

**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, September 27, 2016.

This day came Glen W. Ables, Jr., husband of Linda Darlene Ables, deceased, and moved the Clerk that he be appointed Administrator of the personal estate of his 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 Glen W. Ables, Jr., as such Administrator.

THEREFORE, Glen W. Ables, Jr., as principal together with Jerry A. Ables as his 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 Glen W. Ables, Jr., qualified as Administrator of the personal estate of Linda Darlene Ables, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Linda Darlene Ables departed this life on the 17th day of September, 2016, aged sixty-three 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, September 28, 2016.

This day came Deborah L. Gump, on behalf of the personal estate of Joseph Anthony Comberati, deceased, and moved the Clerk that she be appointed Administratrix of her said decedent. 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. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Deborah L. Gump, as such Administratrix.

THEREFORE, Deborah L. Gump, as principal together with Dorma Jean Oliver as her surety, entered into and acknowledged a bond in the penalty of Fifty Eight Thousand (\$58,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient.

NOW THEREUPON, the said Deborah L. Gump, qualified as Administratrix of the personal estate of Joseph Anthony Comberati, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Joseph Anthony Comberati departed this life on the 16th day of August, 2016, aged sixty-eight years.

Attest:

Cynthia S. Rowan Clerk

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, OCTOBER 3, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

Commission sat pursuant to adjournment of Monday, September 26, 2016.

PRESENT: Honorable Thomas V. Fealy and Patrick D. Boyle, Commissioners and

Agnes G. Queen, President being absent

The foregoing proceedings of this Commission were approved and signed by the Acting 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, motion passing, on the following amounts.

Roger F. & Mary S. Frederick	2016	\$	234.32
Billy H. Stump, Sr.	2016		211.71

IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

- 1. Upshur County Commission Agenda** – The Upshur County Commission agenda for Thursday, September 29, 2016 was received.
- 2. Lewis County Parks and Recreation Board Agenda and Meeting Agenda** – The agenda for the September 19, 2016 Lewis County Parks and Recreation Board and minutes of the August 24, 2016 meeting were received.
- 3. Louis Bennett Public Library Board Minutes and Financial Statements** – The minutes and financial reports of the Louis Bennett Public Library Board for June, July and August, 2016, including Hotel Motel Tax expenditures, were received.

IN RE: BOARD AND COMMITTEE REPORTS

Commissioners Boyle and Fealy, President Agnes G. Queen, County Administrator Cindy Whetsell and County Clerk Cynthia S. Rowan attended budget meetings with elected officials and department heads on Monday, September 26, 2016. All budgets are within limits.

County Administrator Cindy Whetsell attended the Housing Summit Planning Meeting. The Housing Summit is planned for November 4.

County Clerk Cindy Rowan has been working on elections. Absentee ballots have been received from the printers.

**IN RE: APPROVAL OF ALICIA FLESHER TO THE LEWIS COUNTY BUILDING
COMMISSION TO REPLACE UNEXPIRED TERM OF LELAND KESNER**

Upon the recommendation of the Lewis County Building Commission and on motion of Thomas V. Fealy, second by Patrick D. Boyle, motion passing to approve Alicia Flesher to fill the vacancy created by the death of Leland Kesner as member of the Lewis County Building Commission. The term expires February 15, 2019.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 3, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

**IN RE: APPROVAL OF REQUEST FOR REIMBURSEMENT FOR THE NORTHWEST
LEWIS WATER LINE EXTENSION PROJECT #14SCBG0001
IN THE AMOUNT OF \$10,000.00**

On motion of Patrick D. Boyle, second by Thomas V. Fealy, motion passing to approve the request for reimbursement as follows:

COUNTY COMMISSION OF LEWIS COUNTY

119 Carter Avenue
Weston, WV 25432
Phone: (304) 447-8300
Fax: (304) 288-2418
Email: legis@lewiscounty.org
Website: lewiscounty.org



