

**A G E N D A**  
**PRESTON COUNTY COMMISSION**  
**JUNE 23, 2020**  
**9:00 A.M.**

**Call to order by President and Pledge of Allegiance.**  
**Roll call of Commissioners.**  
**Recognition of Public.**  
**Review of Bills.**

**Assessor's Office – Consideration and/or action**  
Tax Correction List – None  
County Court Split – None

**Recognition of Scheduled Appointments**

9:03 a.m. Preston County Health Department – COVID-19 Virus Update  
9:10 a.m. Jennifer Lewis, Chief Tax Deputy - 2019 Delinquent Tax List for Real Estate and Personal Property  
9:11 a.m. Certify Preston County Election Results – June 9, 2020 Primary Election

**Approval of Minutes – May 19, 2020**

**Proceedings in Vacation – June 11, 2020 through June 17, 2020**

**Estate Settlements – June 12, 2020 thru June 12, 2020**  
ESTATE NAME: **STEPHEN T. BENSON**  
ESTATE NAME: **JENNYE H. WOMSLEY**

**Fiduciary Commissioner – None**

**Old Business – Consideration and/or action –** Appoint a member to Community Corrections Board  
At Large Position

**New Business – Consideration and/or action -**

**Administrator's Report – Consideration and/or action**

- A. Update COVID-19 Virus
- B. Request for funding Preston Community Arts Center
- C. Information on update of HVAC controller Courthouse
- D. Update on roof and facility projects at Preston County Animal Shelter
- E. Request to lease office space for Preston County Community Corrections Program
- F. Election Update
- G. Budget Revisions
- H. Miscellaneous Correspondence

**Personnel Matters- Consideration and/or action**

**Matters- Consideration and/or action**

**Information**

- A. Minutes – May 26, 2020
- B. Miscellaneous Correspondence

**Commissioners Comments**

**STATE OF WEST VIRGINIA, COUNTY OF PRESTON, Ss:**

The Preston County Commission met in Special Session at 9:00 a.m., June 23, 2020 in the County Commission Meeting Room in the Annex Building.

The meeting was streamed via live through the Preston County Commission Facebook page.

The meeting was called to order by President Samantha Stone who invited those present to join in the Pledge of Allegiance.

President Stone then declared the following Commissioners present: Samantha Stone, Dave Price and Don Smith.

Also present was Kathy Mace, Interim Administrator.

The following person registered their attendance during the meeting:

Angie Whetsell

Biff Armstrong

Deanna Lively

Jennifer Lewis-Chief Tax Deputy

Commissioner Price moved to pay the bills that are properly presented and approved. Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Price, Smith and Stone voting yes. Motion carried.

There were no Tax Corrections, Notice of Apportionments, Consolidation of Land or County Court Splits.

**Recognition of Scheduled Appointments**

**9:03 a.m. Preston County Health Department-COVID-19 Virus Update**

Commission President Stone introduced V.J. Davis, Administrator of the Preston County Health Department with a COVID-19 update.

He reported that in Preston County there are currently 50 confirmed cases, 13 probable cases, and 2 deaths. As far as the recent outbreak within the last week there have been 30 confirmed cases and it all started with a positive that was traced to a trip to Myrtle Beach. Over a span of a few days there was 26 cases that stemmed from the Myrtle Beach trip the week before that tested positive. Then there were 2 confirmed cases of individuals that had contact with those individuals that had tested positive in the county. He said this confirmed the community transmission.

Right now, there are 9 cases connected to this trip or trips and they are listed as probables, or contacts of the individuals that tested positive, that have started to develop symptoms.

He said probables are usually not tested because the individuals are already quarantined, nothing is going to change if they test positive. They are still going to be quarantined for the same amount of time. He said in a lot of ways it just isn't necessary because the result of a positive test is going to be the same as what they are already doing.

He stressed when people are quarantined it is very important that those people stay away from other people because that is what leads to continued community spread.

**9:10 a.m. Jennifer Lewis, Chief Tax Deputy-2019 Delinquent Tax List for Real Estate and Personal Property**

President Stone introduced Jennifer Lewis, Chief Tax Deputy with a request to approve the 2019 Delinquent Tax List for Real Estate and Personal Property. This list is scheduled to appear in both local newspapers set for June 26<sup>th</sup> as the run date.

