

**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 Monday, August 29, 2016.

This day came Karen Diaz, niece of Betty E. Gain, deceased, and presented and offered for probate a paper writing bearing date the 10th day of September, 2002, 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 Melissa S. Hiner, Stella Sherrard and Rebecca Vankirk. The said affidavit set forth the fact that the said Betty E. Gain, 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 Melissa S. Hiner, Stella Sherrard and Rebecca Vankirk 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 Monday, August 29, 2016.

WHEREAS, Betty E. Gain, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Karen Diaz as Executrix thereof and requested that no bond be required of her as such Executrix.

NOW THEREUPON, personally appeared the said Karen Diaz and qualified as Executrix of the Will of Betty E. Gain, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Betty E. Gain departed this life on the 10th day of August, 2016, aged eighty-five 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 Monday, August 29, 2016.

This day came Sandra Singleton, daughter of Betty Jean Singleton, deceased, and moved the Clerk that she be appointed Administratrix of the personal estate of her said decedent. 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. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Sandra Singleton as such Administratrix.

THEREFORE, Sandra Singleton as principal together with Kimberly West as her surety, entered into and 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.

NOW THEREUPON, the said Sandra Singleton qualified as Administratrix of the personal estate of Betty Jean Singleton, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Betty Jean Singleton departed this life on the 11th day of August, 2016, aged seventy 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, August 31, 2016.

This day came Ricky Wayne Frame, step-son of Winnie Catherine Frame, deceased, and presented and offered for probate a paper writing bearing date the 21st day of July, 2000, 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 M. Hope Dennison and R. Russell Stobbs. The said affidavit set forth the fact that the said Winnie Catherine Frame, 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 M. Hope Dennison and R. Russell Stobbs 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 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, August 31, 2016.

WHEREAS, Winnie Catherine Frame, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Billy M. Frame as Executor; and

WHEREAS, Billy M. Frame has since departed this life; and

WHEREAS, the will further named Ricky Wayne Frame as Executor, thereof and requested no bond be required of him as such Executor.

NOW THEREUPON, personally appeared the said Ricky Wayne Frame and qualified as Executor of the Will of Winnie Catherine Frame, deceased, by taking the oath prescribed by law.

It is stated by said Executor that Winnie Catherine Frame departed this life on the 30th day of April, 2012, aged seventy-eight 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, August 31, 2016.

WHEREAS, the 4th day of August, 2016, Sharon J. Postlethwait, represented by counsel, filed claims against the estate of Randall B. Jackson, deceased.

NOW THEREFORE, the personal estate of Randall B. Jackson, deceased, is hereby referred to Charles Hathaway, Fiduciary Commissioner, for Determination of Claims.

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, September 2, 2016.

This day came Jennifer M. Roberts, daughter of Michael G. Matthews, deceased, and presented and offered for probate a paper writing bearing date the 20th day of July, 2016, 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 W. T. Weber, III and Cynthia A. Angotti. The said affidavit set forth the fact that the said Michael G. Matthews, 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 W. T. Weber, III and Cynthia A. Angotti 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, September 2, 2016.

WHEREAS, Michael G. Matthews, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Jennifer M. Roberts as Executrix thereof and requested that no bond be required of her as such Executrix.

NOW THEREUPON, personally appeared the said Jennifer M. Roberts and qualified as Executrix of the Will of Michael G. Matthews, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Michael G. Matthews departed this life on the 1st day of September, 2016, aged sixty-five years.

Attest:

Cynthia S. Rowan Clerk

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: TUESDAY, SEPTEMBER 6, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

Commission sat pursuant to adjournment of Monday, August 29, 2016.

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

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 to approve the following amounts were released.

Rodney & Cynthia Weaver	\$	156.50
Robert Gary Hall		34.72
Charlene L. Sprouse		364.61

IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Agenda** – The Upshur County Commission meeting agenda for Thursday, September 1, 2016 was received.
2. **Lewis-Upshur Local Emergency Planning Committee Minutes** – The minutes for the Lewis-Upshur Local Emergency Planning Committee meeting of August 17, 2016 were received.

IN RE: BOARD AND COMMITTEE REPORTS

President Agnes G. Queen attended the following meetings:

1. Lewis County Initiative for the 2017 Boy Scout Summit.
2. Housing Summit meeting for tentative date of November 2, 2016.
3. National Association of Counties phone conference.