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

September 28, 2016

Mr. Tony O'Leary
Community Development Representative
WV Development Office
1500 Kanawha Boulevard, East
Charleston, WV 25305

RE: Lewis County Commission—Northwest Lewis Water Line Extension Project
Small Cities Block Grant Project #14SCBG0001
Request for Funds #3

Dear Mr. O'Leary:

In accordance with the drawdown procedures established by the State, this letter of transmittal contains a progress report on the above-referenced project to support the enclosed Request for Payment:

- Administration**— Region VII continues to progress with the project and is gathering information to prepare for the submission of authorization to bid. Amount requested is \$0.00.
- Engineering**— Design of the project is 100% complete. The Thrasher Group, Inc. is working toward getting the project closer to construction. Amount requested is \$10,000.00.

The total amount of this request is \$10,000.00. If you have any questions or comments, please contact our project administrators at 304-472-5564.

Sincerely,

Agnes G. Quinn
Agnes G. Quinn
President

Enclosure

**Community Development Block Grant -Small Cities Block Grant Program
REQUEST FOR PAYMENT**

TO: West Virginia Development Office
Building 6, Room 603
1900 Kanawha Boulevard, East
Charleston, WV 25305-0311
304 688 2234 304 688 2244

FROM: Lewis County Commission
119 Carter Avenue
Weston, WV 25432

Project Name	Northwest Lewis Water Line Extension Project	Project #	14SCBG0001
Drawdown #	3	% of Project Complete	3.0%
Time Period Covered by this Request	2/24/2016	TO	9/28/2016
Amount of CDBG Funds on hand at the time of this Request			
APPROVED BUDGET AMOUNT		AMOUNT REQUESTED TO DATE	TOTAL AMOUNT REQUESTED TO DATE
Administration	\$ 80,000.00	\$ -	\$ 80,000.00
Arch/Engineering	\$ 487,800.00	\$ 10,000.00	\$ 497,800.00
LINE Extension	\$ 8,000.00	\$ -	\$ 8,000.00
Construction	\$ 918,200.00	\$ -	\$ 918,200.00
Permit/Staff fees	\$ 45,000.00	\$ -	\$ 45,000.00
Other			
Draw			
Sub-TOTAL:	\$ 1,538,000.00	\$ 10,000.00	\$ 1,548,000.00
Less Income			
TOTAL:	\$ 1,538,000.00	\$ 10,000.00	\$ 1,548,000.00

PROGRESS REPORT: REQUEST FOR PAYMENT WILL NOT BE PROCESSED WITHOUT PROGRESS REPORT.

Administration— Region VII continues to progress with the project and is gathering information to prepare for the submission of authorization to bid.
Engineering— Design of the project is 100% complete. The Thrasher Group, Inc. is working toward getting the project closer to construction.

Verify costs claimed by the report are correct and (a) and based upon actual requirements, that such and services are in accordance with the approved project agreement, and that such and services are satisfactory and consistent with the amount claimed. Supporting documents are attached to verify costs claimed and are available locally for audit and inspection. City, county, or other exact residue of funds are not included in any court judgment or lawsuit involving any applicable laws contained in the grant contract.

Agnes G. Quinn
Chief Executive Officer

Original Signature Required

Copies of Invoices Required

ATTACHMENT 2-4

THE THRASHER GROUP, INC.
P.O. BOX 840
BRIDGEPORT, WV 26330
304.624.4108

INVOICE

LEWIS COUNTY EDA
P.O. BOX 498
WESTON, WV 25432

Invoice Number: 10801-1A
Date: 9/28/2016

Contract: 101-010-086
NORTH WEST
Scope of Work: WATER LINE EXTENSION
SPECIAL SERVICES
PROFESSIONAL SERVICES - NET 35

ITEM	BUDGET AMOUNT	PREVIOUS % COMPLETE	CURRENT % COMPLETE	AMOUNT COMPLETE
ASSESSMENT OF COMPLETED PROJECTS	20,000.00	0%	0%	0.00
CAD BASED RECORD DRAWINGS	30,000.00	0%	0%	0.00
ASSET MANAGEMENT PLAN	10,000.00	0%	100%	10,000.00
LAND & RIGHTS OF WAY SURVEYING	80,000.00			
				10,000.00
				0.00
				19,000.00

