

**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 the said Commission on Wednesday, September 9th, 2015.

WHEREAS, the appraisalment of Chloe L. Kerrigan, deceased, was this day filed; and

WHEREAS, the estate of said Chloe L. Kerrigan, deceased, exceeded the sum of Two Hundred Thousand (\$200,000.00) Dollars and more than one heir; and

THEREFORE, the estate of Chloe L. Kerrigan, deceased, is hereby referred to Joseph W. Wagoner, Fiduciary Commissioner.

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 the said Commission on Thursday, September 10th, 2015.

WHEREAS, the appraisalment of Orville William Skinner, deceased, was this day filed; and

WHEREAS, the estate of said Orville William Skinner, deceased, exceeded the sum of Two Hundred Thousand (\$200,000.00) Dollars and more than one heir; and

THEREFORE, the estate of Orville William Skinner, deceased, is hereby referred to Charles C. Hathaway, Fiduciary Commissioner.

Attest:

Cynthia S. Rowan Clerk

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, SEPTEMBER 14, 2015, 10:00 AM, LEWIS COUNTY COURTHOUSE**

Commission sat pursuant to adjournment of Tuesday, September 8, 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** – None
2. **Jane Lew Public Service District** – Jane Lew Public Service District regular meeting agenda for September 10, 2015 was received.
3. **West Virginia Regional Jail and Correctional Facility Monthly Invoices** – Lewis County invoice for August, 2015 including inmate days $1450 \times \$48.25 = \$69,962.50$. Commission noted this was approximately \$2,000.00 less than last month and approximately \$20,000.00 from this time last year.
4. **26th Judicial Circuit Community Corrections Board Revised Meeting Agenda** – The meeting agenda for the 26th Judicial Circuit Community Corrections Board to be held September 14, 2015 at 6 PM at the Upshur County Day Report Center was received.
5. **Letter of Appreciation from the Jamboree at the Mill** – A letter of appreciation was received from the Jamboree at the Mill committee for the County Commission's contribution for this event.
6. **Letter of Appreciation for Participation in the 2015 National Night Out Campaign** – A letter of appreciation was received from the National Night Out committee thanking the County Commission for their participation in the event.

IN RE: BOARD AND COMMITTEE REPORTS

Commissioners Boyle and Fealy, President Agnes Queen, County Administrator Cindy Whetsell and County Clerk Cindy Rowan attended the retirement party for Deena Saeler in the Lewis County Circuit Clerk's office.

Commissioner Thomas Fealy reported that John Carroll stated the Weston Lewis County Emergency Medical Service was running smoothly. The new ambulance should be delivered this month. Collections were good.

IN RE: CANCELLED SEPTEMBER 21, 2015 COUNTY COMMISSION MEETING

On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve cancelling the September 21, 2015 meeting due to County Commission Association of West Virginia Board of Directors meeting at Stonewall Resort.

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IN RE: REQUEST FOR COMPENSATION HOURS MOVED TO SICK HOURS

At the August 17, 2015 County Commission meeting the Commission tabled the request of Lt. David Parks, Lewis County Deputy Sheriff that all of his unused compensation hours be converted to sick hours upon his retirement. Commission directed Cindy Whetsell, County Administrator to check with the West Virginia Department of Labor to make sure this would not violate any laws.

Correspondence was received from John Junkins, Acting Commission for the West Virginia Division of Labor in response to the request by the Lewis County Commission regarding the dispensation of compensatory hours upon separation of employment. Mr. Junkins advises, "We view compensatory time differently than annual/vacation leave or sick leave. If the county policy does not say that it can be done, then to do so could be considered a deviation from the policy and create an issue. If the county policy states it is to be paid out upon separation then it should be paid out." The Lewis County Personnel Policy states "Compensatory time must be used within one year from the time it was accrued or it will be lost without monetary or other compensation. The employee may request compensatory time be converted to sick leave rather than be lost. This must be done via letter to the payroll department signed by the employee and department head. Any employee who has accrued compensatory time off authorized to be provided shall, upon termination of employment, be compensated for the unused compensatory time."

After discussion it was decided to stay with the Lewis County Personnel Policy, on motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to pay any unused compensatory time.

