

**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, October 23, 2015.

Richard Hugh Riddle appeared this day and filed an affidavit signed by Agnes Virginia Riddle, wife of Archie Leon Riddle, deceased, requesting that he be appointed as such Administrator of the personal estate of his said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Richard Hugh Riddle as such Administrator.

THEREFORE, Richard Hugh Riddle as principal together with Agnes Virginia Riddle as his surety, entered into and acknowledged a bond in the penalty of Six Thousand (\$6,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Richard Hugh Riddle qualified as Administrator of the personal estate of Archie Leon Riddle, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that ~~Richard Hugh Riddle~~ departed this life on the 2nd day of January, 2014, aged eighty-five years. Archie Leon Riddle corrected 11/23/15 TLC

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 Friday, October 23rd, 2015.

WHEREAS, the appraisalment of Richard Joseph Cronin, III, deceased, was this day filed; and

WHEREAS, the estate of said Richard Joseph Cronin, III, deceased, exceeded the sum of Two Hundred Thousand (\$200,000.00) Dollars and more than one heir; and

THEREFORE, the estate of Richard Joseph Cronin, III, deceased, is hereby referred to W. T. Weber, Jr., Fiduciary Commissioner.

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, October 23, 2015.

This day came Christopher Parish Anderson, son of James Ray Anderson, deceased, and presented and offered for probate a paper writing bearing date the 18th day of October, 2001, 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 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 Sandra Boggs, Chad Boram and Robert Ware. The said affidavit set forth the fact that the said James Ray Anderson, 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 Sandra Boggs, Chad Boram and Robert Ware 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:

 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, October 23, 2015.

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

It is stated by said Executor that James Ray Anderson departed this life on the 21st day of October, 2015, aged sixty-five years.

Attest:

 Clerk

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, OCTOBER 26, 2015, 10:00 AM, LEWIS COUNTY COURTHOUSE**

Commission sat pursuant to adjournment of Thursday, October 22, 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: 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 Thomas V. Fealy second by Patrick D. Boyle, vote unanimous, the following amounts were released.

Roy Sprouse	\$228.73
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IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

- 1. Upshur County Commission Agenda** – The Upshur County Commission agenda for Thursday, October 22, 2015 was filed.
- 2. Lewis County Animal Control Monthly Report** – The Lewis County Animal Control Report for the month of September, 2015 including: number of animals picked up, dropped at facility, adopted, bounty collected and vehicle mileage, was filed.
- 3. Lewis Upshur Animal Control Facility Report for September, 2015** – The facility report for September, 2015 for both Lewis and Upshur Counties including: number of animals brought to the facility by officer and resident, number of animals adopted, number of animals rescued, and number of animals euthanized, was filed.
- 4. Lewis County Vietnam War Memorial Unveiling** – The commission received an invitation to attend the unveiling of the Lewis County Vietnam War Memorial on Veteran's Day, November 11, 2015 at 11:30 AM at the Mountaineer Military Museum.

**IN RE: APPROVED SIGNATURE ON THE WORKSITE PROVIDER AGREEMENT WITH
HUMAN RESOURCE DEVELOPMENT FOUNDATION, INC.**

Debbie Anderson, Human Resource Development Foundation appeared before the commission to request signature on an agreement between the Lewis County Commission and Human Resource Development Foundation, Inc. for debris removal and trash cleanup along streams in Lewis County at no cost to the County. On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve signing of the contract. The contract is recorded in Miscellaneous Book 17 Page 709.

IN RE: JASON SCOTT CAREY APPROVED AS NEW HIRE FOR DEPUTY SHERIFF

Chief Deputy Randy Hyre appeared with a request to hire Jason Scott Carey as Deputy Sheriff effective November 1, 2015. He is in the top three of the civil service roster. He will train with Deputy Joe Moran until he attends the academy in January 2016. On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve the hiring of Jason Scott Carey to fill the vacancy created by the resignation of Deputy Gregory Hoskins.

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, OCTOBER 26, 2015, 10:00 AM, LEWIS COUNTY COURTHOUSE**

IN RE: BOARD AND COMMITTEE REPORTS

Commissioners Boyle and Fealy, President Agnes Queen, County Administrator Cindy Whetsell and County Clerk Cindy Rowan attended the Board of Equalization and Review. There were no change in values for CNX Gas.

Commissioner Patrick D. Boyle and County Clerk Cynthia S. Rowan attend the Lewis County Farm Bureau meeting. The commission received a plaque for continuing support.

President Agnes G. Queen attended a meeting with Michael Herron, Economic Development Authority, Executive Director and Amanda Pane, Rahall Institute on the proposed all terrain vehicle trail in Lewis County.

