

AGENDA

Morgan County Commission
77 Fairfax Street, Room 101
Berkeley Springs, WV 25411

January 15, 2025

9:30am Call to Order – The Honorable Kimberly Nickles, Morgan County Clerk

Items from the Public / Miscellaneous Discussion

Review and Approval of Agenda

Administration Items

- Approval of meeting minutes 1/3/2025
- Assessor's Exonerations

Agenda Items

9:45 – Sheriff Walter- Introduction on new Chief Deputy
Approval of Certified Deputy New Hire
9:50 – Blanket Approval of General County's expenses, loans and leases
9:55 – Governor's CDS for match grant
10:00 – Estate of Debra Waugh
10:20 – Review status of all board appointments
10:30 – Wellness Center Advisory Committee
10:40 – 2025 Legislative Agenda

Administrator's Report

Consent Agenda

Purchases / Check Logs / Budget Revision / Vacation Orders

Adjourn

APPROVED
JAN 15 2025
PRESIDENT COUNTY COMMISSION

Morgan County Commission

MEETING SIGN-IN SHEET

	DATE: 1-15-2025	Sheet: Of:		
No.	NAME	REPRESENTING	PHONE #	EMAIL
1	Kate Shumney	Morgan Mesa		
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**Morgan County Commission Meeting
January 3, 2025**

Members present:

Commissioner Sean Forney
Commissioner Joel Tuttle
Commissioner Bill Clark

Staff Present:

Kimberly Nickles, County Clerk
Misty Clingerman, County Administrator
Sheriff John Walter, Sheriff's Department
Laura Breeden, Sheriff's Tax Office
Scott Bier, IT Department

Items from the public

None

Review and Approval of Agenda

Commissioner Clark made a motion to approve the agenda. President Forney voted yea. Commissioner Tuttle voted yea. Commissioner Clark voted yea. Motion Carried.

Administration Items

Elect 2025 Commission President

Commissioner Tuttle made a motion to appoint Commissioner Clark as President for the Morgan County Commission for 2025. Commissioner Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion carried.

Commissioner Board of appointments

President Clark is the representative of the following boards:

Region 9 Planning & Development Council Board
HOME Consortium
Travel Berkeley Springs
Bath Development Authority
Morgan County Economic Development Authority
Boys and Girls Club (Non-Appointed)
Senior Life Services of Morgan County (Non—Appointed)

Commissioner Forney is the representative of the following boards:

Morgan County Emergency Medical Services Board
911 Advisory Board
Local Emergency Planning Committee
Fire Board
Towing Advisory Board
Morgan County Planning Commission



Commissioner Tuttle is the representative of the following boards:

Morgan County Parks & Recreation

Morgan County Farmland Protection Board

Criminal Community Corrections Board

Extension Service Board

Workforce Investment Board

Juvenile Crime Enforcement Coalition (PRO – Prevention Resource Officer)

Commissioner Forney made a motion to approve board appointments with the above changes. President Clark voted yea, Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion carried.

Approval of meeting minutes

Commissioner Forney made a motion to approve the meeting minutes from the 12/18/2024 meeting. President Clark voted yea, Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion carried.

Commissioner Forney made a motion to approve the special meeting minutes from the 12/30/2024 meeting. President Clark voted yea, Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion carried.

Approval of the 2025 Holiday Schedule

Commissioner Tuttle made a motion to approve the Holiday Schedule without the last line stating that “additional holidays may be given when the Governor issues Proclamations”. President Clark voted nae. Commissioner Tuttle voted yea. Commissioner Forney voted nae. Motion failed.

Commissioner Forney made a motion to approve the Holiday Schedule for 2025. President Clark voted yea, Commissioner Tuttle voted yea and Commissioner Forney voted yea. Motion carried.

Approval of 2025 Commission Meeting Schedule

Commissioner Tuttle made a motion to approve the Commission Meeting Schedule for 2025. President Clark voted yea, Commissioner Tuttle voted yea and Commissioner Forney voted yea. Motion carried.

Assessor’s Exonerations

None

Agenda Items

Scott Bier – DSI Licenses Discussion/Possible Action

Commissioner Tuttle recused himself from the conversation. Scott advised the Commission to accept the proposal from DSI for the Microsoft Licenses with the exception of the software service. Commissioner Forney made the motion to approve the proposal with the exception of the software service in the amount of \$38,010. President Clark voted yea. Commissioner Forney voted yea. Motion carried.

Laura Breeden – Signing of Bank Accounts due to change of Sheriff

Commissioner Forney made a motion to authorize the signature cards for the Sheriff's Department's CNB accounts. President Clark voted yea, Commissioner Tuttle voted yea and Commissioner Forney voted yea. Motion carried.

Administrator's Report

Administrator Clingerman told the Commissioners that Melanie Smith would be transferred from the Commission Office to the Sheriff's Tax Office on Monday, January 6, 2025. She will be a full-time 80-hour employee with a starting pay of \$15.23 per hour, plus a \$1,000 yearly stipend from the Ambulance 6.5%. President Clark made a motion to approve the transfer of Melanie Smith to the Sheriff's Tax Office. President Clark voted yea, Commissioner Tuttle voted yea and Commissioner Forney voted yea. Motion carried.

Consent Agenda

Commissioner Tuttle made a motion to approve the consent agenda. President Clark voted yea, Commissioner Tuttle voted yea and Commissioner Forney voted yea. Motion carried.

Adjourn

President Forney adjourned the meeting at 10:22 a.m.