IN RE: LEAVE REQUESTS APPROVED

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

Rick Stout November 23, 24, 25, 30, December 1, 2, 3, 4, 2015 – Annual Leave

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:

Beth A. Schreiner, Administratrix, Waiver of Settlement of the Fiduciary Account the Estate of Tina Marie Hutchison, deceased

James Robert Fealy, Executor, Waiver of Settlement of the Fiduciary Account the Estate of Jacqueline R. Fealy, deceased

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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;

Michael Lyle Walker, Executrix, Affidavit of Personal Representative,
Unadministered Estate of Lyle Grant Walker, deceased

Carey Glenn Linger, Executrix, Affidavit of Personal Representative,
Unadministered Estate of Anna Bell Linger, deceased

IN RE: APPROVAL OF ORDERS (MINUTES) FOR SEPTEMBER 8, 2015 MEETING

On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous, to approve the orders (minutes) as presented.

IN RE: APPROVAL OF EXPENSES FOR CURRENT PERIOD

On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous, to approve the following expenses (claims).

MISCELLANEOUS CLAIMS

ORDERED, that drafts be issued payable out of the 2016, Levy, GENERAL COUNTY FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

71887	United Bankcard Center	09/14/2015	26,574.48
	Advanced Auto Parts	48.20	
	Appalachian Tire Prod, Inc	479.92	
	Aqua Filter Fresh, Inc.	81.20	
	AT&T Mobility	346.71	
	Capital Doors, Inc	528.48	
	Foster Feed Company	2.50	
	Frontier	3,391.31	
	Gall's, Inc.	233.22	
	Global Science & Technolo	2,298.99	
	Go Daddy	(16.98)	
	Harry Green Chevrolet, Inc	412.19	
	Heaster - Hart, LLC	171.32	
	Lewis County Printing, LLC	30.00	
	Lexis Publishing - Michie	191.10	
	Lowe's	374.50	
	Miller Supply of WV Inc.	35.00	
	Mountain State Waste	377.10	
	Pickens Automotive Servic	1,050.20	

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	Pitney Bowes	2,409.00	
	Postmaster	202.70	
	Quill Corporation	710.53	
	Scott Electric	8,981.31	
	Stonewall Jack. Mem. Hosp	614.50	
	Target Dept Store	49.96	
	Taser International	1,386.65	
	Trapuzzano's Uniforms	174.25	
	Walmart Community BRC	211.54	
	Waterfront Place Hotel,	496.00	
	Wendlings Food Service	323.56	
	Weston Democrat, Inc.	130.41	
	WV Division of Highways	49.11	
	WV State Treasury	800.00	
71888	Guttman Oil Company	09/14/2015	582.78
71889	Lewis County Honor Guard	09/14/2015	500.00
71890	Lewis County Park	09/14/2015	20,989.67
71891	LC Conven. & Visitors Bur	09/14/2015	40,364.76
71892	Voided issued to wrong vendor	09/14/2015	-0-
71893	Louis Bennett Pub.Library	09/14/2015	8,072.95
71894	Lisa Parks	09/14/2015	21.36
71895	Prescription Pest Control	09/14/2015	165.00
71896	WV Reg.Jail &Corr.FacAuth	09/14/2015	69,962.50
71897	Cynthia S. Rowan	09/14/2015	155.61
71898	Software Systems, Inc.	09/14/2015	1,082.00
71899	Super Splash	09/14/2015	87.00
71900	Thyssenkrupp Elevator	09/14/2015	874.17
71901	Town of Jane Lew	09/14/2015	11,302.13
	GENERAL COUNTY	TOTAL	180,734.41

ASSESSOR VALUATION CLAIMS

ORDERED, that drafts be issued payable out of the 2016, Levy, ASSESSOR VALUATION FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

NUMBER	VENDOR NAME	DATE	AMOUNT
3016	United Bankcard Center	09/14/2015	1,179.71
	MCM Business Systems	70.01	
	Oil Spot	71.55	
	Staples	191.82	
	Weston Democrat, Inc.	846.33	
3017	Guttman Oil Company	09/14/2015	61.07
3018	WHAW Radio	09/14/2015	123.75
3019	WOTR Radio	09/14/2015	123.75
3020	WVRW Radio	09/14/2015	123.75
	ASSESSOR	TOTAL	1,612.03

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DOG AND KENNEL CLAIMS

ORDERED, that drafts be issued payable out of the 2016, Levy, DOG AND KENNEL FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

