

**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, October 24, 2016.

This day came James Wirt Myers, husband of Jane K. Myers, deceased, and presented and offered for probate a paper writing bearing date the 14th day of February, 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 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 Charleen Hamrick, Karen E. Grant and Carolyn M. Hamric. The said affidavit set forth the fact that the said Jane K. Myers, 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 Charleen Hamrick, Karen E. Grant and Carolyn M. Hamric 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, October 24, 2016.

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

It is stated by said Executor that Jane K. Myers, departed this life on the 8th day of October, 2016, aged seventy-three years.

Attest:

Cynthia S. Rowan Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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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, October 24, 2016.

This day came K. June Pritt, wife of William A. Pritt, deceased, and presented and offered for probate a paper writing bearing date the 20th day of April, 2015 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 Timothy J. Pritt and Jacqueline L. Campbell. The said affidavit set forth the fact that the said William A. Pritt, 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 Timothy J. Pritt and Jacqueline L. Campbell 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 Monday, October 24, 2016.

WHEREAS, William A. Pritt, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named K. June Pritt as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said K. June Pritt and qualified as Executrix of the Will of William A. Pritt, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that William A. Pritt, departed this life on the 17th day of October, 2016, aged ninety-one 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 Monday, October 24, 2016.

This day came Charlette Ann Ireland, no relation of Joseph Harlem Posey aka Joseph H. Posey, deceased, and presented and offered for probate a paper writing bearing date the 20th day of August, 2010 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 Harriett E. Williams and Lisa A. Bennett. The said affidavit set forth the fact that the said Joseph Harlem Posey aka Joseph H. Posey, 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 Harriett E. Williams and Lisa A. Bennett 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 Monday, October 24, 2016.

WHEREAS, Joseph Harlem Posey aka Joseph H. Posey, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Charlette Ann Ireland as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Charlette Ann Ireland and qualified as Executrix of the Will of Joseph Harlem Posey aka Joseph H. Posey, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Joseph Harlem Posey aka Joseph H. Posey, departed this life on the 23rd day of October, 2016, 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, October 26, 2016.

This day came Cinda Roby, sister of Amber Smith aka Amber G. Smith, deceased, and presented and offered for probate a paper writing bearing date the 3rd day of October, 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 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 Brian Ladanye and Joyce Ladanye. The said affidavit set forth the fact that the said Amber Smith aka Amber G. Smith, 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 Brian Ladanye and Joyce Ladanye 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, October 26, 2016.

WHEREAS, Amber Smith aka Amber G. Smith whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Cinda Roby as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Cinda Roby and qualified as Executrix of the Will of Amber Smith aka Amber G. Smith, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Amber Smith aka Amber G. Smith, departed this life on the 20th day of October, 2016, aged sixty-nine 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, October 26, 2016.

This day came Delphia Arbogast, daughter of Ted A. Butcher, 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 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 Delphia Arbogast, as such Administratrix.

THEREFORE, Delphia Arbogast, as principal together with Marcus Arbogast 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 Delphia Arbogast, qualified as Administratrix of the personal estate of Ted A. Butcher, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Ted A. Butcher departed this life on the 30th day of March, 2016, aged eighty-seven years.

Attest:

 Clerk

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

SESSION: MONDAY, OCTOBER 31, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE

Commission sat pursuant to adjournment of Monday, October 24, 2016.

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

OV Smith & Sons of Big Chimney Inc. 2016 \$ 29,250.30

IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Agendas** – The Upshur County Commission agenda for Thursday, October 27, 2016 was received.
2. **Lewis County Parks and Recreation Board Meeting Minutes and Agenda** – The Lewis County Parks and Recreation Board agenda for October 24, 2016 and minutes of the September 19, 2016 meeting were received.
3. **Town of Jane Lew Financial Statement** – The town of Jane Lew financial statement for the fiscal year ending June 30, 2016 was received.