County Administrator Cindy Whetsell also attended the Initiative for the 2017 Boy Scout Summit and the Housing Summit meeting.

President Agnes G. Queen was congratulated on her appointment to the National Association of Counties Economic Development Steering Committee.

County Administrator Cindy Whetsell worked with the Walkersville, Pricetown and Jackson Mill Volunteer Fire Departments on their flood reimbursement costs from FEMA.

County Clerk Cynthia Rowan reported that the ballot drawing was completed and the ballots have been ordered. Election Systems & Support upgraded the 850 counting machine and Unity software.

County Clerk Cynthia Rowan and County Administrator Cindy Whetsell helped with the tailgate party for the Lewis County High School football game.

IN RE: LEWIS COUNTY BREAST CANCER AWARENESS DAY

The annual Breast Cancer Awareness Day luncheon will be held at the Broad Street United Methodist Church hall at noon on Thursday, October 20, 2016. Commission will attend.

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: TUESDAY, SEPTEMBER 6, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

**IN RE: REVISION OF THE LEWIS-UPSHUR ANIMAL
CONTROL FACILITY VOLUNTEER POLICY**

A request was received to modify the Lewis-Upshur Animal Control Facility Volunteer policy to allow the volunteer age limit to be changed from 18 years of age to 16 years of age and to modify the hours for public to include 11:00 AM to Noon on Sunday. The Upshur County Commission has tabled this request until Lewis County can review. The revised policy was sent to the Lewis County Prosecuting Attorney and the county insurance carrier for review. Neither have an objection to the volunteer age reduction, as long as the indemnity form is signed by the parent/guardian prior to any work. The Upshur County Commission employs the staff at the facility. Operating hours should be the consideration of Upshur County due the potential increase in employment costs. After discussion and on motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve only the age reduction of the modification to the policy. The change in hours is being left up to the Upshur County Commission.

IN RE: TIMESHEETS AND LEAVE REQUEST

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

BARBARA WINANS

September 20, 2016 Annual Leave

IN RE: ECONOMIC DEVELOPMENT AUTHORITY UPDATE

Michael Herron, Economic Development Executive Director updated the commission on the following:

1. Roanoke School Water Project – Installing the tank and pumping station
2. NorthWest Water Project – Customer list received, letters to be mailed by Friday
3. The Alum Fork/Laurel Lick Water Project is now in the IJDC Council funding committee
4. Sharpe Hospital is holding a career fair
5. CT Hardwoods is working on a safety evaluation program
6. Latham Pool has an issue with the Division of Highways Escort requirements
7. Economic Development Authority website needs to be kept current. Mr. Herron will get a quote for management from the Website designer, Orion Strategies.
8. Bendale Bridge is nearing completion

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

SESSION: TUESDAY, SEPTEMBER 6, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE

IN RE: RECESS ORDERS

On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve the following actions taken by the Lewis County Clerk, Cynthia S. Rowan, in recess of the County Commission from August 25, 2016 to August 31, 2016:

Wills Probated:

Freda M. Hopkins, deceased
 Ronald Rex Kiser, deceased
 Betty E. Gain, deceased
 Winnie Catherine Frame, deceased

Qualifications Orders Granted:

Nancy Lattea qualified as Executrix of the estate of Freda M. Hopkins, deceased
 Lola Ann Sims qualified as Executrix of the estate of Ronald Rex Kiser, deceased
 Sandra Singleton qualified with bond as Administratrix of the estate of Betty Jean Singleton, deceased
 Karen Diaz qualified as Executrix of the estate of Betty E. Gain, deceased
 Ricky Wayne Frame qualified as Executor of the estate of Winnie Catherine Frame, deceased

Estates Referred:

Lucille Wagoner, deceased, referred to W. T. Weber, Jr., Fiduciary Commissioner

IN RE: ESTATE CLOSURES

Pursuant to Chapter 44, Article 2, Section 1(b) of the West Virginia Code, as amended, the time for filing of claims has expired; that no known or unpaid claims exist and there having been no request or objections thereto, the same is hereby confirmed. On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to approve closure of the following estates:

Margaret Jane Cooper, deceased, Fiduciary Commissioner's Report of Administration and Settlement of said Estate, Charles C. Hathaway, Fiduciary Commissioner, Victoria Keefer, Executrix

IN RE: APPROVAL OF ORDERS (MINUTES) FOR AUGUST 29, 2016 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: TUESDAY, SEPTEMBER 6, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE

IN RE: APPROVAL OF EXPENSES FOR CURRENT PERIOD

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

ASSESSOR VALUATION CLAIMS

ORDERED, that drafts be issued payable out of the 2017, Levy, ASSESSOR VALUATION FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

3115	General County Fund	08/31/2016	5,122.27
3116	Guttman Oil Company	09/06/2016	31.45
	ASSESSOR	TOTAL	5,153.72

WORTHLESS CHECK CLAIMS

ORDERED, that drafts be issued payable out of the 2017, Levy, WORTHLESS CHECK FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

399	General County Fund	08/31/2016	936.56
400	General County Fund	09/06/2016	7,770.00
	WORTHLESS CHECK	TOTAL	8,706.56

MAGISTRATE COURT CLAIMS

ORDERED, that drafts be issued payable out of the 2017, Levy, MAGISTRATE COURT FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

2019	Michael Gissy	09/06/2016	24.95
	MAGISTRATE COURT	TOTAL	24.95

DOG AND KENNEL CLAIMS

ORDERED, that drafts be issued payable out of the 2017, Levy, DOG AND KENNEL FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

2748	Guttman Oil Company	09/06/2016	104.03
	DOG AND KENNEL	TOTAL	104.03

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: TUESDAY, SEPTEMBER 6, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**HOME CONFINEMENT CLAIMS

ORDERED, that drafts be issued payable out of the 2017, Levy, HOME CONFINEMENT FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

2493	General County Fund	08/31/2016	4,155.34
	HOME CONFINEMENT	TOTAL	4,155.34

E-911 EMERGENCY COMMUNICATION CLAIMS

ORDERED, that drafts be issued payable out of the 2017, Levy, E-911 EMERGENCY COMMUNICATION FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

8206	General County Fund	08/31/2016	54,000.54
8207	Century Link	09/06/2016	23.22
8208	Frontier	09/06/2016	1,234.39
8209	Guttman Oil Company	09/06/2016	36.48
	E-911	TOTAL	55,294.63

MISCELLANEOUS CLAIMS

ORDERED, that drafts be issued payable out of the 2017, Levy, GENERAL COUNTY FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

72527	Javitch Block LLC	08/31/2016	217.94
72528	Helen M Morris, Trustee	08/31/2016	100.50
72529	Nationwide Retr Solutions	08/31/2016	697.50
72530	Co Commissioners' Assoc	09/06/2016	1,200.00
72531	Guttman Oil Company	09/06/2016	788.62
72532	Ramsey Insurance Serv, Inc	09/06/2016	770.00
72533	John Stevens	09/06/2016	323.90
72534	Terri Cole	09/06/2016	36.72
99504	Elec.Fed.Tax Pymt System	08/31/2016	41,755.07
120157	WV Public Empl Ins Agency	08/31/2016	54,816.06
180015	EMPOWER Retirement	08/31/2016	380.00
190137	WV Public Emp Retr System	08/31/2016	36,229.52
200122	Bureau for Child Support	08/31/2016	622.74
210065	WV Emerg Med Svs Ret Sys	08/31/2016	10,968.83
220054	WV Deputy Shf Retr System	08/31/2016	10,565.10
230047	WV Dept of Tax & Revenue	08/31/2016	15,808.00
	GENERAL COUNTY	TOTAL	175,280.50

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

SESSION: TUESDAY, SEPTEMBER 6, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE

IN RE: CHECKS RECEIVED

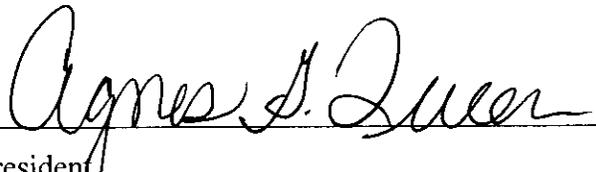
LCEMS		37,490.16
CITY OF CLARKSBURG		\$551.00
SuddenLink Comm.		\$1,412.51
Kenneth Foglesong	flood determination	\$15.00

IN RE: MOTION TO ADJOURN MEETING

On motion of Thomas V. Fealy, second by Patrick D. Boyle, vote unanimous to adjourn the meeting at 11:18 PM.

Given under my hand this 6th day of September, 2016.

ORDERED, that this Commission doth now adjourn until Monday, September 12, 2016.



President