Commissioner Smith moved to approve the 2019 Delinquent Tax List for Real Estate and Personal Property. Commissioner Price seconded the motion. A roll call vote was taken with Commissioners Smith, Price and Stone voting yes. Motion carried.

**9:11 a.m. Certify Preston County Election Results-June 9, 2020 Primary Election**

Kathy Mace explained that results of the June 9, 2020 Primary Election will be certified at a Special Session set for 9:00 a.m. Wednesday, June 24, 2020.

She said the statewide election with state wide races for each county were not finished in some counties until late in the evening which caused the rescheduling.

**Approval of Minutes – May 19, 2020**

Commissioner Smith moved to approve the minutes of May 19, 2020. Commissioner Price seconded the motion. A roll call vote was taken with Commissioners Smith, Price and Stone voting yes. Motion carried.

Under **NEW BUSINESS** Commissioner Smith moved to dispense with the reading in open court of the proceedings of the Clerk of this Commission, had in vacation on June 11, 2020 thru June 17, 2020 inclusive, and to approve and confirm the same as presented by the County Clerk, there having been no exception or objections filed thereto. (See attachment)

*United States of America*



*State of West Virginia*

*County of Preston, ss:*

*Clerk's Fiduciary Report*

**Estates from Thursday, June 11, 2020, through Wednesday, June 17, 2020**

The County Commission of Preston County this day proceeded to examine the report of the Clerk of the Commission of the Fiduciary and Probate matters had before her during the vacation of the Commission, and it appearing to the Commission that all of the proceedings had therefore ordered that the said report and matters thereto contained be and the same is hereby ratified and confirmed. Said report is in words and figures as follows, to-wit:

**On, Thursday, June 11, 2020, the following matters were disposed of in the presence of the Clerk:**

The last will and testament of **BETTY JANE JOHNSON**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

**CHARLES JOHNSON**, who was named in the last will and testament of **BETTY JANE JOHNSON**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

**On, Friday, June 12, 2020, the following matters were disposed of in the presence of the Clerk:**

The said estate of **ELMA LANTZ LEAMAN**, deceased was referred to **SHEILA K WILLIAMS, ATTORNEY AT LAW**, a FIDUCIARY COMMISSIONER for the Preston County Commission, for settlement thereof.

**ROBERT L FEATHERS**, who was named in the last will and testament of **DONALD L FEATHERS**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **HARRY F. BURGOYNE** was appointed and qualified as ADMINISTRATOR of the estate of **LINDA SUE BURGOYNE**, deceased. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **PEGGY J. DALTON** was appointed and qualified as ADMINISTRATRIX of the estate of **NORMAN F. DALTON; JR.**, deceased. Bond was \$1,000.00.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **REGAN M KIRCHNER** was appointed and qualified as ADMINISTRATOR of the estate of **JASON P KIRCHNER**, deceased. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **REGAN M KIRCHNER** was appointed and qualified as ADMINISTRATOR of the estate of **HOLLY R KIRCHNER**, deceased. No bond was required.

**On, Monday, June 15, 2020, the following matters were disposed of in the presence of the Clerk:**

The last will and testament of **SHERRY RENEE HARE**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

**WARREN ALLEN HARE, II**, who was named in the last will and testament of **SHERRY RENEE HARE**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

The last will and testament of **HELEN L. CHIDESTER**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

**KENNETH W. CHIDESTER, JR.**, who was named in the last will and testament of **HELEN L. CHIDESTER**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

**On, Tuesday, June 16, 2020, the following matters were disposed of in the presence of the Clerk:**

The last will and testament of **EDNA V DAY**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

**SUSAN D DAY PERROOTS**, who was named in the last will and testament of **EDNA V DAY**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **MARY F JOINSON** was appointed and qualified as ADMINISTRATRIX of the estate of **DONALD ROY JOHNSON**, deceased. No bond was required.