Minutes submitted by M. Clingerman



MORGAN COUNTY SHERIFF'S DEPARTMENT
Johnnie Walter, Sheriff

Law Enforcement Division
226 Gayle Drive
Berkeley Springs, WV 25411

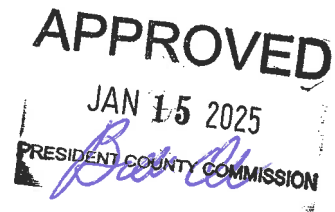
Phone: 304-258-1067
Fax: 304-258-8630
MorganSheriff@morgancountywv.gov

Date: January 10, 2025

To: Morgan County Commission
Bill Clark, President
Joel Tuttle
Sean Forney

From: Johnnie Walter
Sheriff of Morgan County

A handwritten signature in blue ink, appearing to be "Johnnie Walter", is written over the printed name.



Subject: Hiring of Certified Deputy

I, Sheriff Johnnie Walter, respectfully request the approval of Brandon Barker as a Provisional Deputy for 90 days which is renewable in 90 days if we do not have a Civil Service List. Brandon Barker has 3 years of experience with the West Virginia State Police and is a certified Advanced Roadside Impaired Driving Enforcement (ARIDE) as well as a Level 2 Accident Reconstructionist. The Certification as a Level 2 Accident reconstructionist makes him one of 8 in the state. Brandon will bring great experience and knowledge to Morgan County Sheriff's Office and citizens.

Brandon Barker will not require any training prior to starting and his starting pay will be \$45,000.00.

IN THE COUNTY COMMISSION OF MORGAN COUNTY, WEST VIRGINIA

In re: The Estate of Debra Waugh

NOTICE OF APPEARANCE

Please take notice that Eric S. Black, a local attorney licensed to practice law in the State of West Virginia, is now appearing as attorney of record for Dan Smith in the matter styled above. Please forward all future notices and Orders pertaining to Dan Smith to the address listed below.

Respectfully submitted,
Counsel for Dan Smith,

/s/ Eric S. Black, Esquire
Eric S. Black, Esquire #7567
380 South Washington Street
Berkeley Springs, WV 25411
(304) 258-2931

IN THE COUNTY COMMISSION OF MORGAN COUNTY, WEST VIRGINIA

In re: The Estate of Debra Waugh

CERTIFICATE OF SERVICE

I, Eric S. Black, Esquire, do hereby certify that I have served a true and accurate copy of the foregoing NOTICE OF APPEARANCE upon the following persons at the following addresses via facsimile and by U.S. Mail, first class, postage prepaid, this 13th day of January, 2025.

County Commission of Morgan County
77 Fairfax Street
Berkeley Springs, WV 25411

Jeremy Waugh
7175 Martinsburg Road
Berkeley Springs, WV 25411

Jonathan Waugh
7175 Martinsburg Road
Berkeley Springs, WV 25411

/s/ Eric S. Black, Esquire
Eric S. Black, Esquire #7567
380 South Washington Street
Berkeley Springs, WV 25411
(304) 258-2931

IN THE COUNTY COMMISSION OF MORGAN COUNTY, WEST VIRGINIA

In re: The Estate of Debra Waugh

MOTION TO CONTINUE

Comes now Dan Smith, by and through his counsel, Eric S. Black, Esquire, on this 13th day of January, 2025, respectfully to move this Honorable Court to continue the hearing in this matter currently set for January 15, 2025, at 10:00 a.m. In support of said Motion, Dan Smith would state the following:

1. The above matter is currently scheduled for a Hearing on January 15, 2025, at 10:00 a.m.
2. Dan Smith has just retained the undersigned counsel to represent him at the scheduled Hearing. The undersigned counsel has a substantial scheduling conflict for the date and time of the scheduled hearing. Counsel is required to appear in Berkeley County, West Virginia for a preliminary hearing in a murder case wherein he was just appointed as counsel of record.
3. Counsel would further state that additional time is needed to consult with his client, obtain the file, and prepare for any contested hearing in this matter.
4. Dan Smith/Counsel would state that no party would be prejudiced by a continuance of the Hearing.

WHEREFORE, based upon the foregoing, Respondent respectfully moves this Honorable Court to continue the hearing date in this matter currently set for January 15, 2025.

Respectfully submitted,
Dan Smith,
By counsel,

/s/ Eric S. Black, Esquire
Eric S. Black, Esquire #7567
380 South Washington Street
Berkeley Springs, WV 25411
(304) 258-2931

IN THE COUNTY COMMISSION OF MORGAN COUNTY, WEST VIRGINIA

In re: The Estate of Debra Waugh

CERTIFICATE OF SERVICE

I, Eric S. Black, Esquire, do hereby certify that I have served a true and accurate copy of the foregoing MOTION TO CONTINUE and proposed ORDER GRANTING CONTINUANCE upon the following persons at the following addresses by via electronic filing, U.S. Mail, first class, postage prepaid, this 13th day of January, 2025:

County Commission of Morgan County
77 Fairfax Street
Berkeley Springs, WV 25411

Jeremy Waugh
7175 Martinsburg Road
Berkeley Springs, WV 25411

Jonathan Waugh
7175 Martinsburg Road
Berkeley Springs, WV 25411

By: /s/ Eric S. Black, Esquire
Eric S. Black, Esquire #7567
380 South Washington Street
Berkeley Springs, WV 25411
(304) 258-2931

IN THE COUNTY COMMISSION OF MORGAN COUNTY, WEST VIRGINIA

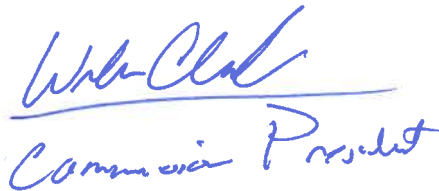
In re: The Estate of Debra Waugh

ORDER GRANTING MOTION TO CONTINUE

This matter came before the Court on this 15 day of January, 2025 upon the papers, pleadings, and Orders formerly had and read herein; upon the Respondent having previously filed a Motion to Continue with this Court.

