

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
RECESS  
SESSION:**

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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 Friday, December 16<sup>th</sup>, 2016.

This day came Loretta J. Nolan aka Loretta Nolan, daughter of Rosa Lee Cayton, deceased, and presented and offered for probate a paper writing, bearing date the 13<sup>th</sup> day of July, 2009, 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 Harold E. Bailey, Jr. and Travis M. Miller. The said affidavit set forth the fact that the said Rosa Lee Cayton, 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 Harold E. Bailey, Jr. and Travis M. Miller 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, December 16<sup>th</sup>, 2016.

WHEREAS, Rosa Lee Cayton, whose Last Will and Testament was this day fully proved, probated and admitted to record therein named Loretta J. Nolan aka Loretta Nolan as Executrix and requested that no bond be required of her as such. THEREUPON, personally appeared the said Loretta J. Nolan aka Loretta Nolan and qualified for the Executrix of the Will of Rosa Lee Cayton, deceased, by taking the oath prescribed by law.

It is stated by the said Executrix that Rosa Lee Cayton, departed this life on the 8<sup>th</sup> day of December, 2016, aged seventy-nine years.

Attest:

Cynthia S. Rowan Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY  
RECESS  
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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 Friday, December 16, 2016.

This day came Jeffrey Brown, son of Genevieve L. Yerkey, deceased, expressing the need for administration of the estate of Genevieve L. Yerkey, deceased. With the Last Will and Testament of Genevieve L. Yerkey, deceased, having been presented on the 16<sup>th</sup> day of October, 2015, and having been proved at that time said Will was admitted to record as directed by law and recorded in Will Book 44, Page 654 and General Order Book 70, Page 111.

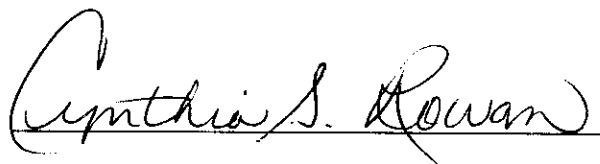
And, it appearing to the Clerk that the said decedent, at the time of her death, had a known place of residence in the County of Lewis, State of West Virginia; and

WHEREAS, Genevieve L. Yerkey, whose Last Will and Testament therein named Jeffrey Brown as Executor thereof and requested that no bond be required of him as such Executor.

NOW THEREUPON, personally appeared the said Jeffrey Brown and qualified as Executor of the Will of Genevieve L. Yerkey, deceased, by taking the oath prescribed by law.

It is stated by said Executor that Genevieve L. Yerkey departed this life on the 5<sup>th</sup> day of October, 2015, aged ninety-two years.

Attest:

 Clerk

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

**SESSION: MONDAY, DECEMBER 19, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

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Commission sat pursuant to adjournment of Monday, December 12, 2016.

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

The foregoing proceedings of this Commission were approved and signed by the President.

**IN RE: TAX EXONERATIONS**

None

**IN RE: P. WAYNE AMMONS DEPUTY ASSESSOR RESIGNATION**

P. Wayne Ammons, Deputy Assessor, gave notice to commission on recommendation of Lewis County Assessor T. Chad Kelley that he was resigning effective December 31, 2016. Commission thanked Mr. Ammons for his service.

**IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE**

1. **Upshur County Commission Meeting Agenda** – The Upshur County Commission meeting agenda for December 15, 2016 was received.
2. **Lewis Animal Control Monthly Call Report** – Monthly report of activities by the Lewis County Animal Control Officer including: number of complaints, number of animals picked up, number of animals dropped at the animal control facility, and bounty collected for October, 2016 was received.
3. **Lewis-Upshur Animal Control Facility October, 2016 Feline Report** – The report of felines brought to shelter by the public and animal control and dispositions was received.
4. **West Virginia Regional Jail and Correctional Facility Monthly Invoice** – The November 2016 monthly invoice to Lewis County for inmates housed in the regional jail was received: 1,625 days X \$48.25 per diem = \$78,406.25.
5. **Lewis-Gilmer Emergency 911 Advisory Board Meeting Minutes** – The minutes of the December 12, 2016 Lewis-Gilmer Advisory Board meeting was received.
6. **Lewis-Gilmer Emergency 911 Addressing Report** – The report of activities by the Lewis-Gilmer Emergency 911 Addressing Office for November, 2016 including: telephone calls, walk ins, addresses issues/reissued, mileage driven, and proof of address requests was received.