**On, Wednesday, June 17, 2020, the following matters were disposed of in the presence of the Clerk:**

The last will and testament of **CHRISTOPHER C TATHAM JR**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

**JOYCE L TATHAM**, who was named in the last will and testament of **CHRISTOPHER C TATHAM JR**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

The last will and testament of **WILLIAM H BAUER JR**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

**WILLIAM H BAUER III**, who was named in the last will and testament of **WILLIAM H BAUER JR**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **AMBER D. ENGLEHART** was appointed and qualified as ADMINISTRATRIX of the estate of **DYLAN BRETT ENGLEHART**, deceased. No bond was required.

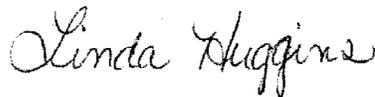
The last will and testament of **SUSAN HARTLEY**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

**MICHAEL HARTLEY**, who was named in the last will and testament of **SUSAN HARTLEY**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

The last will and testament of **JIMMY F BROWN**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

**KENNETH BROWN**, who was named in the last will and testament of **JIMMY F BROWN**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

Subscribed and sworn to before me on 06/17/2020



Linda Huggins  
Clerk of the Preston County Commission

By   
Karen Kurilko, Deputy Clerk

Commissioner Price seconded the motion. A roll call vote was taken with Commissioners Smith, Price and Stone voting yes. Motion carried.

Commissioner Price moved that the proceeding estate settlements and/or waivers thereof, having been filed for a period of ten (10) days prior to the commencements of this term and there being no exceptions or objections filed thereto, be approved and confirmed. (See attached.)

*United States of America*



*State of West Virginia*

*County of Preston, ss:*

## *Settlement List*

Notice is hereby given that the following estate(s) have been submitted for settlement from 06/12/2020 thru 06/12/2020 in the Preston County Clerk's Office at 106 West Main Street, Suite 103, Kingwood, WV 26537-1131. For approval by the Preston County Commission on Tuesday, June 23, 2020.

ESTATE NUMBER: **3553**  
ESTATE NAME: **STEPHEN T. BENSON**  
EXECUTRIX: **MARY RAE BENSON**  
SETTLEMENT: **AFFIDAVIT AND WAIVER OF FINAL SETTLEMENT**  
FILED: **06/12/2020**

ESTATE NUMBER: **3262**  
ESTATE NAME: **JENNYE H. WOMSLEY**  
EXECUTRIX: **MELISSA WOTRING**  
FIDUCIARY COMMISSIONER: **WOODROW E. TURNER ATTORNEY AT LAW**  
**P.O. BOX 585**  
**KINGWOOD, WV 26537**  
SETTLEMENT: **WAIVER OF FINAL SETTLEMENT**  
FILED: **06/12/2020**

Subscribed and sworn to before me on 06/18/2020

Linda Huggins  
Clerk of the Preston County Commission

By:   
Karen Kurilko, Deputy Clerk

Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Price, Smith and Stone voting yes. Motion carried.

**Fiduciary Commissioner - None**

**Old Business – Consideration and/or action – Appoint a member to Community Corrections Board At Large Position**

This open position will be left on the agenda until filled. If anyone would like more information or is interested in the position please call the office at 304-329-1805.

**New Business – Consideration and/or action**

**Administrator’s Report – Consideration and/or action**

Commissioner Stone recognized Kathy Mace for the Administrators Report.

**A. Update COVID-19 Virus**

The commission will be helping with the public testing and assisting in buying some canopies with proceeds from the Governor’s Contingency Fund.

PPE and other supplies continue to arrive to stockpile the container. She said they will buy more solution for the stockpile for the sanitizing kits.

**B. Request for funding Preston Community Arts Center**

A request was received from the Preston County Community Arts Center for \$3,700. to help with their operating costs.

The commission will consider the request.

**C. Information on update of HVAC controller Courthouse**

Work will begin on the HVAC controller for the courthouse July 6, 2020 and Ms. Mace hopes that it will be complete by mid-July.

**D. Update on roof and facility projects at Preston County Animal Shelter**

Ms. Mace has met with Michael Mills and a scan was done on the current facility at the Preston County Animal Shelter for the roof and also a holding unit for a large animal. They are looking at possibly a pre-fab unit. She hopes to have something to present to the commission by next week’s meeting.