It appearing to the Court that good cause exists for granting Motion, it is hereby ORDERED and ADJUDGED that the hearing date currently set in this matter for **January 15, 2025 at 10:00 a.m.** is continued. It is further Ordered that this matter shall come before the Court for a hearing on the 19 day of Feb, 2025 at 10:00am

There being nothing further that remains to be done herein, the Clerk shall enter the foregoing Order and send attested copies to all parties and counsel of record.


Commission President

IN THE COUNTY COMMISSION OF MORGAN COUNTY, WEST VIRGINIA

In re: The Estate of Debra Waugh

MOTION TO APPOINT FIDUCIARY COMMISSIONER

Comes now Dan Smith, by and through his counsel, Eric S. Black, Esquire, on this 13th day of January, 2025, respectfully to move the County Commission of Morgan County to appoint a Fiduciary Commissioner, counsel would state the following:

1. Jeremy Waugh and Jonathan Waugh filed a Petition for Review of Administration of Estate or Guardianship on December 13, 2024. The Commission has set the matter down for a hearing on January 15, 2025.

2. Dan Smith, Administrator for the Estate of Debra Waugh, respectfully moves the Court for the appointment of a Fiduciary Commissioner in this matter for the purpose of providing notice and an opportunity to be heard, of filing notices of contest, claims and objections to all parties who may have an interest in this matter, of allowing discovery, of conducting proper proceedings herein, of scheduling and conducting hearings, of taking all such actions allowed by law and for such further relief as to the Fiduciary Commissioner so appointed and the Morgan County Commission appear lawful, just and right.

WHEREFORE, based upon the foregoing, Dan Smith, Administrator for the Estate of Debra Waugh, respectfully moves the County Commission of Morgan County to appoint a Fiduciary Commissioner in this matter.

Respectfully submitted,
Dan Smith, Administrator for the
Estate of Debra Waugh,
By counsel,

/s/ Eric S. Black, Esquire

Eric S. Black, Esquire #7567

380 South Washington Street

Berkeley Springs, WV 25411

(304) 258-2931

IN THE COUNTY COMMISSION OF MORGAN COUNTY, WEST VIRGINIA

In re: The Estate of Debra Waugh

CERTIFICATE OF SERVICE

I, Eric S. Black, Esquire, do hereby certify that I have served a true and accurate copy of the foregoing MOTION TO APPOINT FIDUCIARY COMMISSIONER and proposed ORDER APPOINTING FIDUCIARY COMMISSIONER upon the following persons at the following addresses by U.S. Mail, first class, postage prepaid, this 13th day of January, 2025:

County Commission of Morgan County
77 Fairfax Street
Berkeley Springs, WV 25411

Jeremy Waugh
7175 Martinsburg Road
Berkeley Springs, WV 25411

Jonathan Waugh
7175 Martinsburg Road
Berkeley Springs, WV 25411

By: /s/ Eric S. Black, Esquire
Eric S. Black, Esquire #7567
380 South Washington Street
Berkeley Springs, WV 25411
(304) 258-2931

IN THE COUNTY COMMISSION OF MORGAN COUNTY, WEST VIRGINIA

In re: The Estate of Debra Waugh

ORDER APPOINTING FIDUCIARY COMMISSIONER

This matter came before the County Commission of Morgan County on this _____ day of January, 2025, upon the papers, pleadings, and Orders formerly had and read herein; upon Dan Smith, Administrator for the Estate of Debra Waugh, having previously filed a Motion to Appoint Fiduciary Commissioner with the County Commission of Morgan County.

It appearing to the County Commission Morgan County that good cause exists for granting the Motion to Appoint Fiduciary Commissioner, it is hereby Ordered and Adjudged that _____ be appointed Fiduciary Commissioner in this matter.

There being nothing further that remains to be done herein, the Clerk shall enter the foregoing Order and send attested copies to all parties and counsel of record.

MORGAN COUNTY COMMISSION

**BEFORE THE COUNTY COMMISSION OF MORGAN COUNTY,
WEST VIRGINIA**

RE: The estate of Debra Jean Waugh

NOTICE OF HEARING

PLEASE TAKE NOTICE that the Hearing has been scheduled before the County Commission of Morgan County, West Virginia, on **Wednesday January 15, 2025 at 10:00 A.M.** at the Morgan County Commission Office located in Berkeley Spring, West Virginia. Petition has been filed by **Jeremy & Jonathan Waugh** to remove **Danny L. Smith** as an Administrator of the above mentioned Estate. Mr. Smith has not had any communication regarding the Accounting of the Estate. Jeremy and Jonathan are requesting for the County Commission to appoint them as Co-Administrators for their mother's Estate. If anyone has any question, please contact Lisa Webster at the Morgan County Clerk's Office at 304-258-8547 or by email at lwebster@morgancountywv.gov.

