

STATE OF WEST VIRGINIA

RANDOLPH COUNTY COMMISSION SS:

At a special session of the County Commission in and for the aforesaid County and State, at the Wees Annex, on the 15th day of May, 2025 at 1:00 p.m.

Present: Randolph County Commission President David Kesling and Commissioners Chris Siler and Chris See

ITEMS FOR DISCUSSION/ACTION:

HEARING REGARDING ESTATE OF ARLEY I SIMMONS, JR.

Attorney, Jefferson Triplett appeared before the Commission. He was there to represent Connie Cottrell. He said the decedent, Arley I. Simmons, Jr. executed a Last Will and Testament on October 14, 2013 which named his daughter, June Nixon as the only heir and Executrix. He said later in 2013 he started dating Connie Cottrell. He said in June 2017 Mr. Simmons had a falling out with his daughter, June Nixon. He said in November 2017 Mr. Simmons went to Magistrate Court about guns that were taken by June Nixon. He said later that lawsuit was withdrawn and the guns were returned.

Mr. Triplett said Attorney Heather Weese prepared a second Will for Mr. Simmons in 2017. This Will changes everything. He said Mr. Simmons did not discuss the new Will with Connie Cottrell. He said the decedent did not have a good relationship with June Nixon. The decedent did have a good relationship with Connie Cottrell. Mr. Triplett said June Nixon was aware there was a new Will and 10 days after she probated the first Will she called Heather Weese asking if there was another Will made. Mr. Triplett said the 2017 original Will cannot be found, he only has a copy of it. He said June Nixon proceeded with warp speed to record the 2013 Will and to gather and sell the personal property of Arley I. Simmons, Jr. He said June Nixon evicted Connie Cottrell from the home but he has filed paperwork to hold up the sale of the property.

Commissioner Siler said who is it to say he didn't destroy the original Will dated in 2017? He asked if there was any criminal investigation to see if the Will was taken from the safe? Mr. Triplett said no there was no investigation done.

Barbara Wiseman, daughter of Arley I. Simmons, Jr. said the funeral home told June Nixon to come and file the Will so that is why she filed it so fast.

Barbara Wiseman said June and her Dad had an ill relationship around 2017. She said her Dad was a Christian and he knew to make things right. She said she feels the relationship between June Nixon and Arley I. Simmons, Jr. was good at his passing. She said since last summer he was never home because he and Connie were staying in Belington to help take care of someone else. She said anytime her or June would try to go see their Dad he was never home.

Commissioner Siler moved that without the original Will of 2017 the 2013 Will, will be accepted at the County Clerk's Office as the official Will. All yes – Motion passed unanimously

Attest: _____