She is also asking for a cost and feasibility study to modify the garage door into a continual wall so it doesn’t appear as an entrance into the facility.

**E. Request to lease office space for Preston County Community Corrections Program**

The Preston County Community Corrections Program is looking at leasing the Dailey Building for additional space that’s needed for the expansion of the many programs that are offered by Community Corrections.

Ms. Mace explained that this is a program that the commission helps support by being their authority for grant funding but they are totally responsible for their own cost.

She hopes to have something for the commissioners to look at by the 30<sup>th</sup>.

**F. Election Update**

Ms. Mace recently requested some information from the governor’s office on getting a reimbursement to help with the cost of leasing the election center at the Kingwood Plaza, at least from July 1, 2020 thru December 31, 2020, since it was directly related to the COVID-19.

**G. Budget Revisions-none**

**H. Miscellaneous Correspondence**

- Commissioner Smith moved to authorize the President to sign the WV Communities Risk Pool Member Agreement. Commissioner Price seconded the motion. A roll call vote was taken with Commissioners Smith, Price and Stone voting yes. Motion carried. (See attached.)

**WEST VIRGINIA COMMUNITIES  
RISK POOL**

**COVERSHEET TO MEMBER AGREEMENT**

**Member:** Preston County Commission

**Contract #:** WV-PR-039-21

**Coverage Certificate Term - Effective Date:** 07/01/2020

**Expiration Date:** 07/01/2021

I. COVERAGE	LIMIT OF LIABILITY*	ANNUAL CONTRIBUTION
<b>A. <u>Property</u></b>		\$21,111
Buildings/Contents - Replacement Cost, unless otherwise noted		
• Business Interruption/Extra Expense	\$100,000	
• Back-up of Sewers and Drains (Per Occurrence)	\$1,000,000	
• Debris Removal	\$20,000,000	
• Pollutant Clean-up and Removal	\$500,000	
• Newly Acquired Locations (per occurrence up to 120 days)	\$10,000,000	
• Property in Transit	\$5,000,000	
• Utility Services Time Element	\$2,000,000	
• Increased Cost of Construction/Ordinance/Demolition	\$20,000,000	
• Earthquake (Pool Aggregate)	\$10,000,000	
• Flood (outside 100-year flood plain; Pool Aggregate)	\$10,000,000	
<b>B. <u>Equipment Breakdown</u></b>		\$2,244
• Limit Per Breakdown	\$50,000,000	
<b>C. <u>Inland Marine</u></b>		\$8,234
Replacement Cost if scheduled, otherwise Actual Cash Value		
<b>D. <u>General Liability</u></b>		\$53,394
• Bodily Injury & Property Damage	\$1,000,000	
• Personal Injury & Advertising	\$1,000,000	
• Products & Completed Operations	\$1,000,000	
• Fire Legal Liability - Real Property	\$100,000	
• Employee Benefits Liability	\$1,000,000	
• Broad Form Property Damage and Property in the Care, Custody, and Control	\$100,000	
<b>E. <u>Automobile</u></b>		\$37,275
• Bodily Injury & Property Damage - Owned & Hired Autos	\$1,000,000	
• Medical Payments	\$2,000	
• Non-Owned Liability	\$1,000,000	
• Uninsured Motorists	\$1,000,000	
• Underinsured Motorists	\$250,000	
• Garage Liability	\$1,000,000	
• Garagekeepers	\$100,000	
• Automobile Physical Damage	Actual Cash Value or Cost of Repairs Less Deductible	
<b>F. <u>Public Officials Liability</u></b>		\$11,036
• Per Occurrence	\$1,000,000	
• Annual Aggregate	\$1,000,000	
<b>G. <u>Law Enforcement Liability</u></b>		Included
• Per Occurrence	\$1,000,000	
<b>H. <u>Crime</u></b>		\$950
• Employee Dishonesty, Faithful Performance	\$250,000	
• Broad Form Monies and Securities-Inside/Outside	\$250,000	
• Money Orders, Counterfeit, Depositors Forgery	\$250,000	
<b>I. <u>Cyber Risk</u></b>		\$4,000
• Limit of Liability	\$1,000,000	
<b>J. <u>Environmental Liability</u></b>		Included
• Each Incident and Aggregate	\$500,000	
• Pool Aggregate	\$1,000,000	
<b>K. <u>Excess Liability</u></b>		\$9,849
• Excess Automobile Liability - Limit	\$1,000,000	
• Excess General Liability - Limit	\$1,000,000	
• Excess Law Enforcement Liability - Limit	\$1,000,000	
• Excess Public Officials Liability - Limit	\$1,000,000	
• Excess Public Officials Liability - Annual Aggregate	\$1,000,000	
Excess Liability does not include coverage for Non-Owned Automobile Liability or Garage Liability. Uninsured/Underinsured Motorists coverage not included unless elected, returned within 30 days of receipt and additional contribution paid.		
<b>L. <u>Workers' Compensation</u></b>		\$75,204
• Employers' Liability (Coverage B)	\$1,000,000	
• Coverage A	Rejected	
Program Credit, if Applicable		Included in Above
<b>Total Annual Contribution</b>		<b>\$223,297</b>