Respectfully Submitted,



**KIMBERLY NICKLES, CLERK
MORGAN COUNTY COMMISSION
MORGAN COUNTY, WEST VIRGINIA**

**BEFORE THE COUNTY COMMISSION
MORGAN COUNTY, WEST VIRGINIA**

PETITION FOR REVIEW OF ADMINISTRATION OF ESTATE OR GUARDIANSHIP

ESTATE Pebra Waugh

ADMINISTRATOR Danny Smith

THE UNDERSIGNED RESPECTFULLY REQUESTS A HEARING BEFORE THE
MORGAN COUNTY COMMISSION TO REVIEW THE FOLLOWING ISSUES...

Jeremy Waugh & Johnathan are the only two Beneficiaries
Hasn't Paid the only Claims Filed against the Estate
Missappropriated fund out of Estate for him self
Wrongfully identified himself as a Beneficiary
Never filed an Accounting
Denied access and Knowledge of Bank Account
We want him removed and to Surrender all Estate documents
We want to Make a Claim against his Bond so I should
Not Be Released, We request to be appointed Co administrator

PETITIONER NAME Jeremy Waugh Jonathan Waugh

PETITIONER SIGNATURE [Signature] [Signature]

PETITIONER ADDRESS 7175 Martinsburg Rd
Berkeley Springs WV 25411

PETITIONER TELEPHONE NUMBER 240 440 7074

DATE 12/13/2024

NOTICE: MUST LIST ALL INTERESTED PARTIES ON NEXT PAGE.
A \$12.00 FEE MUST BE ENCLOSED WITH THIS PETITION.
A CHARGE OF \$9.68 MUST BE ENCLOSED PER EACH MAILING.

**NAMES AND ADDRESSES
OF PARTIES TO BE NOTIFIED OF HEARING**

1. Danny Leon Smith
6 White Birch Circle
Morgantown WV 26508
2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

**APPRAISEMENT OF THE ESTATE
FOR DECEDENTS DYING ON OR AFTER JULY 13, 2001**

Rev. 06/14

PART 1: GENERAL INFORMATION QUESTIONNAIRE

A. Decedent's Name DEBRA JEAN WAUGH		B. Social Security Number 236-98-6768	C. Date of Death 07/22/2024
D. Decedent's Residence at Death 5 DENISE OAK LANE, BERKELEY SPRINGS, WV 2541		E. State West Virginia	F. County Morgan
G. Marital Status at Death Married <input checked="" type="radio"/> Single, Widow(er) or Divorced <input type="radio"/>	Name of Surviving Spouse <u> </u>	H. West Virginia Counties Where Decedent Held Real Estate. <u>Morgan</u>	
I. Will this estate be required to file a Federal Estate Tax Return FORM 706 (see instructions on page 2)?		YES <input type="radio"/>	NO <input checked="" type="radio"/>
J. Will this estate be required to file the Nonprobate Inventory Form ET 6.02 (see instructions on page 3)?		YES <input type="radio"/>	NO <input checked="" type="radio"/>
K. Did the Decedent leave a WILL?		YES <input type="radio"/>	NO <input checked="" type="radio"/>
L. Fiduciary's Name and Mailing Address (include zip code) DANNY LEON SMITH 6 WHITE BIRCH CIRCLE MORGANTOWN WV 26508-7706		M. Preparer's Name and Address CPA <input type="radio"/> Attorney <input type="radio"/> _____ _____ _____ _____	
Fiduciary's Phone Number: 434-984-3361		Preparer's Phone Number:	

PART 2: QUESTIONNAIRE OF NONPROBATE REAL ESTATE

Answer each of the following questions concerning the decedent's interest in **NONPROBATE REAL ESTATE**.

If you answer "YES" to any question below, you must complete the attached Inventory of Nonprobate Real Estate provided with this form which shows:

- a. the type of transfer(s) with reference to the question number below;
- b. name(s) of the person(s) with an interest in the real estate as joint tenant or transferee;
- c. relationship to the decedent of ALL above named persons;
- d. market value at the date of death; and
- e. description of the real estate including assessed value.

		MARKET VALUE	
1. Did the decedent own an interest in any real estate as joint tenant with right of survivorship?	YES <input type="radio"/> NO <input checked="" type="radio"/>	1	
2. Did the decedent transfer an interest in any real estate without adequate consideration within three years prior to date of death?	YES <input type="radio"/> NO <input checked="" type="radio"/>	2	
3. Did the decedent own an interest in any real estate in an inter vivos trust (living trust) arrangement or in which the decedent retained the right of use and enjoyment?	YES <input type="radio"/> NO <input checked="" type="radio"/>	3	
4. Did the decedent own an interest in any real estate in which the decedent retained a power of appointment, whether special or general?	YES <input type="radio"/> NO <input checked="" type="radio"/>	4	
5. Did the decedent own an interest in any real estate as a life estate including a dower interest?	YES <input type="radio"/> NO <input checked="" type="radio"/>	5	
6. Did the decedent own an interest in any real estate transferable by a transfer on death deed?	YES <input type="radio"/> NO <input checked="" type="radio"/>	6	
7. TOTAL VALUE OF NONPROBATE REAL ESTATE (add lines 1 through 6 above)		7	\$ 0.00

PART 3: SUMMARY OF PROBATE ASSETS

Complete PART 4 first. Enter the total from each schedule of PART 4 on the appropriate line below.