**LEWIS COUNTY ECONOMIC DEVELOPMENT AUTHORITY
RESOLUTION #1**

RESOLUTION OF THE LEWIS COUNTY ECONOMIC DEVELOPMENT AUTHORITY APPROVING INVOICES RELATING TO CONSTRUCTION AND OTHER SERVICES FOR THE NORTHWEST LEWIS WATER LINE EXTENSION PROJECT AND AUTHORIZING PAYMENT THEREOF.

WHEREAS, the Lewis County Economic Development Authority has received the invoices attached hereto and incorporated herein by reference in connection with the construction of the Water Construction Project funded by the Infrastructure & Job Development Fund (IJDF), West Virginia American Water Company (WVAWC), and Small Cities Block Grant (SCBG), and find as follows:

- That none of the items for which payment is proposed to be made has been requested from another funding source.
- That such items for which the payment is proposed to be paid to or was necessary in connection with the Project and constitutes a Cost of the project.
- That each of such costs has been otherwise properly incurred.
- That the payment for each of the items proposed is due and owing.

NOW, THEREFORE, BE IT RESOLVED by the Lewis County Economic Development Authority as follows: That it hereby authorize and direct the payment of the attached invoices as follows:

YEAR/ID	IJDF	IJDF Loan	IJDF Grant	WVAWC	SCBG	TOTAL
The Thrasher Group, Inc.	\$ -	\$ -	\$ -	\$ 10,000.00	\$ -	\$ 10,000.00
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ -	\$ -	\$ -	\$ 10,000.00	\$ -	\$ 10,000.00

ADOPTED BY the Lewis County Economic Development Authority, at a meeting held on the 28th day of September, 2016.

Agnes G. Quinn
Dr. President

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 3, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

ATTACHMENT #4

Amendment Number: _____ Date: 9/29/2016

West Virginia Development Office
Community Development Block Grant - SCBG
Budget Amendment Request

Project Name: Supplement Lewis Water Line Extension Project
Project Number: 15CR00001

	CURRENT APPROVED BUDGET	CHANGE	AMENDED BUDGET
Administration	\$15,000	\$0	\$15,000
Engineering	\$195,000	\$172,800	\$367,800
Land Acquisition	\$0	\$195,000	\$195,000
Construction	\$0	\$0	\$0
Interest/Debt	\$0	\$0	\$0
Other	\$0	\$0	\$0
TOTAL	\$195,000	\$367,800	\$562,800

Request for Amendment Request: (Please use a separate sheet of paper if additional items are included).
Adjusting the budget to reflect the remainder of funds (\$1,250,000.00) committed by SCBGs on March 8, 2016.

County Chairman: _____ Phone: _____ Email: _____
 Council Secretary: _____ Phone: _____ Email: _____
 Signature: _____ Title: _____
 Date: _____

**IN RE: REGION VII PLANNING AND DEVELOPMENT COUNCIL NOTIFICATION OF
AMENDMENT OF HAZARD MITIGATION PLAN**

Notification was received from Region VII Planning and Development Council that counties need to amend their Hazard Mitigation Plan to include Mitigation Reconstruction. This is required to be eligible for FEMA reimbursement. Lewis County is also asked to agree to the amendment of the Region VII Planning and Development Council Hazard Mitigation Plan to include this amendment. On motion of Thomas V. Fealy, second by Patrick D. Boyle, motion passing to approve the amendment.