**IN RE: BOARD AND COMMITTEE REPORTS**

Commissioner Patrick D. Boyle attended the Lewis County Fire Board meeting. Fire fee collection to date are \$115,000.00 out of a total of \$134,000.00.

President Agnes G. Queen attended the following:

1. Alum Bridge Neighborhood Watch meeting
2. Meeting with a property owner on economic development
3. County Commissioners Association of West Virginia Legislative Round Table in Fayette County (Regional jail bill, dilapidated buildings and numerous other issues were discussed).
4. County Administrator Cindy Whetsell reported on the public hearing for the United States Department of Agriculture Community Development grant for a vehicle for law enforcement. There were no attendees.
5. County Clerk Cynthia S. Rowan reported they had had their office Christmas dinner.

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**IN RE: APPROVAL TO HIRE JAMES CODY CLEVINGER AS  
ASSISTANT PROSECUTING ATTORNEY**

Christina Flanigan, Prosecuting Attorney requests advise and consent per West Virginia Code §7-7-7 to hire James C. Clevenger as Lewis County Assistant Prosecuting Attorney to fill the void created by the election of Kurt Hall as 26<sup>th</sup> Judicial Circuit Judge. His employment will begin January 1, 2017. On motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing to approve James C. Clevenger as Assistant Prosecuting Attorney. Effective date of employment will be January 1, 2017 and the waiting period for benefits has been waived. Salary is set at \$63,600.00.

**IN RE: ECONOMIC DEVELOPMENT AUTHORITY UPDATE**

None

**IN RE: REQUEST FOR RICK L. GOULD TO BE APPOINTED TO THE  
LEWIS-GILMER SOLID WASTE AUTHORITY BOARD**

The Lewis-Gilmer Solid Waste Authority Board requests Rick L. Gould be appointed to the Lewis-Gilmer Solid Waste Authority to fulfill the unexpired term created by the death of Leland Kesner. On motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing, to approve Rick L. Gould to the Lewis-Gilmer Solid Waste Authority Board.

**IN RE: ORDER TO RESEND APPROVAL OF DENTAL VISION PLAN  
WITH LINCOLN FINANCIAL**

On motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing to resend the order approving Lincoln Insurance as carrier of the dental/vision insurance sponsored by the County Commissioner Association of West Virginia. The proposal submitted to the County Commissioners Association was incorrect and services were not as explained.

**IN RE: APPROVAL OF THE DENTAL/VISION INSURANCE  
WITH GUARDIAN INSURANCE**

The County Commissioner's Association of West Virginia's Dental Vision Insurance with Guardian will renew January 1, 2017. The increased rate for single coverage will be \$28.24 (2016 rate was \$23.77. The county pays this rate.) The increase rate for family coverage will be \$78.20 (2016 rate was \$66.33. This will be a monthly increase of \$7.50 or \$3.75 per pay to the employee opting for family coverage.) Any employee wishing to drop from family to single coverage must do so by December 30, 2016. On motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing to approve the County Commissioner's Association of West Virginia's Dental Vision Insurance with Guardian.

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**IN RE: HALF-DAY ON DECEMBER 23, 2016 DECLARED HOLIDAY**

Governor Tomblin announced half-day closure of state offices on December 23, 2016. Lewis County Commission follows the state approved holidays. On motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing to approve the half-day holiday on December 23, 2016.

**IN RE: APPROVAL OF TRANSFER OF ANNUAL LEAVE TO SICK LEAVE**

As per the Lewis County Personnel Policies and Procedures Handbook, "Vacation/Annual Leave" "An employee is permitted to carry over a limited amount of up to eighty (80) hours accrued but unused annual/vacation leave from one calendar year to the next. . . . The employee may request annual leave be converted to sick leave rather than be lost." On motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing to approve the following employees transfer of annual and comp hours to sick hours:

Pat Moran	19 Hours Annual to Sick Leave
Martha Tatman	20 Hours Annual to Sick Leave
Eric Rogucki	36 Hours Annual to Sick Leave

**IN RE: DECEMBER 27, 2016 MEETING**

On Motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing, to approve the December 27, 2016, Lewis County Commission meeting cancelled. The next meeting will be January 3, 2017.