Complete PART 4 first. Enter the total from each schedule of PART 4 on the appropriate line below.		MARKET VALUE
1. Schedule A: Real estate or any interest therein.	1	\$ 140,000.00
2. Schedule B: Tangible personal property of every kind.	2	0.00
3. Schedule C: Government bonds and securities of every kind.	3	0.00
4. Schedule D: Shares of corporate stock of every kind.	4	0.00
5. Schedule E: Money, certificates of deposit, notes, accounts, etc.	5	\$ 12,715.10
6. Schedule F: All other assets not hereinbefore mentioned.	6	0.00
7. TOTAL VALUE OF PROBATE ASSETS (add lines 1 through 6 above).	7	\$ 152,715.10

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PART 4: INVENTORY OF PROBATE ASSETS – TRANSFERS BY WILL OR INTESTACY
 After completing PART 4, enter the total from each schedule on the appropriate line in PART 3.

SCHEDULE A: Describe any real estate or any interest in real estate. Include description and appraised value of out of state property, but do not include this amount in the total. See page 3 of the instructions.	ASSESSED VALUE	APPRAISED VALUE
Rock Gap ³ Map 3 Parcel 42.1 3.00 acres DBK 163 Page 372	\$58,620.00	\$140,000.00
TOTAL (enter the total appraised value on line 1 of PART 3)		\$140,000.00

SCHEDULE B: Tangible personal property of every kind. See page 3 of the instructions.	APPRAISED VALUE
N/A	
TOTAL (enter the total appraised value on line 2 of PART 3)	

SCHEDULE C: Bonds and securities of every kind. See page 3 of the instructions.	APPRAISED VALUE
N/A	
TOTAL (enter the total appraised value on line 3 of PART 3)	

PART 4 (continued)

SCHEDULE D: Corporate stock of any kind. See page 3 of the instructions.				
NAME OF THE COMPANY	CLOSELY HELD	NUMBER OF SHARES	MARKET VALUE PER SHARE	TOTAL MARKET VALUE
N/A				
TOTAL (enter the total market value on line 4 of PART 3)				

SCHEDULE E: Money, bank accounts, certificates of deposits, notes, accounts receivable, etc. Show dates of notes. See page 3 of instructions.	APPRAISED VALUE
CNB Bank, Inc Checking	Balance at Time of Death \$ 12 715.10
TOTAL (enter the total appraised value on line 5 of PART 3)	

E-5

SCHEDULE F: All other assets, not hereinbefore mentioned, including insurance payable to the estate. See page 3 of the instructions.	APPRAISED VALUE
N/A	
TOTAL (enter the total appraised value on line 6 of PART 3)	

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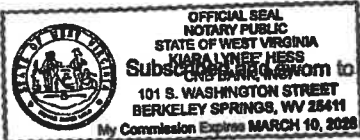
PART 5: BENEFICIARIES. List the names and relationships of all beneficiaries or heirs of the estate. Show the age of any life tenant after their name. See page 3 of the instructions.

BENEFICIARY OR HEIR	RELATIONSHIP	BENEFICIARY OR HEIR	RELATIONSHIP
DANNY LEON SMITH	BROTHER		
JEREMY R WAUGH	SON		
JONATHAN L WAUGH	SON		

PART 6: OATH OF FIDUCIARY

State of West Virginia County of Morgan To-wit:

I, DANNY LEON SMITH fiduciary for the estate of DEBRA JEAN WAUGH
 after diligent effort to ascertain the taxable property of this estate, have made answers to each of the questions and have completed, in detail, the schedules for each category of property and believe each item thereof to be correct. I thereby believe the foregoing to be the true and lawful appraisal of ALL real estate and probate property of the estate of the above named decedent.

 Subscribed and sworn to before me this 23 day of August, 2024

*Don L. Smith Fiduciary
Karalynne Hess Notary Public
 My Commission expires March 10, 2028

PART 7: APPROVAL OF FIDUCIARY COMMISSIONER/FIDUCIARY SUPERVISOR

I, _____, Fiduciary Commissioner/Fiduciary Supervisor of Morgan County, West Virginia, to whom the estate of the above named decedent was referred, do hereby approve the foregoing appraisal of such estate.

Given under my hand this _____ day of _____, 20____

By _____
 Fiduciary Commissioner/Fiduciary Supervisor Deputy

PART 8: CLERK OF THE COUNTY COMMISSION

STATE OF WEST VIRGINIA
 COUNTY OF MORGAN To-wit:

In the Clerk's office of Morgan County on the 23rd day of August, 2024,
 the foregoing appraisal of the above named decedent was presented and upon motion admitted to record.

Attest Karalynne Hess Clerk
 By _____ Deputy

STATE OF WEST VIRGINIA,
COUNTY OF MORGAN, SS:

The undersigned, after being first duly sworn, deposes and says that the above list is a true, correct and complete list of the known distributees and legatees of the said estate, together with their relation to the deceased and their post office address.

Glenda K. Buxton

Subscribed and sworn to before me this 22nd day of August, 2024

Kimberly Nickles, Clerk
Morgan County Commission

DEBRA J. WAUGH
AUGUST 23, 2024

STATE OF WEST VIRGINIA
IN THE MORGAN COUNTY COMMISSION CLERK'S OFFICE (IN VACATION) SS:

Upon Nomination and Waiver from Jeremy Waugh
is hereby appointed to serve as Administrator/trix for this Estate.

Upon Nomination and Waiver from Jonathan Waugh
is hereby appointed to serve as Administrator/trix for this Estate.