\*Coverages provided are limited to those listed herein.

\*Limits noted are subject to the terms, conditions, and exclusions of the contract. Sublimits may apply.

II.

<b>A. Property</b>	
• Per Building and Contents Final Contribution Allocation Schedule (PR_42637) Attached Below	
• Flood	\$25,000
• Earthquake	\$25,000
<b>B. Equipment Breakdown</b>	
• Per Occurrence	\$1,000
<b>C. Inland Marine</b>	
• Per Final Contribution Allocation Schedule (IM_42637) Attached Below	
<b>D. General Liability</b>	
• General Liability	\$0
<b>E. Automobile</b>	
• Comp/Coll Deductibles Per Final Contribution Allocation Schedule (BA_42637) Attached Below	
• Liability	\$0
• Hired Car Physical Damage Comprehensive	\$1,000
• Hired Car Physical Damage Collision	\$1,000
• Garagekeepers	\$1,000
<b>F. Public Officials Liability</b>	
• Per Occurrence	\$15,000
<b>G. Law Enforcement Liability</b>	
• Per Occurrence	\$15,000
<b>H. Crime</b>	
• Per Occurrence	\$250
<b>I. Cyber Risk</b>	
• Per Occurrence	\$0
<b>J. Environmental Liability</b>	
• Per Occurrence	\$25,000
<b>K. Excess Liability</b>	
• Per Occurrence	Underlying Limits
<b>L. Workers' Compensation</b>	
• Per Occurrence	\$0

III. EXCESS COVERAGE OF POOL

- A. Property:** The Pool maintains reinsurance coverage up to \$100,000,000 in excess of the Pool's per occurrence retention of \$500,000.
- B. Liability:** The Pool maintains reinsurance coverage up to the limit of liability shown on page one of this document in excess of the Pool's per occurrence retention of \$500,000.
- C. Worker's Compensation:** The Pool maintains reinsurance coverage up to the statutory limit of liability in excess of the Pool's per occurrence retention of \$500,000.
- D. Stop Loss:** The Pool maintains a stop loss aggregate, which attaches at 120% of the contribution collected.

IV. CONTRIBUTION ASSESSMENT

The contributions were based on pool members' experience modified in accordance with an actuarially derived formula.

Whenever the Supervisory Board and the Insurance Commission determine that the fund account is actuarially insufficient, when considering pool assets and reserves to cover known claims both reported and unreported, the board shall make an assessment of the members of the Pool. Such assessments shall be paid within 90 days.

V. SERVICE AGENT – PUBLIC RISK SERVICES, INC.

Note: Local government group self-insurance pools are not protected by any West Virginia insurance guaranty association against default due to insolvency. In the event of insolvency, Members and persons filing claims against Members may be unable to collect any amount owed to them by the Pool regardless of the terms of the Member agreement. In the event the pool is in a deficit position, a Member may be liable for any and all unpaid claims against such Member.