The commissioners attended the retirement party for Donna Wolfe, Deputy County Clerk. Ms. Wolfe is retiring with 20 (twenty) years of service.

IN RE: FEASIBILITY STUDY OF ALL TERRAIN VEHICLE MULTI-COUNTY TRAIL

Amanda Pane, Rahall Institute, presented a question and answer session on the feasibility of an all terrain vehicle multi-county trail. Lewis, Braxton, Gilmer, Nicholas, Clay and Webster counties are being studied. This will be modelled from the Hatfield/McCoy Trail. Approximately 10,000 acres will be covered. Property owners will grant an easement not a right of way. The trails will be set up so that a portion of a trail can be shut down at any time a property owner requests. This will be a dawn to dusk trail, no overnight. It will be patrolled by rangers.

IN RE: WEST VIRGINIA RECORDS MANAGEMENT GRANT APPLICATIONS APPROVED

After discussion, and on motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve the signing of an application of a Records Management and Preservation Grant for the Lewis County Clerk (first priority) in the amount of \$10,000.00, plus \$1,000.00 match for indexing the county clerk's records. An application for the Lewis County Circuit Clerk (second priority) in the the amount of \$10,000.00 plus a \$1,000.00 match for back scanning was approved, pending acceptance by John B. Hinzman, Circuit Clerk.

**IN RE: APPROVAL OF ANNUAL CONTRIBUTION TO THE
LEWIS/UPSHUR EMERGENCY PLANNING COMMITTEE**

A request was received from the Lewis/Upshur Emergency Planning Committee for the annual contribution from the Lewis County Commission of \$2,000.00. On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve the request.

**IN RE: ACCEPTANCE OF RESIGNATION OF SHAWN CARLTON,
PART TIME COURT SECURITY**

Shawn Carlton sent a request to the commission to relinquish his part time employment with court security, but remain on the roster for call if needed. On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve the request. Mr. Carton will return all uniforms/equipment with the exception of one (1) pair of pants and one (1) shirt.

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

SESSION: MONDAY, OCTOBER 26, 2015, 10:00 AM, LEWIS COUNTY COURTHOUSE

**IN RE: APPROVAL AND SIGNATURE ON STATEMENT OF SUPPORT FOR THE
COALITION FOR SAFE AND AFFORDABLE FOOD**

On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve the following statement of support:

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
Weston, WV 26452
Phone: (304)269-8200
Fax: (304)269-2416
Email: @lewiscountywv.org
Website: lewiscountywv.org



COMMISSIONERS:
AGNES G. QUEEN
President
PATRICK D. BOYLE
Commissioner
THOMAS V. FEALY
Commissioner

STATEMENT OF SUPPORT

The Coalition for Safe Affordable Food is an alliance of American farmers, concerned parents, food producers and consumers who support a national, science - based labeling standard for all products containing genetically modified ingredients (GMOs). We believe that only federal standards overseen by the U. S. Food & Drug Administration (FDA) can provide the public with the accurate, consistent information they need. We advocate for federal legislation that will enact these standards nationwide, and that will specifically:

- **Eliminate confusion and provide consistency** by establishing the FDA as the nation's single authority over use and labeling of GMO products, removing the uncertainty of having multiple standards across the 50 states.
- **Advance food safety** by empowering the FDA to review new GMO traits before they enter the marketplace and to required labeling GMO ingredients if they find a health, safety or nutritional issue present.
- **Inform consumers** by establishing FDA standards for companies that choose to voluntarily label their products as containing or not containing GMO ingredients, including a federal definition of the term "natural".

H. R. 1599 *the Safe and Accurate Food Labeling Act*, introduced by Representative Mike Pompeo (R-KS) and G. K. Butterfield (D-NC) in the U. S. House of Representatives, would establish this much-needed federal standard under the FDA. The Coalition for Safe Affordable Food endorses the legislation and supports its passage.

GMOs are present in 70-80 percent of the food we eat in the United States, and benefit our communities by not only helping the environment but also keeping food costs affordable for families. Granting FDA authority over all GMO labeling will better protect these benefits.

If you or your organization would like to join the Coalition for Safe Affordable Food, please indicated your support by providing your signatures below:

Lewis County Commission

Agnes Queen President
Patrick D. Boyle Commissioner
Thomas V. Fealy Commissioner

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, OCTOBER 26, 2015, 10:00 AM, LEWIS COUNTY COURTHOUSE**

**IN RE: QUALIFICATION OF ADMINISTRATOR OF THE
ESTATE OF SONNY D. GOULD, DECEASED**

This day came Rick Wyatt, on behalf of the family of Sonny D. Gould, deceased, and requested that he be appointed as such Administrator of his said decedent. Upon, consideration of which, the Commission is of the opinion to and doth hereby appoint the said Rick Wyatt as such Administrator.