This day came Danny L. Smith and upon his/her
monition is requesting to be appointed as Administrator for the Estate of Debra J. Waugh.
Danny L. Smith hereby state that no Will has been found left by the decedent.
Therefore by law and excuting bond in the sum of \$Zero no surety required.
Danny L. Smith aforesaid, is hereby directed to make a true return of this
appraisment to Kimberly Nickles, Clerk of the County Commission, to whom this Estate is
referred to for settlement as provided by law.

Done before me as clerk of the County Commission this 23rdday of August, 2024

ATTEST:

Kimberly Nickles CLERK
MORGAN COUNTY
LIST OF HEIRS

Danny L. Smith a Brother of decedent, who resides at Morgantown, WV
Jeremy Waugh a Son of decedent, who resides at Berkeley Springs, WV
Jonathan Waugh a Son of decedent, who resides at Petersburg, WV

STATE OF WEST VIRGINIA,
COUNTY OF MORGAN, SS:

The undersigned, after being first duly sworn, deposes and says that the above list is a true, correct and complete list of the known distributees and legatees of the said estate, together with their relation to the deceased and their post office address.

Danny L. Smith

Subscribed and sworn to before me this 23rd day of August, 2024

Kimberly Nickles, Clerk
Morgan County Commission

SUSAN SQUIRE
AUGUST 27, 2024

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Form ET 6.01

Rev. 08/14

**APPRAISEMENT OF THE ESTATE
FOR DECEDENTS DYING ON OR AFTER JULY 13, 2001**

PART 1: GENERAL INFORMATION QUESTIONNAIRE

A. Decedent's Name DEBRA JEAN WAUGH		B. Social Security Number 236-98-6768	C. Date of Death 07/22/2024
D. Decedent's Residence at Death 5 DENISE OAK LANE, BERKELEY SPRINGS, WV 254		E. State West Virginia	F. County Morgan
G. Marital Status at Death Married <input type="radio"/> Single, Widow(er) or Divorced <input checked="" type="radio"/>	Name of Surviving Spouse _____	H. West Virginia Counties Where Decedent Held Real Estate. Morgan	
I. Will this estate be required to file a Federal Estate Tax Return FORM 706 (see instructions on page 2)?		YES <input type="radio"/> NO <input checked="" type="radio"/>	
J. Will this estate be required to file the Nonprobate Inventory Form ET 6.02 (see instructions on page 3)?		YES <input type="radio"/> NO <input checked="" type="radio"/>	
K. Did the Decedent leave a WILL?		YES <input type="radio"/> NO <input checked="" type="radio"/>	
L. Fiduciary's Name and Mailing Address (include zip code) DANNY LEON SMITH 6 WHITE BIRCH CIRCLE MORGANTOWN WV 26508-7706		M. Preparer's Name and Address CPA <input type="radio"/> Attorney <input type="radio"/> _____ _____ _____	
Fiduciary's Phone Number: 434-984-3361		Preparer's Phone Number: _____	

PART 2: QUESTIONNAIRE OF NONPROBATE REAL ESTATE

Answer each of the following questions concerning the decedent's interest in NONPROBATE REAL ESTATE.

If you answer "YES" to any question below, you must complete the attached Inventory of Nonprobate Real Estate provided with this form which shows:

- a. the type of transfer(s) with reference to the question number below;
- b. name(s) of the person(s) with an interest in the real estate as joint tenant or transferee;
- c. relationship to the decedent of ALL above named persons;
- d. market value at the date of death; and
- e. description of the real estate including assessed value.

		MARKET VALUE
1. Did the decedent own an interest in any real estate as joint tenant with right of survivorship? YES <input type="radio"/> NO <input checked="" type="radio"/>	1	
2. Did the decedent transfer an interest in any real estate without adequate consideration within three years prior to date of death? YES <input type="radio"/> NO <input checked="" type="radio"/>	2	
3. Did the decedent own an interest in any real estate in an inter vivos trust (living trust) arrangement or in which the decedent retained the right of use and enjoyment? YES <input type="radio"/> NO <input checked="" type="radio"/>	3	
4. Did the decedent own an interest in any real estate in which the decedent retained a power of appointment, whether special or general? YES <input type="radio"/> NO <input checked="" type="radio"/>	4	
5. Did the decedent own an interest in any real estate as a life estate including a dower interest? YES <input type="radio"/> NO <input checked="" type="radio"/>	5	
6. Did the decedent own an interest in any real estate transferable by a transfer on death deed? YES <input type="radio"/> NO <input checked="" type="radio"/>	6	
7. TOTAL VALUE OF NONPROBATE REAL ESTATE (add lines 1 through 6 above)	7	\$ 0.00

PART 3: SUMMARY OF PROBATE ASSETS

Complete PART 4 first. Enter the total from each schedule of PART 4 on the appropriate line below.

		MARKET VALUE
1. Schedule A: Real estate or any interest therein	1	\$ 140,000.00
2. Schedule B: Tangible personal property of every kind	2	0.00
3. Schedule C: Government bonds and securities of every kind	3	0.00
4. Schedule D: Shares of corporate stock of every kind	4	0.00
5. Schedule E: Money, certificates of deposit, notes, accounts, etc.	5	\$ 12,715.10
6. Schedule F: All other assets not hereinbefore mentioned	6	0.00
7. TOTAL VALUE OF PROBATE ASSETS (add lines 1 through 6 above)	7	\$ 152,715.10

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PART 4: INVENTORY OF PROBATE ASSETS – TRANSFERS BY WILL OR INTESTACY
 After completing PART 4, enter the total from each schedule on the appropriate line in PART 3.