COUNTY COMMISSION OF LEWIS COUNTY

101 Canal Avenue
Weston, WV 26452
Phone: (304)259-4200
Fax: (304)269-2416
Email: commission@lewiscounty.org
Website: www.lewiscounty.org



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

Project: Lewis County will continue to seek out opportunities to apply for Hazard Mitigation Assistance (HMA) funds for mitigation reconstruction, elevations, relocations or acquisitions of identified at risk, repetitive loss, non-repetitive loss, substantial damaged, partially or completely demolished or destroyed properties within Lewis County. If mitigation reconstruction is chosen, properties identified as partially or completely demolished, outside of the regulatory floodway, as identified by available flood hazard data, will be reconstructed in accordance with the standards established in the local floodplain ordinance and in accordance with the same conditions as an elevated structure. Lewis County will comply with all acquisition, elevation, relocation and mitigation reconstruction requirements as per the HMA Guidance.

Mr. Stone Whitehair
Executive Director
Region VII Planning and Development Council
99 Edinington Way, Suite 225
Buckhannon, WV 26201

RE: Hazard Mitigation Plan Amendment

October 3, 2016

Dear Mr. Whitehair:

In light of the recent flood disaster, Lewis County would like to request an amendment to our current Hazard Mitigation Plan strategies to include additional structural projects, specifically Mitigation Reconstruction. The allowance of these additional options, made available to our residents during catastrophic events, is a top priority of Lewis County. Should there be any questions, please do not hesitate to contact us. Please see the below mitigation strategy language which Lewis County would like to include as an amendment to the Region VII Planning and Development Council Hazard Mitigation Plan:

Project: Lewis County will continue to seek out opportunities to apply for Hazard Mitigation Assistance (HMA) funds for mitigation reconstruction, elevations, relocations or acquisitions of identified at risk, repetitive loss, non-repetitive loss, substantial damaged, partially or completely demolished or destroyed properties within Lewis County. If mitigation reconstruction is chosen, properties identified as partially or completely demolished, outside of the regulatory floodway as identified by available flood hazard data, will be reconstructed in accordance with the standards established in the local floodplain ordinance and in accordance with the same conditions as an elevated structure. Lewis County will comply with all acquisition, elevation, relocation and mitigation reconstruction requirements, as per the HMA Guidance.

Sincerely,

Agnes G. Queen
President, Lewis County Commission

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

SESSION: MONDAY, OCTOBER 3, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE

**IN RE: POSTPONE THE RSVP ON THE LEWIS COUNTY 4-H
ACHIEVEMENT BANQUET INVITATION**

The Lewis County Commission is invited to attend the 2016 Lewis County 4-H Achievement Banquet and Awards Celebration for Lewis County 4-Hers, volunteers and community partners on Sunday, October 30, 2016 at 1:30 PM. The cost is \$8.00 per person. RSVP is required by Monday, October 17, 2016 at noon. On motion of Thomas V. Fealy, second by Patrick D. Boyle, motion passing to postpone the RSVP until a later date.

IN RE: TIME SHEET SIGNED

Lucinda A. Whetsell's monthly time sheet was presented and signed by the commission.

IN RE: ECONOMIC DEVELOPMENT AUTHORITY UPDATE

None

IN RE: RECESS ORDERS

On motion of Thomas V. Fealy, second by Patrick D. Boyle, motion passing to approve the following actions taken by the Lewis County Clerk, Cynthia S. Rowan, in recess of the County Commission from September 22, 2016 to September 28, 2016:

Wills Probated: None

Qualifications Orders Granted:

Glen W. Ables, Jr. qualified with bond as Administrator of the estate of Linda Darlene Ables, deceased

Deborah L. Gump qualified with bond as Administratrix of the estate of Joseph Anthony Comberinati, deceased

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, motion passing to approve closure of the following estates:

Opal Mae Hall, deceased, Affidavit and Waiver of Final Settlement of said Estate, Sayrann Stalnaker, Executrix

Priscilla Jane Simpson, deceased, Affidavit and Waiver of Final Settlement of said Estate, Robert T. Simpson, Administrator

Thomas Evert Courtney, deceased, Fiduciary Commissioner Final Report and Accounting, James Thomas Courtney, Executor, W. T. Weber, Jr., Fiduciary Commissioner