With regards to Workers' Compensation liability, each member agrees to assume and discharge, jointly and severally, any liability under the West Virginia Workers' Compensation Laws of any and all employers party to such agreement and which provides that, in addition to the rights of the pool, in the event of failure of the pool to enforce such rights after reasonable notice to the pool, the commissioner may, at his or her sole discretion, order members to pay into the self-insured Employer Guaranty Risk Pool and Self-Insured Employer Security Risk Pool (if applicable) an amount sufficient to cover the estimated cost of all the accrued and contingent liabilities resulting from the period of self-insured status, or, in the alternative and in the commissioner's sole discretion, secure the liabilities in a manner consistent with other provisions of this rule.

ACCEPTED BY:



- Public hearing to be held July 6, 2020 by the West Virginia University Board of Governors to consider selling its fractional interest in land situated in Arthurdale- (see attached.)



June 10, 2020

**VIA ELECTRONIC MAIL**

Samantha Stone, President  
County Commission of Preston County, WV  
106 W. Main St, Suite 202  
Kingwood, WV 26537

RE: Notice of Public Hearing on  
Sale of Property Located in  
Arthurdale, West Virginia

Dear Samantha Stone:

Please be advised that the West Virginia University Board of Governors is considering selling its fractional interest in approximately 0.358 acres of land, more or less, located in Arthurdale, West Virginia, to private buyers. The property is a residential home. The West Virginia University Board of Governors will consider the proposed sale at an upcoming meeting

Pursuant to West Virginia Code Section 18B-19-10, which requires governing boards of State institutions of higher education to provide notice of the sale of real property with a "proposed sale price of \$50,000.00 or greater . . . [to] the county commission," please take notice that a public hearing on the proposed sale will be held on July 6, 2020, at 3:00 p.m. or as soon thereafter as the matter may be heard, in the Hazel Ruby McQuain Equine Education and Resource Center, located at the JW Ruby Research Farm, 155 WVU Reedsville Farm Drive, Reedsville, WV 26547. For your reference, please find enclosed a copy of the Notice of Public Hearing which will be published in the *Preston County News and Journal* on June 16, 2020, June 23, 2020.

Thank you for your attention to this matter. Should you have any questions regarding the foregoing, please do not hesitate to contact Travis Mollohan, Director of Government Relations, at (304) 293-3778.

Sincerely,

Gary G. Furbee, II  
*Deputy General Counsel*

Enclosure

## NOTICE OF PUBLIC HEARING

West Virginia University will hold a public hearing regarding the proposed sale of its fractional interest in property described herein to private buyers.

The real property at issue is a 1/2 interest in the surface of that certain lot or parcel of real estate located in the unincorporated community of Arthurdale, in Valley Taxation District, Preston County, West Virginia, and more particularly identified and described by an actual survey as follows:

All bearing herein after set forth are based on the Astronomical North Meridian established when the community of Arthurdale was surveyed and known as Lot M-4, and Parcel B:

**BEGINNING** at a ½-inch iron pin (set) this survey on the eastern right-of-way limits of M-Road, thence with the eastern right-of-way limits of M-Road, connected by a reference line bearing, South 7° 53' 00" East 117.26 feet to a 4-inch U.S.G. concrete monument (found) on eastern right-of-way limits of M-Road, thence with the common boundary line of the parcel survey and the line of now or formerly LePerra, North 70° 13' 00" East 190-feet to a ¾-inch iron bolt (set) this survey; thence continuing with a division line through said tract; thence South 81° 24' 20" West 28.94 feet to a ¾-inch iron pipe (set) this survey; thence continuing with a division line through said tract; thence South 81° 24' 20" West 28.94 feet to a ¾-inch iron pipe (set) this survey; thence continuing with a division line through said tract; thence North 13° 56' 00" West 68.85 feet to a ½-inch iron pipe (set) this survey; thence continuing with a division line through said tract; thence North 13° 56' 00" West 68.85 feet to a ½-inch iron pipe (set) this survey; thence continuing with a division line through said tract; thence South 81° 41' 10" West 143.56 feet to the beginning containing 0.358 acres, more or less, and being the same real estate conveyed to Iris Allsopp and Mary Allsopp Lawrenson, sisters, then in their lifetimes, as joint tenants with the express right of survivorship to the surviving joint tenant, by Josephine M. Runner, in her official capacity as Trustee and Strawman, by deed dated June 25, 1979, and of record in the Office of the Clerk of the County Commission of Preston County, West Virginia in Deed Book No. 480, at Page 523.