SCHEDULE A: Describe any real estate or any interest in real estate. Include description and appraised value of out of state property, but do not include this amount in the total. See page 3 of the instructions.	ASSESSED VALUE	APPRAISED VALUE
Rock Gap Map 3 Parcel 42.1 3.00 acres DBK 163 Page 372	\$ 58,620.00	\$140,000.00
TOTAL (enter the total appraised value on line 1 of PART 3)		\$140,000.00

SCHEDULE B: Tangible personal property of every kind. See page 3 of the instructions.	APPRAISED VALUE
N/A	
TOTAL (enter the total appraised value on line 2 of PART 3)	

SCHEDULE C: Bonds and securities of every kind. See page 3 of the instructions.	APPRAISED VALUE
N/A	
TOTAL (enter the total appraised value on line 3 of PART 3)	

PART 4 (continued)

SCHEDULE D: Corporate stock of any kind. See page 3 of the instructions.				
NAME OF THE COMPANY	CLOSELY HELD	NUMBER OF SHARES	MARKET VALUE PER SHARE	TOTAL MARKET VALUE
N/A				
TOTAL (enter the total market value on line 4 of PART 3)				

SCHEDULE E: Money, bank accounts, certificates of deposits, notes, accounts receivable, etc. Show dates of notes. See page 3 of instructions.	APPRAISED VALUE
CNB Bank, Inc Checking Balance at Time of Death	\$ 12,715.10
TOTAL (enter the total appraised value on line 5 of PART 3)	

E-5

SCHEDULE F: All other assets, not hereinbefore mentioned, including insurance payable to the estate. See page 3 of the instructions.	APPRAISED VALUE
N/A	
TOTAL (enter the total appraised value on line 6 of PART 3)	

PART 5: BENEFICIARIES. List the names and relationships of all beneficiaries or heirs of the estate. Show the age of any life tenant after their name. See page 3 of the instructions.

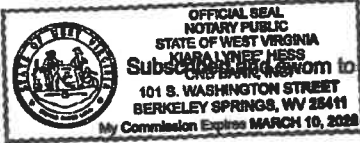
BENEFICIARY OR HEIR	RELATIONSHIP	BENEFICIARY OR HEIR	RELATIONSHIP
DANNY LEON SMITH	BROTHER		
JEREMY R WAUGH	SON		
JONATHAN L WAUGH	SON		

PART 6: OATH OF FIDUCIARY

State of West Virginia County of Morgan To-wit:

I, DANNY LEON SMITH, fiduciary for the estate of DEBRA JEAN WAUGH after diligent effort to ascertain the taxable property of this estate, have made answers to each of the questions and have completed, in detail, the schedules for each category of property and believe each item thereof to be correct. I thereby believe the foregoing to be the true and lawful appraisal of ALL real estate and probate property of the estate of the above named decedent.

**Don L. Smith*
Fiduciary

 Subscribed and sworn to before me this 23 day of August, 2024

Kara Lynne Hess
Notary Public

My Commission expires March 10, 2028

PART 7: APPROVAL OF FIDUCIARY COMMISSIONER/FIDUCIARY SUPERVISOR

I, _____, Fiduciary Commissioner/Fiduciary Supervisor of Morgan County, West Virginia, to whom the estate of the above named decedent was referred, do hereby approve the foregoing appraisal of such estate.

Given under my hand this _____ day of _____, 20____

By _____
Fiduciary Commissioner/Fiduciary Supervisor Deputy

PART 8: CLERK OF THE COUNTY COMMISSION

STATE OF WEST VIRGINIA

COUNTY OF MORGAN To-wit:

In the Clerk's office of Morgan County on the 23rd day of August, 2024
the foregoing appraisal of the above named decedent was presented and upon motion admitted to record.

Attest *Kimberly Nickless* Clerk

By _____ Deputy

3 YEAR TERM	EDA
Members	Term
Terri Beard	12/31/2024
Larry Omps, President	12/31/2024
Susan Webster, Secretary	12/31/2025
Ryan Rebant	12/31/2026
Mark Garfinkel	12/31/2026
Mark Harrell	12/31/2026
Brandy Steele (Paw Paw)	12/31/2025
Vacancy (farmer)	
Bill Clark	
Lyn Goodwin Director	

HOME CONSORTIUM	
AUDREY MORRIS	6/30/2027
7043 RIVER ROAD	
BERKELEY SPRINGS, WV25411	
304-258-5350 (work) 304-258-5600	
FAX 304-258-6395	
Bill Clark, County Commission	6/30/2025
MORGAN COUNTY COMMISSION	
BERKELEY SPRINGS WV, 25411	
Denise Bergan	6/30/2027

Region 9		
Name	Term	Expires
Lyn Goodwin	July 1, 2024	June 30, 2026
Daryl Cowles	July 1, 2024	6/30/2026 0:00
Bill Clark	July 1, 2024	30-Jun-26

BDA

Travel Berkeley Springs

Boys and Girls Club

Senior Life Services

MORGAN COUNTY EMS BOARD		
	Term Begins	Term Ends
Katie Smith	12/6/2023	12/31/2026
Wayne Sanderson	1/1/2024 (3)	12/31/2026
Dale McConnell	1/1/2024 (3)	12/31/2026
28 Hill Top Roas P.O. Box 488 Great Cacapon WV 25422		
Otto Schlicht	1/1/2024 (3)	12/31/2026
4690 Highland Ridge Road Berkeley Springs WV. 25422		
John Coleman	1/1/2026 (3)	12/31/2026
144 Green Acres Lane Berkeley Springs WV. 257411 304-258-2326		
Sean Forney- Commission Rep Laura Breeden- Ex- Officio		
Limited to two consecutive three year terms		