2672	United Bankcard Center	09/14/2015	297.56
	AT&T Mobility		76.87
	Lowe's		8.97
	West Virginia Paging		50.00
	WV Division of Highways		161.72
2673	Guttman Oil Company	09/14/2015	58.03
	DOG AND KENNEL	TOTAL	355.59

E-911 EMERGENCY COMMUNICATION CLAIMS

ORDERED, that drafts be issued payable out of the 2016, Levy, E-911 EMERGENCY COMMUNICATION FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

7991	United Bankcard Center	09/14/2015	6,227.00
	Anthem	80.60	
	Atlas Business Solutions	600.00	
	Bolt Burgers	49.31	
	Custom Signs & Graphix	350.00	
	C2G	177.06	
	DC Convention Center	27.50	
	Frontier	115.85	
	Hard Rock Cafe	75.06	
	Lowe's	23.80	
	Mariott Marquis	2,410.08	
	Mountain State Waste	27.16	
	Penn Alps	31.59	
	Pickens Automotive Servic	12.00	
	Scott Electric	574.98	
	Sunoco	49.00	
	Valley Security Systems	859.00	
	Waffle House	26.17	
	Walmart Community BRC	587.84	
	Wvipay.com	150.00	
7993	Biser's Radio Service	09/14/2015	532.55
7994	Century Link	09/14/2015	22.87
7995	Dominion Hope	09/14/2015	18.92
7996	Guttman Oil Company	09/14/2015	39.83
7997	Mon Power	09/14/2015	1,109.63
7998	Prescription Pest Control	09/14/2015	20.00
7999	Ralston Press	09/14/2015	2,098.55
8000	WV American Water Company	09/14/2015	45.84
	E-911	TOTAL	10,115.19

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ORDERED, that drafts be issued payable out of the 2016, Levy, HOME CONFINEMENT FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

2451	United Bankcard Center	09/14/2015	316.67
	NTelos	316.67	
	HOME CONFINEMENT	TOTAL	316.67

MAGISTRATE COURT CLAIMS

ORDERED, that drafts be issued payable out of the 2016, Levy, MAGISTRATE COURT FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

1969	United Bankcard Center	09/14/2015	184.76
	Ntelos	184.76	
1970	General County Fund	09/14/2015	1,689.00
1971	Michael Gissy	09/14/2015	24.95
1972	St Patrick Church	09/14/2015	150.00
	MAGISTRATE COURT	TOTAL	2,048.71

CONCEALED WEAPONS CLAIMS

ORDERED, that drafts be issued payable out of the 2016, Levy, CONCEALED WEAPONS FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

866	John Perdue	08/31/2015	165.00
	CONCEALED WEAPONS	TOTAL	165.00

DEPUTY SHERIFF RETIREES CLAIMS

ORDERED, that drafts be issued payable out of the 2016, Levy, DEPUTY SHERIFF RETIREES FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

230041	WV Dep Shf Retirement	09/02/2015	930.00
	DEP SHR RET	TOTAL	930.00

IN RE: CHECKS RECEIVED

STATE OF WEST VIRGINIA

4,000.00

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**IN RE: PROBATING THE PERSONAL ESTATE OF
KENNETH PAUL POSEY, DECEASED**

This day came Belva Jane Posey, widow of Kenneth Paul Posey, deceased, and moved the Clerk that she be appointed Administratrix of the personal estate of her said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Belva Jane Posey as such Administratrix.

THEREFORE, Belva Jane Posey as principal together with Louella Clem as her surety, entered into an acknowledged a bond in the penalty of Three Hundred (\$300.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Belva Jane Posey qualified as Administratrix of the personal estate of Kenneth Paul Posey, deceased, by taking the oath prescribed by law.

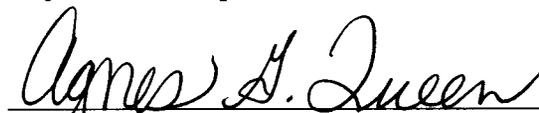
It is stated by said Administratrix that Kenneth Paul Posey departed this life on the 8th day of September, 2015, aged seventy-three years.

IN RE: MOTION TO ADJOURN MEETING

On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to adjourn the meeting at 11:00 AM.

Given under my hand this 14th day of September, 2015.

ORDERED, That this Commission doth now adjourn until September 28th, 2015.



President