THEREFORE, Rick Wyatt as principal together with Western Surety Company as his surety, entered into and acknowledged a bond in the penalty of Six Thousand (\$6,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Rick Wyatt qualified as Administrator of the personal estate of Sonny D. Gould, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Sonny D. Gould departed this life on the 21st day of February, 2011, aged seventy-four years.

IN RE: RECESS ORDERS

On motion of Patrick D. Boyle, second Thomas V. Fealy, vote unanimous to approve the following actions taken by the Lewis County Clerk, Cynthia S. Rowan, in recess of the County Commission from October 15, 2015 to October 21, 2015 be approved:

Wills Probated:

Robert Lee Marsh, deceased
Genevieve L. Yerkey, deceased

Settlement of Estates:

Betty Lee Rush, Executrix, Receipts and Disbursements, estate of Russel P. Rockwell, deceased
Charles C. Hathaway, Fiduciary Commissioner, Final Settlement, estate of Virginia Wiant, deceased
Debra K. Alkire Friedmann, Executrix, Waiver of Settlement, estate of Geneva Lee Alkire Brown, deceased
Karen Lucille Rogers, Executrix, Final Settlement, estate of Frances Gene Rogers, deceased
Richard J. Lenard, Executor, Final Settlement, estate of Dorothy Lenard, deceased

IN RE: APPROVAL OF ORDERS (MINUTES) FOR OCTOBER 19, 2015 MEETING

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

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 26, 2015, 10:00 AM, LEWIS COUNTY COURTHOUSE**

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:

71967	AFLAC	10/26/2015	188.44
71968	American Star Painting	10/26/2015	96,953.77
71969	CNA Surety	10/26/2015	100.00
71970	Co Commissioners' Assoc	10/26/2015	300.00
71971	Comfort Supply Inc	10/26/2015	3,289.90
71972	Dog & Kennel Fund	10/26/2015	25,000.00
71973	Deckman Company	10/26/2015	3,345.00
71974	Guttman Oil Company	10/26/2015	539.73
71975	Steptoe & Johnson	10/26/2015	325.00
71976	Weston Sanitary Board	10/26/2015	281.09
	GENERAL COUNTY	TOTAL	130,322.93

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
3028	Guttman Oil Company	10/26/2015	32.93
	ASSESSOR	TOTAL	32.93

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:

2682	Guttman Oil Company	10/26/2015	51.85
2683	Upshur County Commission	10/26/2015	36,494.69
	DOG AND KENNEL	TOTAL	36,546.54

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:

8022	Weston Sanitary Board	10/26/2015	40.52
	E-911	TOTAL	40.52

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, OCTOBER 26, 2015, 10:00 AM, LEWIS COUNTY COURTHOUSE**IN RE: CHECKS RECEIVED

STATE OF WV	\$6,187.50
STATE OF WV	\$120.88
STATE OF WV	\$109,653.84
DINAH MILLS	\$15.00
LEWIS COUNTY PARK	\$3,825.21

IN RE: MOTION TO ADJOURN MEETING

On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to adjourn the meeting at 11:25 AM.

IN RE: QUARTERLY BUDGET WORKSESSION

At 1:00 PM the Lewis County Commission met in an open work session with Elected Officials/Department Heads to review the Fiscal Year 2016 budget balances at the conclusion of the first quarter. Meeting times conducted:

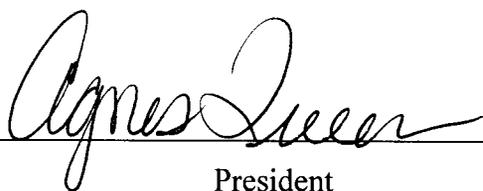
1:00 PM	Circuit Clerk
1:15 PM	Prosecuting Attorney
1:30 PM	Assessor
1:45 PM	Sheriff (Tax and Law Enforcement)
2:00 PM	OEM/911
2:14 PM	County Clerk
2:30 PM	County Commission

The County Commission reviewed revenues with all attendees. Noted in particular was the 36% decrease in Oil and Gas Severance Taxes from the 2015 allocation. The need to be conscientious about staying within the office budget was stressed.

Any line item with expenditures greater than 33% was reviewed in detail. Elected officials/department heads either had a justification for a larger portion being spent in this quarter or will handle any line item shortages with interdepartmental budget revisions. No action was taken.

ORDERED, That this Commission doth now adjourn until Monday, November 2nd, 2015.

Given under my hand this 26th day of October, 2015.



 President