Mary J. Jacobs, deceased, Affidavit and Waiver of Final Settlement of said Estate, W. T. Weber, Jr., Ancillary Administrator CTA

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

SESSION: MONDAY, OCTOBER 3, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE

IN RE: APPROVAL OF ORDERS (MINUTES) FOR SEPTEMBER 26, 2016 MEETING

On motion of Thomas V. Fealy, second by Patrick D. Boyle, motion passing, 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, motion passing, 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:

3125	General County Fund	09/30/2016	7,010.48
3126	Guttman Oil Company	10/03/2016	30.22
	Assessor	TOTAL	7,040.70

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:

401	General County Fund	09/30/2016	1,006.99
	Worthless Check	TOTAL	1,006.99

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:

2753	General County Fund	09/30/2016	46.30
2754	Guttman Oil Company	10/03/2016	54.43
	Dog and Kennel	TOTAL	100.73

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:

2496	General County Fund	09/30/2016	4,385.37
	Home Confinement	TOTAL	4,385.37

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, OCTOBER 3, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**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:

8219	General County Fund	09/30/2016	53,367.46
8220	Century Link	10/03/2016	23.22
8221	EmergiTech, Inc.	10/03/2016	25,395.27
8222	Guttman Oil Company	10/03/2016	80.76
8223	WV ENHANCED 9-1-1 Council	10/03/2016	265.68
	E-911	TOTAL	79,132.39

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:

72571	Javitch Block LLC	09/30/2016	217.94
72572	Helen M Morris, Trustee	09/30/2016	100.50
72573	Nationwide Retr Solutions	09/30/2016	697.50
72574	Guttman Oil Company	10/03/2016	780.36
72575	Debra A Hull	10/03/2016	68.58
	General County	TOTAL	1,864.88

IN RE: CHECKS RECEIVED

State of WV	\$6,187.50
Magistrate Court LC	\$15.00
Lewis County Park	\$5,591.48
Vonage	\$24.50
WV Chapter APCO	\$199.75
Sheriff of Gilmer Co	\$2,925.41
Sheriff of Gilmer Co	86,989.34
Pisarik Law Firm	\$20.00
Magistrate Court LC	\$15.00
State of WV	\$3,685.86
State of WV	\$146.00
General Fund	\$163.14
Dog and Kennel	\$470.00
AT&T	\$113.75
Bandwidth	\$10.50
Bullseye	\$5.25
Cebridge	\$89.25
City of Weston	3,000.00
Compliance	105.00
Frontier	6,352.52
Frontier	1,458.15
granite Telecommunications	208.25
Hughes	35.00
IDT	7.00

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

SESSION: MONDAY, OCTOBER 3, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE

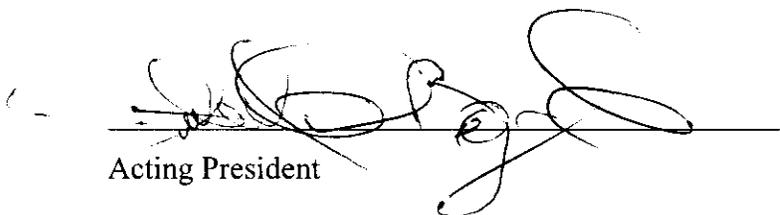
Taxconnex	8.75
Level 3	22.75
Lumos	402.74
Lumos	380.34
MCIMetro	5.25
Compliance	5.25
ProCom	25.30
RingCentral	22.75
RingCentral	22.75
Shentel	2,333.61
Star2Star	1.75
Star2Star	3.50
Taxconnex	26.25
LC EMS	43,304.40

IN RE: MOTION TO ADJOURN MEETING

On motion of Thomas V. Fealy, second by Patrick D. Boyle, motion passing to adjourn the meeting at 10:45 AM.

Given under my hand this 3rd day of October, 2016.

ORDERED, That this Commission doth now adjourn until Monday, October 17th, 2016.


 Acting President