Mary Allsopp Lawrenson a/k/a Mary Ann Lawrenson, died October 23, 2018, as shown by her Certificate of Death of Record in aforesaid County Clerk's Office; thus vesting entire ownership of the real estate herein conveyed in her sister Iris Allsopp as the surviving joint tenant.

Iris Allsopp died July 24, 2019, and by the terms of her Last Will and Testament of record in aforesaid County Clerk's Office in Will Book No. 85, at Page 857; will and devised her residuary estate in unequal shares to West Virginia School of Medicine; the Arthurdale Community Presbyterian Church a/k/a Community Presbyterian Church of Arthurdale, West Virginia; Concern for the Dying from 250 W. 57<sup>th</sup> Street, New York, N.Y.; United World Mission, and the Preston County Humane Society.

Said Concern for the Dying a/k/a Concern for the Dying, Inc. was a New York Non-Profit Corporation and was dissolved on or about April 14, 2010. Pursuant to West Virginia Code section 41-3-4, the interest devised to said Concern for the Dying a/k/a Concern for the Dying, Inc. fails and thus passes to the Arthurdale Community Presbyterian Church a/k/a Community Presbyterian Church of Arthurdale, West Virginia; United World Mission; and the Preston County Humane Society in proportion to their respective shares or interests in the residue.

And to which deed and will reference is hereby made for all pertinent purposes.

This conveyance is made subject, however, to all reservations, conditions and provisions contained in a deed from the United States of America, acting by and through the Federal Housing Commission, dated March 1, 1946, and of record in the aforesaid County Clerk's Office in Deed Book No. 240, at Page 4, to which deed and the prior deeds reference is hereby made of all terms and conditions, reservations and exceptions and the like which are operative in this deed.

Insofar as it is within the power of the Grantor to do so, there is further granted and conveyed herewith all the right, title, benefits and privileges in connection with or accruing to said property by reason of that certain contract relating to water rights dated February 16, 1949, and of record in said County Clerk's Office in Deed Book No. 271, at Page 13.

Together with all of the roads, rights-of-way, easements, privileges, appurtenances, improvements, and advantages thereunto belonging or in anywise appertaining.

There is reserved and excepted from this conveyance all of the coal and other minerals, together with deep-mining rights as may have heretofore been reserved, excepted, or conveyed away.

The West Virginia University Board of Governors will consider the proposed sale of this property at an upcoming meeting.

The public hearing that may be continued or adjourned, and at which persons may appear and present their views about the sale of the above described property, will be held on July 6, 2020, at 3:00 p.m. or as soon thereafter as the matter may be heard, in the Hazel Ruby McQuain Equine Education and Resource Center, located at the JW Ruby Research Farm, 155 WVU Reedsville Farm Drive, Reedsville, WV 26547.

Information about this transaction, including terms of the sale, may be inspected at the public hearing.

- WV Courthouse Improvement is offering applications for courthouse improvements. Ms. Mace is looking at projects for the commissions consideration. She reached out to them yesterday. One is a structural project and one is a mechanical project. The project can only be for the courthouse. The maximum amount is \$100,000 with a 20 to 25% match. She will be bringing something for their consideration before the next fiscal year. The application is due in October.
- June 28, 2020-Arthurdale Cemetery-Veterans Memorial Salute at 1:00 p.m.
- July 2, 2020-Commissioner Price to ring the bell for 4<sup>th</sup> of July holiday
- July 21, 2020-potential meeting with the DOH; 1:00 p.m. by Zoom or other means

**Personnel Matters-Consideration and/or action**

**Legal Matters-Consideration and/or action**

**Information**

- A. Minutes – May 26, 2020
- B. Miscellaneous Correspondence

**Commissioners Comments**

Commissioner Stone advised that the Economic Development Authority board is down two board members. They are looking for individuals from the Brandonville and the Masontown area. If interested please notify the EDA.

At 10:25 a.m., there being no further business to come before the Commission, President Stone declared the Regular Session adjourned.

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*Commissioner*

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*Commissioner*

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*Commissioner*

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06/23/2020