IN RE: BOARD AND COMMITTEE REPORTS

Commissioners Fealy and Boyle, President Agnes G. Queen, County Clerk Cynthia S. Rowan and County Administrator Cindy Whetsell attended the Board of Equalization and Review meeting.

Commissioners Fealy and Boyle, President Agnes G. Queen and County Clerk Cynthia S. Rowan attended the St. Pat's Elimination dinner and Trunk or Treat.

Commissioner Boyle traveled around the county.

President Agnes G. Queen and County Clerk Cindy Rowan attended the 4-H Achievement Banquet. Lewis County Commission received a certificate of appreciation.

President Agnes G. Queen attended the County Commissioners Association of West Virginia Revenue Committee meeting on revenue sources.

President Agnes G. Queen attended the Lewis County Park Board meeting. Next year they will be working on upgrading the tennis courts.

President Agnes G. Queen attended an informational meeting held by Lewis County High School. This is to inform people of the positive things going on in the schools

President Agnes G. Queen attended the Lewis County Economic Development board meeting.

President Agnes G. Queen and Commissioner Thomas V. Fealy attended the Hackers Creek Pioneer Descendants baked steak dinner.

County Clerk Cindy Rowan reported that 1,007 early and mail in voter's ballots have been cast.

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, OCTOBER 31, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

IN RE: INVITATION OF THE CIRCUIT CLERK**JOHN HINZMAN'S RETIREMENT PARTY**

An invitation to Lewis County Circuit Clerk John Hinzman's retirement party to be held on December 13, 2016 was received. RSVP was requested by November 23rd, 2016.

IN RE: ECONOMIC DEVELOPMENT AUTHORITY UPDATE

None

IN RE: TIME SHEET SIGNED

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

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 October 20, 2016 to October 26, 2016:

Wills Probated:

Johnny Carl Jenkins aka Johnny Jenkins, deceased

Byron Wayne Miller aka Byron W. Miller, deceased

Kathryn R. Carder, deceased

Jane K. Myers, deceased

William A. Pritt, deceased

Joseph Harlem Posey aka Joseph H. Posey, deceased

Amber Smith aka Amber G. Smith, deceased

Qualifications Orders Granted:

Mary Crouse qualified as Executrix of the estate of Johnny Carl Jenkins aka Johnny Jenkins, deceased

Tonya S. Moran qualified with bond as Administrator of the estate of Byron W. Miller, deceased

James Richard Carder qualified as Executor of the estate of Kathryn R. Carder, deceased

James Wirt Myers qualified as Executor of the estate of Jane K. Myers, deceased

K. June Pritt qualified as Executrix of the estate of William A. Pritt, deceased

Charlette Ann Ireland qualified as Executrix of the estate of Joseph Harlem Posey aka Joseph H. Posey, deceased

Cinda Roby qualified as Executrix of the estate of Amber Smith aka Amber G. Smith, deceased

Delphia Arbogast qualified with bond as Administratrix of the estate of Ted A. Butcher, deceased

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, OCTOBER 31, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

IN RE: ESTATE ANNUAL APPROVAL AND/OR 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 Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to approve annual settlement and/or closure of the following estates:

June L. Brewster, deceased, Annual Settlement of said Estate, Frank L. Brewster, Administrator CTA dbn, by Charles C. Hathaway, Fiduciary Commissioner

Kevin Ryan Francis, minor, Final Annual Settlement, Eugene Kevin Francis, Guardian, by Charles C. Hathaway, Fiduciary Commissioner

IN RE: APPROVAL OF ORDERS (MINUTES) FOR OCTOBER 24, 2016 MEETING

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

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:

3132	General County Fund	10/31/2016	6,273.58
3133	Guttman Oil Company	10/31/2016	31.06
	ASSESSOR	TOTAL	6,304.64

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:

402	General County Fund	10/31/2016	861.20
	WORTHLESS CHECK FUND	TOTAL	861.20

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, OCTOBER 31, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**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:

2759	Utility Boards	10/31/2016	29.15
2760	Guttman Oil Company	10/31/2016	61.57
2761	Weston Veterinary Hospital	10/31/2016	23.97
	DOG AND KENNEL	TOTAL	114.69

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:

2498	General County Fund	10/31/2016	4,193.60
2499	Track Group	10/31/2016	3,185.00
	HOME CONFINEMENT	TOTAL	7,378.60

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:

8235	General County Fund	10/31/2016	52,763.79
8236	Century Link	10/31/2016	23.15
8237	Frontier	10/31/2016	1,234.39
8238	Guttman Oil Company	10/31/2016	38.43
8239	Kathryn Ann Ruppert	10/31/2016	220.00
	E-911	TOTAL	54,279.76

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:

483	Donald Beane	10/25/2016	134.00
484	John W. Carroll	10/25/2016	67.00
485	David H. Coffman	10/25/2016	278.00
486	Samuel U. Hicks	10/25/2016	126.25
487	Wilma McKee	10/25/2016	4.00
488	G. W. Morris, II	10/25/2016	766.25
489	Michael Smith	10/25/2016	810.00
490	Mary Lou Myers	10/25/2016	67.00
491	David Parks	10/25/2016	8.00
492	Diana Posey	10/25/2016	259.25
493	Robert A. Rinehart	10/25/2016	63.25
494	Deena D. Saeler	10/25/2016	199.25

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495	Debbie Scarff	10/25/2016	71.00
496	Marcia Todd	10/25/2016	8.00
497	Janice Whitehair	10/25/2016	350.75
498	Donna S. Wolfe	10/25/2016	169.47
72620	Helen M Morris, Trustee	10/31/2016	100.50
72621	Nationwide Retr Solutions	10/31/2016	697.50
72622	AFLAC	10/31/2016	807.02
72623	Biser's Radio Service	10/31/2016	56.85
72624	Guttman Oil Company	10/31/2016	820.58
72625	Ireland Community Corp	10/31/2016	3,500.00
99510	Elec.Fed.Tax Pymt System	10/31/2016	38,286.42
180019	EMPOWER Retirement	10/31/2016	380.00
190139	WV Public Emp Retr System	10/31/2016	36,400.87
200126	Bureau for Child Support	10/31/2016	622.74
210067	WV Emerg Med Svs Ret Sys	10/31/2016	10,867.76
220056	WV Deputy Shf Retr System	10/31/2016	10,333.85
230050	WV Dept of Tax & Revenue	10/31/2016	14,454.04
	GENERAL COUNTY	TOTAL	120,709.60

IN RE: CHECKS RECEIVED

Shentel	9887.64
State of WV	\$2,500.00
State of WV	\$10,000.00
Dog and Kennel	\$340.00
AT & T	\$112.00
Compliance Solutions	\$26.25
Bandwidth	\$10.50
Birch	5.25
Bullseye	\$5.25
Cebridge	\$89.25
Compliance Solutions	\$99.75
Frontier	\$6,301.18
Frontier	\$1,453.06
Granite Tele	\$208.25
Hughes network	\$29.75
Taxconnex	\$8.75
Level 3	\$28.00
Lumos	\$372.51
Mcimetro	5.25
MetTel	129.01
Compliance Solutions	5.25
ProCom	25.30
State of WV	104,364.41
RingCentral	22.75
Shentel	2,339.80
Compliance Solutions	108.50
Taxconnex	26.25
Vonage Tax	117.25
Vonage business	24.50
Sheriff of Gilmer	7,240.69
Sheriff of Gilmer	3,776.09

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, OCTOBER 31, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

IN RE: MOTION TO ADJOURN MEETING

On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to adjourn the meeting at 11:52 AM.

Given under my hand this 31st day of October, 2016.

ORDERED, That this Commission doth now adjourn until Monday, November 7, 2016.



President