911 Advisory Board	
911 Deputy Director	
Marshall Younker	
County Administrator	
Misty Clingerman	Ex-Officio Secretary
Emergency Medical Services Representative	
Mike Jenkins	12/20/2023
Michael McCarty	6/30/2025
Office of Emergency Services	
Law Enforcement Representative Two Year Term	
KC Bohrer	2/29/2024
Citizen Representative Three Year Term	
John Peters 703-623-1944	12/31/2025
John Walter Alternate	
Fire Company Representative Three Year Term	
Dave Fink 304-620-2968	12/31/2025
Medical Representative	
Gail Hanline	12/20/2023
Morgan County Commission Repre One Year Term	
Sean Forney	1/2/2024
ToB Police Chief	
Ron Gardner	
Paw Paw Police Chief	
WVSP	
Scott Nazelrod	

FIRE BOARD

Mark Miller, Chz SMVF	7/1/2020	6/30/2023
Tom Stinebaugh GCVF	7/1/2019	6/30/2022
James Steiner BSVFI	1/1/2024 (2)	12/31/2025
Jason Whisner PPVF	4/19/2021	6/30/2024
Randall Stewart CitiZe	11/1/2021	6/30/2024
Dale McConnell CitiZe	7/1/2020	6/30/2023

Sean Forney, Commission Representative

TOWING BOARD

Name	Term Begi	Term Ends
Bobby Bullock	1/1/2021 (12/31/2024
Misty Clingerman	1/3/2024 (12/31/2024
K.C. Bohrer	1/3/2024 (12/31/2024
Sean Forney	1/3/2024 (12/31/2025
Marshall Younker	1/3/2024 (12/31/2026
John Peterson	1/3/2024 (12/31/2026
Wayne Sanderson	1/3/2024 (12/31/2025

Local Emergency Planning Committee

Farmland Preservation

Robert White

Term- 6/7/2023-8/31/2026

2081 Householder Road

Hedgesville, WV 25427

C- 304-616-2563

Vince Kesecker

Term-8-2020---8-2024

269 Cain Lane

Berkeley Springs, WV 25411

H-304-258-4016

C-304-443-9143

woodchoppers%@frontier.com

Farmer/county resident

Dary Cowles

Term-8/2020---8/2024

Berkeley Springs, WV 25411

H-304-258-3258

darycowles1@frontier.com

County Citizen

Tom Hill

Term- 11/16/22- 8/1/2025

4842 Virginia Line Rd

Berkeley Springs, WV 25411

C: 304-620-3485

H: 304-258-8715

Joel Tuttle

County commission Representative

77 Fairfax Street

Berkeley Springs WV. 25411

304-261-5652

tuttle@morgancountyWV.gov

Ginger Johnson

Board Administrator

403 Horizon Lane

Berkeley Springs WV. 25411

gingerjohnson@gmail.com

C-304-582-8125

Parks and Rec

Date	Term Expiration
John Rowland	6/30/2022
Andy Omps	6/30/2026
Joel Tuttle- Commissioner	6/30/2025
Jason Didawick	30-Jun-27

Criminal Community Justice

Commission Rep Joel Tuttle

County Adminstr Misty Clingerman

Term

Member- at- Larg Dale McConnell 12/31/2018

Member- at- Larg Vacant

Member- at- Larg Vacant

Sheriff KC Bohrer n/a

Prosecutor Dan James n/a

Magistrates Kermit Ambrose n/a

Greg Miller n/a

Judge Debra McLaughlin n/a

Public Defender Tom Delaney n/a

BOE John Rowland n/a

Mental Health Vacant n/a

Advocate Rose Jackson n/a

DRC Stephanie Nichols n/a

Chasity Whittington n/a

Workforce Investment

Juvenile Crime Enforcement Coalition (PRO)

Extension Service Board

Health Board		
5 YEAR TERM	12 Member minimum	Term Expiration
Members		
Jane McCloud	Dem-Mag-Dist #2	6/30/2026
David Hansen	Indep.-Mag Dist #3	6/30/2026
Craig Hatcher	Rep-Nag Dist #4	6/30/2028
3/5 same party		
2/5 same mag dist		
2/5 same occupation		

WSPSD	
	Expiration
MIKE JENKINS, Chairman 404 Finch Dr. Berkeley Springs, WV 25411 304-283-2031 Mmjenkins@wspsd.com	2/1/2028
CHARLES JOHNSON, Treasurer 403 Horizon Lane Berkeley Springs WV. 25411 cjohnson@wspsd.com	2/1/2026
THOMAS STINEBAUGH, Member P O Box 92 186 Spring St. Great Cacapon, WV 25422 tstinebaugh@wspsd.com	12/1/2026

Building Commission

Terri Beard

6/30/2026

tbeard35@gmail.com

Eric Lyda

2/26/2025

ericlyda@gmail.com

404-395-5864

James Chittock

jimchittock@gmail.com

202-400-0522

MCSWA

Steve Davison

6/30/2025

4301 Martinsburg Road

Berkeley Springs WV 25411

John Sipes

6/30/2028

Margaret Gordon

6/30/2026

Glenn Horr

6/30/2027