

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

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

Work Session

October 31, 2016 - 1:30 PM

Exit Interview with Auditor

Present: President Agnes G. Queen, Commissioners Patrick D. Boyle and Thomas V. Fealy, County Clerk Cynthia S. Rowan, County Administrator Cindy Whetsell, Auditor Tyler Goodykoontz, and Deputy County Clerk Debra Hull.

Auditor Tyler Goodykoontz started the interview with the statement the county will be issued a qualified opinion on their financial statement because all of the component units have not had their audits completed.

A draft list of adjusting entries was presented with the largest being moving the Lewis County Building Commission from fiduciary to government. Some adjustments were made due to classification, ie interfund transfers.

One finding was presented of segregation of duties. Mr. Goodykoontz is going to provide a website link to County Administrator Cindy Whetsell regarding segregation of duties for small organizations.

**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 28, 2016.

This day came Trina Wyant, daughter of Mary M. Wright, deceased, and presented and offered for probate a paper writing, bearing date the 14th day of September, 2012, 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 Jonetta Collins and Marlene G. Leach. The said affidavit set forth the fact that the said Mary M. Wright, 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 Jonetta Collins and Marlene G. Leach 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 Friday, October 28, 2016.

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

It is stated by said Executrix that Mary M. Wyant, departed this life on the 23rd day of October, 2016, aged eighty 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, October 31, 2016.

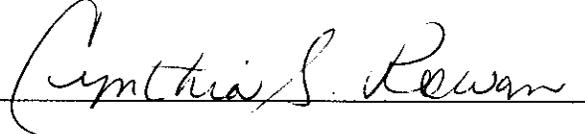
This day came Ronda Dell Romel, wife of Kenneth James Romel, deceased, and moved the Clerk that she be appointed Administratrix of the personal estate of her said decedent. It appearing to the Clerk that the said decedent, at the time of his death, had a known place of residence in the County of Lewis, State of West Virginia. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Ronda Dell Romel, as such Administratrix.

THEREFORE, Ronda Dell Romel, as principal together with Western Surety Company as her surety, entered into and acknowledged a bond in the penalty of Twenty Thousand (\$20,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient.

NOW THEREUPON, the said Ronda Dell Romel, qualified as Administratrix of the personal estate of Kenneth James Romel, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Kenneth James Romel departed this life on the 20th day of January, 2015, aged thirty-nine years.

Attest:

 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 Tuesday, November 1, 2016.

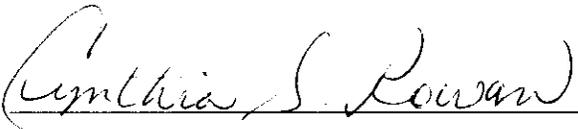
This day came Charissa Jordan, daughter of Charles Jordan, deceased, and moved the Clerk that she be appointed Administratrix of the personal estate of her said decedent. It appearing to the Clerk that the said decedent, at the time of his death, had a known place of residence in the County of Lewis, State of West Virginia. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Charissa Jordan, as such Administratrix.

THEREFORE, Charissa Jordan, as principal together with Western Surety Company as her surety, entered into and acknowledged a bond in the penalty of Five Thousand (\$5,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient.

NOW THEREUPON, the said Charissa Jordan, qualified as Administratrix of the personal estate of Charles Jordan, deceased, by taking the oath prescribed by law.

It is stated by said Administratrix that Charles Jordan departed this life on the 19th day of September, 2016, aged eighty-six years.

Attest:


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 Wednesday, November 2, 2016.

This day came Colleen Ann Chapman, wife of Dennis Dan Chapman, deceased, and presented and offered for probate a paper writing, bearing date the 13th day of May, 2014, 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, Jr., and Cynthia Angotti. The said affidavit set forth the fact that the said Dennis Dan Chapman, 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, Jr., and Cynthia 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 Wednesday, November 2, 2016.

