick D. Boyle, second by Agnes G. Queen, motion passing to accept his resignation.

IN RE: EDA UPDATE

Michael Herron, Executive Director, EDA reported West Virginia American Water Company may be taken to court to increase their cost contribution to water project.

IN RE: LEAVE REQUESTS APPROVED

The following leave request was approved upon motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing:

BARBARA WINANS

8 hours annual – June 1, 2015

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;

Helen June Tomaro, Executrix, Affidavit of Personal Representative, unadministered estate of Earl J. Allen, deceased

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: TUESDAY, MAY 26, 2015**

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:

Donna Jean Orsini Weaver, Executrix, Waiver of Settlement of the Fiduciary Account of the Estate of Irene Louise Messenger, deceased

David L. Townsend, Executor, Waiver of Settlement of the Fiduciary Account of the Estate of Anna M. Marks, deceased

Danel (Donel) R. Hurst, Administrator, Waiver of Settlement of the Fiduciary Account of the Estate of Elizabeth L. Hurst, deceased

**IN RE: SETTLEMENT OF ACCOUNTS FOR W.T. WEBER, JR.,
FIDUCIARY COMMISSIONER**

W.T. Weber, Jr., Fiduciary Commissioner, having filed with the Clerk of this Commission during the month of May, 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:

Rodney D. Stalnaker, Guardian, Waiver of Accounting and Final Settlement and Release of Guardian of Fiduciary Account of Jeffery Michael Montgomery, aka, a minor

**IN RE: PROBATING THE LAST WILL AND TESTAMENT OF
MARIE E. GOLDSMITH, DECEASED**

This day came John E. Goldsmith, husband of Marie E. Goldsmith, deceased, and presented and offered for probate a paper writing bearing date the 16th day of January, 2009, purporting to be the Last Will and Testament of his 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 Dennis J. Willett and Jacqueline L. Campbell. The said affidavit set forth the fact that the said Marie E. Goldsmith, 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 Dennis J. Willett and Jacqueline L. Campbell 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.

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IN RE: QUALIFICATION OF JOHN E. GOLDSMITH, EXECUTOR OF THE
WILL OF MARIE E. GOLDSMITH, DECEASED

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

It is stated by said Executor that Marie E. Goldsmith departed this life on the 12th day of May, 2015, aged seventy-nine years.

IN RE: RE-QUALIFICATION OF JOHN ROBERT WEBER, EXECUTOR OF
THE ESTATE OF JAMES ALBERT WEBER, DECEASED

WHEREAS, on the 29th day of December, 2006, the Last Will and Testament of James Albert Weber, deceased, was fully proved, probated and admitted to record, and therein named John Robert Weber as Executor thereof; and

WHEREAS, it appears that the Estate of James Albert Weber, deceased, was properly administered and settled by said John Robert Weber, as Executor on August 13, 2007, and recorded in Inventory Book: 152 Page: 553; and

WHEREAS, it now appears that the said Estate of James Albert Weber, deceased, will need to be re-opened, there being further administration on said estate; and

NOW, THEREUPON, this day came John Robert Weber and qualified as Executor of the Last Will and Testament of James Albert Weber, deceased by taking the oath prescribed by law.

It is stated by said Executor that James Albert Weber departed this life on the 26th day of December, 2006, aged ninety-two years.

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:

2655	Guttman Oil Company	05/26/2015	57.54
	DOG AND KENNEL	TOTAL	57.54

CITIZENS EDUCATIONS CLAIMS

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

490	United Bank	05/18/2015	99.03
	CITIZENS ED	TOTAL	99.03

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

71659	AFLAC	05/26/2015	188.44
71660	AJ-Allegheny Systems	05/26/2015	450.00
71661	Marcia Boyles-Bowyer	05/26/2015	120.73
71662	Washington Ntl Ins Co.	05/26/2015	512.00
71663	Dominion Hope	05/26/2015	404.50
71664	Guardian	05/26/2015	3,324.00
71665	Guttman Oil Company	05/26/2015	837.81
71666	Dr. Rhett Herman	05/26/2015	397.60
71667	Gerald B. Hough	05/26/2015	101.52
71668	T. Chad Kelley	05/26/2015	228.00
71669	Prescription Pest Control	05/26/2015	165.00
71670	Jody Riley	05/26/2015	228.00
71671	WV Secretary of State	05/26/2015	420.00
71672	Weston Sanitary Board	05/26/2015	21.52
	GENERAL COUNTY	TOTAL	7,399.12
247	Sam Hicks	05/22/2015	123.60
248	Dave Coffman	05/22/2015	264.45
249	Bob Rinehart	05/22/2015	65.05
250	Debbie Scarff	05/22/2015	74.60
251	Gary Morris	05/22/2015	614.25
252	John Carroll	05/22/2015	66.60
253	Wilma McKee	05/22/2015	11.60
254	Donald Beane	05/22/20105	378.60
255	Michael Smith	05/22/2015	807.00
256	Janice Whitehair	05/22/2015	328.95
257	Mary Lou Myers	05/22/2015	64.35
258	Diana Posey	05/22/2015	219.70
	RETIREE INSURANCE	TOTAL	3,018.75

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:

2976	Guttman Oil Company	05/26/2015	69.98
	ASSESSOR	TOTAL	69.98

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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:

7918	Guttman Oil Company	05/26/2015	49.07
7919	Prescription Pest Control	05/26/2015	20.00
	E-911	TOTAL	69.07

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:

846	John Perdue	04/30/2015	330.00
847	Weston Democrat	05/07/2015	108.38
848	Weston Democrat	05/07/2015	20.76
849	Trapuzzano's Uniforms	05/26/2015	814.87
	CONCEALED WEAPON	TOTAL	1,274.01

WV DEPUTY SHERIFF'S RETIREMENT CLAIMS

ORDERED, that drafts be issued payable out of the 2015, Levy, WV DEPUTHY SHERIFF'S RETIREMENT FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

230037	WV Dep Shf Retirement	05/04/2015	
	DEP SHF RETIREMENT	TOTAL	

wrong amt
~~859.50~~
859.50
873.00
6-4-15
mg

IN RE: CHECKS RECEIVED

Lewis County Park	\$ 9,150.25
WV, State of	\$ 2,062.50

Given under my hand this 26th day of May 2015.

ORDERED, That this Commission doth now adjourn until Monday, June 1st, 2015.



President