**IN RE: RECESS ORDERS**

On motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing, to approve the following actions taken by the Lewis County Clerk, Cynthia S. Rowan, in recess of the County Commission from December 8, 2016 to December 14, 2016:

**Qualifications Orders Granted:**

Timothy Allan Moran and Cynthia Lynn Moran Riley qualified as Co-Executor and Co-Executrix of the estate of Betty Jo Moran, 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, motion passing, to approve annual settlement and/or closure of the following estates:

*Jack Vaden Skinner, deceased*, Affidavit and Waiver of Final Settlement of said Estate, Pauline Skinner, Administratrix

*William David Labbe, deceased*, Affidavit and Waiver of Final Settlement of said Estate, Edward L. Labbe, and Ancillary Administrator

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY****REGULAR****SESSION: MONDAY, DECEMBER 19, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE**

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**IN RE: APPROVAL OF ORDERS (MINUTES) FOR DECEMBER 12, 2016 MEETING**

On motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing, 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, 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:

3143	Dwight T. Goff	12/19/2016	6,300.00
	Assessor Valuation Fund	Total	6,300.00

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:

2768	Guttman Oil Company	12/19/2016	65.43
	Dog & Kennel Fund	Total	65.43

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:

2033	General County Fund	12/19/2016	1,689.00
	Magistrate Court Fund	Total	1,689.00

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY****REGULAR****SESSION: MONDAY, DECEMBER 19, 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:

8265	Biser's Radio Service	12/19/2016	2,519.00
8266	Guttman Oil Company	12/19/2016	42.90
	E911 Fund	Total	2,561.90

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:

2505	Track Group	12/19/2016	2,823.50
	Home Confinement Fund	Total	2,823.50

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:

516	Donald Beane	12/23/2016	134.00
517	John W. Carroll	12/23/2016	67.00
518	David H. Coffman	12/23/2016	278.00
519	Kimberly Heater	12/23/2016	181.40
520	Samuel U. Hicks	12/23/2016	126.25
521	Wilma McKee	12/23/2016	4.00
522	G. W. Morris, II	12/23/2016	652.25
523	Michael Smith	12/23/2016	810.00
524	Mary Lou Myers	12/23/2016	67.00
525	David Parks	12/23/2016	8.00
526	Diana Posey	12/23/2016	259.25
527	Robert A. Rinehart	12/23/2016	63.25
528	Deena D. Saeler	12/23/2016	199.25
529	Debbie Scarff	12/23/2016	71.00
530	Marcia Todd	12/23/2016	8.00
531	Janice Whitehair	12/23/2016	350.75
532	Donna S. Wolfe	12/23/2016	169.47
72707	Buckhannon Stockyards	12/19/2016	1,450.00
72708	Guardian	12/19/2016	3,633.30
72709	Guttman Oil Company	12/19/2016	748.28
72710	Miller Communications	12/19/2016	15,621.74
72711	WV Reg. Jail & Corr. Fac	12/19/2016	77,007.00
72712	Suds R Us Laundry	12/19/2016	154.96
72713	UniFirst Corporation	12/19/2016	469.64
72714	WV American Water Com	12/19/2016	928.03
	General County Fund	Total	103,461.82

ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY

REGULAR

SESSION: MONDAY, DECEMBER 19, 2016, 10:00 AM, LEWIS COUNTY COURTHOUSE

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IN RE: CHECKS RECEIVED

Lewis County EMS

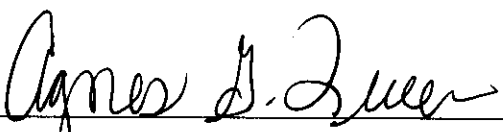
\$55,852.42

**RE: MOTION TO ADJOURN MEETING**

On motion of Patrick D. Boyle, second by Agnes G. Queen, motion passing, to adjourn the meeting at 10:50 A.M.

Given under my hand this 19<sup>th</sup> day of December, 2016.

ORDERED, That this Commission doth now recess until Tuesday, January 3, 2017 at 10:00 A.M.

  
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President