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

It is stated by said Executrix that Dennis Dan Chapman, departed this life on the 23rd day of September, 2016, aged seventy-eight 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 Wednesday, November 2, 2016.

This day came Sandra Lynn Singleton, wife of Donald L. Cottrell, deceased, and presented and offered for probate a paper writing, bearing date the 27th day of February, 2014, 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 Crystal D. Bollinger and Diana M. Williston. The said affidavit set forth the fact that the said Donald L. Cottrell, 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 Crystal D. Bollinger and Diana M. Williston 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 Wednesday, November 2, 2016.

WHEREAS, Donald L. Cottrell, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Sandra Lynn Singleton as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Sandra Lynn Singleton and qualified as Executrix of the Will of Donald L. Cottrell, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Donald L. Cottrell, departed this life on the 20th day of October, 2016, aged sixty 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 the said Commission on Thursday, November 3, 2016.

WHEREAS, the appraisalment of Byron Wayne Miller, deceased, was this day filed; and

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

NOW THEREFORE, the estate of Byron Wayne Miller, 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, November 3, 2016.

WHEREAS, the 23rd day of August, 2016, Weber and Weber appeared and filed, with the Clerk a Counter Affidavit of the estate of Stephanie Michele Morrison, deceased, and requested that it be referred to a Fiduciary Commissioner for a determination of claim from Crestview Manor Nursing and Rehabilitation.

NOW THEREFORE, the personal estate of Stephanie Michele Morrison, deceased, is hereby referred to Joseph W. Wagoner, Fiduciary Commissioner, for a Determination of Claim.

Attest:

Cynthia S. Rowan Clerk

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State of West Virginia;

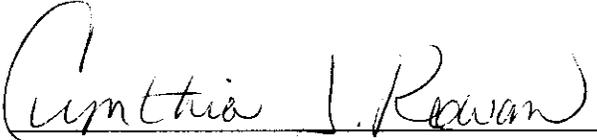
County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of the said Commission on Thursday, November 3, 2016.

WHEREAS, the 1st day of September, 2016, Deborah Ramsey appeared and filed with the Clerk a Counter Affidavit of the estate of Robert A. Ramsey, deceased, and requested that it be referred to a Fiduciary Commissioner for a determination of claim by Kimberly Ramsey.

NOW THEREFORE, the personal estate of Robert A. Ramsey, deceased, is hereby referred to Joseph W. Wagoner, Fiduciary Commissioner, for a Determination of Claim filed on the 5th day of July, 2016.

Attest:


Cynthia J. Rowan Clerk

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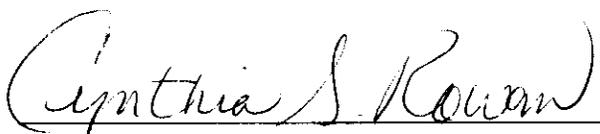
State of West Virginia;
County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of the said Commission on Thursday, November 3, 2016.

WHEREAS, the 20th day of October, 2016, Trina Williams appeared and filed with the Clerk a Counter Affidavit of the estate of Virginia Carol Boyd, deceased, and requested that it be referred to a Fiduciary Commissioner for a determination of claim by Katherine McGlinchey.

NOW THEREFORE, the personal estate of Virginia Carol Boyd, deceased, is hereby referred to Joseph W. Wagoner, Fiduciary Commissioner, for a Determination of Claim.

Attest:

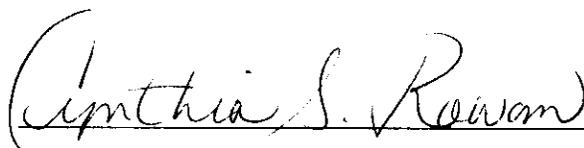
 Clerk

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 the said Commission on Friday, November 4, 2016.

Alicia Ann Flesher having been appointed as a member of the Lewis County Building Commission, this being the unexpired term of Leland Kesner ending February 15th, 2019, appeared this day and was given the oath of office by the Clerk of the County Commission, Cynthia S. Rowan.

Attest:

 Clerk

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, NOVEMBER 7, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

Commission sat pursuant to adjournment of Monday, October 31, 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

NONE PRESENTED

IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Agenda** – The Upshur County Commission agenda for Thursday, November 3, 2016 was received.
2. **Lewis County Parks and Recreation Board Special Meeting Notice** – A special meeting has been requested by Gene Edwards, President of the Lewis County Parks and Recreation Board for Monday, November 14, 2016 at 6 PM at the Lewis County Courthouse regarding the tennis court. Commission reported they are looking for funding for updating the tennis court.
3. **Lewis County Animal Control Monthly Report** – The Lewis County Animal Control Report for September 2016 including the number of animals picked up, dropped at the facility, adopted, bounty collected and vehicle mileage was received.
4. **Lewis County Animal Control Facility Monthly Report** – Lewis Upshur Animal Control Facility report for September 2016 including number of animals brought to the facility, number of animals adopted, number of animals rescued and number of animals euthanized was received.
5. **Lewis-Gilmer Emergency 911 Center Monthly Call Report** – October 2016 monthly report of actions by the Lewis-Gilmer Emergency 911 Center including call totals, number of calls per agency and disposition of calls was received. The Sheriff's department calls were up.

IN RE: BOARD AND COMMITTEE REPORTS

Commissioners Fealy and Boyle, President Agnes G. Queen, and County Clerk Cynthia S. Rowan attended testing of the DS850 election counting machine.

Commissioners Fealy and Boyle, President Agnes G. Queen, County Clerk Cynthia S. Rowan and County Administrator Cindy Whetsell attended the exit interview for the Fiscal Year 14-15 audit. Commission was pleased some of the reoccurring audit findings were corrected.

President Agnes G. Queen and County Administrator Cindy Whetsell attended the final planning of the Housing Summit on Tuesday and Friday attended the Housing Summit. President Queen reported it was a large turnout, excellent speakers and the county has a need for all types housing (retirement and all levels of income).

President Agnes G. Queen and Commissioner Fealy attended a conference call and 2 meetings with representatives from the governor's office. Two properties were viewed that have issues.

County Administrator Cindy Whetsell and Mr. Rowan, E-911/OEM Director met with Mr. Butcher of Micrologic. His company's equipment is ready to be installed on the tower.

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, NOVEMBER 7, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

County Administrator Cindy Whetsell met with Gene Edwards and Richard Messenger on external funding for the Lewis County Park for the tennis court replacement.

County Clerk Cynthia S. Rowan reported she and her office have been working on the election. 4000 early voters and 200 mail in votes have been received to date.

An active shooter drill was held this morning, November 7th, and employees reacted much better than the prior.

IN RE: ECONOMIC DEVELOPMENT AUTHORITY UPDATE

Michael Herron, Executive Director reported on the following:

1. Housing Summit
2. Roanoke School Water Project will reach substantial completion this weekend
3. West Virginia American Water settled law suit and received partial surcharge resulting in an increase of \$.60 to \$.87 a month per customer.
4. The saw mill will be receiving a safety assessment this month.
5. There was a Corridor H ribbon cutting opening nine miles of the roadway at Davis.

IN RE: INTERNATIONAL UNION OF PAINTERS AND TECHNICIANS OPEN HOUSE

The commission received an invitation to the Painters and Allied Trades Apprenticeship open house on November 14, 2016 at 10:00 AM. There will be a tour of the facilities and lunch. RSVP is requested. This is the first day of the election canvass and the commission will would be unable to attend.

IN RE: CHANGE COMMISSION MEETING DATE TO NOVEMBER 15, 2016, TUESDAY

After discussion and on motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to change the Lewis County Commission meeting date from November 14, 2016 to November 15, 2016 at 10:00 a.m. in the Commission meeting room due to election canvass.

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 27, 2016 to November 3, 2016:

Wills Probated:

Mary M. Wright, deceased
Dennis Dan Chapman, deceased
Donald L. Cottrell, deceased

Qualifications Orders Granted:

Trina Wyant qualified as Executrix of the estate of Mary M. Wright, deceased
Ronda Dell Romel qualified with bond as Administratrix of the estate of Kenneth James Romel, deceased
Charissa Jordan qualified with bond as Administratrix of the estate of Charles Jordan, deceased

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, NOVEMBER 7, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

Colleen Ann Chapman qualified as Executrix of the estate of Dennis Dan Chapman, deceased

Sandra Lynn Singleton qualified as Executrix of the estate of Donald L. Cottrell, deceased

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 Agnes G. Queen, vote unanimous to approve annual settlement and/or closure of the following estates:

Jerry Lynn Ables, deceased, Affidavit and Waiver of Final Settlement of said Estate, Jerry Allen Ables, Administrator

Iris Jean Smith, deceased, Affidavit and Waiver of Final Settlement of said Estate, Mary Jane Smith, Executrix

IN RE: APPROVAL OF ORDERS (MINUTES) FOR OCTOBER 31, 2016 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 Patrick D. Boyle, second by Agnes G. Queen, 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:

3134	Guttman Oil Company	11/07/2016	30.14
	ASSESSOR	TOTAL	30.14

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:

2762	Guttman Oil Company	11/07/2016	114.83
	DOG AND KENNEL	TOTAL	114.83

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY**REGULAR****SESSION: MONDAY, NOVEMBER 7, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**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:

2027	Michael Gissy	11/07/2016	24.95
2028	St Patrick Church	11/07/2016	125.00
	MAGISTRATE COURT	TOTAL	149.95

CONCEALED WEAPONS CLAIMS

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

890	John Perdue	10/31/2016	215.00
	CONCEALED WEAPONS	TOTAL	215.00

DEPUTY SHERIFF RETIREMENT CLAIMS

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

230056	WV Dep Shf Retirement Sys.	11/02/2016	477.50
	DEPUTY SHF RETIREMENT	TOTAL	477.50

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:

8240	Dominion Hope	11/07/2016	20.13
8241	Guttman Oil Company	11/07/2016	69.41
	E-911	TOTAL	89.54

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:

72626	Ballard's Enterprises, Inc	11/07/2016	500.00
72627	Companion Life	11/07/2016	152.90

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72628	Dominion Hope	11/07/2016	332.79
72629	Guardian	11/07/2016	3,752.10
72630	Guttman Oil Company	11/07/2016	709.80
72631	Ireland Community Corp	11/07/2016	2,500.00
72632	Lewis County Park	11/07/2016	14,717.65
72633	LC Conven. & Visitors Bureau	11/07/2016	28,303.17
72634	Louis Bennett Pub. Library	11/07/2016	5,660.63
72635	Mon Power	11/07/2016	4,339.31
72636	Suds R Us Laundry	11/07/2016	209.50
72637	Town of Jane Lew	11/07/2016	7,924.89
72638	UniFirst Corporation	11/07/2016	338.54
72639	WV American Water Company	11/07/2016	90.72
72640	84 Lumber	11/07/2016	484.96
	GENERAL COUNTY	TOTAL	70,016.96

IN RE: CHECKS RECEIVED

WV State of		1059.12
LCEMS		\$28,124.73
Lisa Valancourt	cash	\$14.32
Citizens Bank of Weston		\$230.39
Mountain Lakes CVB		\$3,421.91

IN RE: MOTION TO ADJOURN MEETING

On motion of Patrick D. Boyle, second by Thomas V. Fealy, vote unanimous to adjourn the meeting at 11:08 AM.

Given under my hand this 7th day of November, 2016.

ORDERED, That this Commission doth now adjourn until Monday, November 15, 2016.


President