

**AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON TUESDAY, APRIL 19, 2022 AT 9:00 A.M.**

**COMMISSIONERS PRESENT: GENE MCCONNELL, PRESIDENT, CARL HEVENER, CHARLES BURGOYNE, II**

**OTHERS PRESENT: ELISE WHITE, COUNTY CLERK; KAREN PITSENBARGER, COUNTY ADMINISTRATOR; RICK GILLESPIE, EMERGENCY SERVICES COORDINATOR; DIANA MITCHELL, 911 DIRECTOR; CHAD BOWERS, SHERIFF; APRIL MALLOW, PROSECUTING ATTORNEY; LAURA BROWN, ECONOMIC DEVELOPMENT AUTHORITY (EDA) DIRECTOR; AMBER HEDRICK, PENDLETON COUNTY HEALTH DEPARTMENT; JACK BENNETT, NORTH FORK DISPOSAL; TONY PEER, PEER'S SANITATION**

Commission meeting called to order by President Gene McConnell.

Minutes of the April 4, 2022 meeting of the County Commission and of the Special Meeting on April 12, 2022 on motion of Commissioner Hevener, were unanimously approved.

Maintenance:

Dave Kile has agreed to do the mowing and trimming at the Courthouse and Pendleton County Community Building (PCCB) again this year.

The windows in the community room at PCCB need to be replaced. Administrator Pitsenbarger has requested an estimate.

Eddie Simpson has begun work on the court reporter desk.

Tony Peer, Peer's Sanitation, and Jack Bennett, North Fork Disposal, discussed with the Commission the issues they have with people not paying for trash service but still put their trash out for pick-up with a paying neighbor's trash. Mr. Peer stated that they are losing money as they have to pay by the ton at the landfill. He mentioned that the WV code stipulates households have to show receipts for trash service or prove they are paying for trash service elsewhere. Commissioner McConnell agreed that there is a problem but that the legislature would need to put in the code how to enforce the law as the County is not authorized to take legal action. Both Mr. Peer and Mr. Bennett indicated that they have contacted the Department of Natural Resources (DNR) for assistance and they have helped but there is no follow-up done later. Commissioner McConnell suggested that both of them contact their delegates, J. P. Hott and Bryan Ward to pursue the issue and that the Commission will also send a letter of support to them.

Amber Hedrick, Pendleton County Health Department, updated the Commission on the Opioid Litigation issue. She stated that they had received an email the previous Friday that any subpoenas previously issued for records from the Health Department in regards to the opioid litigation had been withdrawn and they no longer required the records.

She also updated the Commission on COVID-19. Approximately 4 – 6 weeks ago they received notification that they were no longer required to do case investigation. This means that they do not need to track symptoms or contacts, but they do need to "educate" any active case person who is aged 65 or older. Ms. Hedrick also mentioned that they are currently scheduling persons for the 2<sup>nd</sup> booster vaccine. The mobile testing unit has been scaled back to every other week instead of weekly. The last few times they have been here they have not had any requests for testing.

Ms. Hedrick also brought up the condition of the back porch steps on the Health Department. There were some minor repairs done to the railings last year, but that both porches and steps need replacing.

Diana Mitchell, 911 Director, stated that they are still getting several calls for transports for COVID symptoms. The three new part-time employees hired will be starting soon. Two of the current dispatchers will be attending the job fair at the High School on Friday.

Rick Gillespie, Emergency Services Coordinator, stated that Shentel has certified as operational the new fiber lines at PCCB and the 911 Center. They will bill beginning this month. Global Science & Technologies (GST) should be installing the equipment this week.

He also mentioned that the parking lot at PCCB is in bad shape, especially on the back side of the building. Commissioner McConnell asked him to contact someone to come in and give an estimate for fixing.

Laura Brown, EDA Director, said they are still answering questions on the GIG ready grant. There has been no change since the update at the last meeting.

Omni Associates is filling out an application, in coordination with Region 8, to request funding from congressionally directed spending appropriations for the Courthouse Annex.

This being the date for the Commission to officially adopt the levy rates for property taxation for fiscal year 2023, a motion was made by Commissioner Hevener, vote was unanimous, to approve the following levy rates to be laid on each One Hundred (\$100.00) Dollars of assessed valuation of each class of property:

Class II Rates - 28.60  
Class III Rates - 57.20  
Class IV Rates - 57.20

Total Projected Revenue	2,573,565
Less Uncollectable Taxes, Exonerations & Delinquencies	128,678
Less Tax Discount	48,898
Total Projected Property Tax Collection	2,395,989
Less Assessor Valuation Fund	<u>47,920</u>
<b>NET AMOUNT TO BE RAISED BY LEVY</b>	<b>2,348,069</b>

Commissioner McConnell indicated that he had several questions regarding the employee benefits and requested to set a special meeting to discuss. A meeting was scheduled for Friday, April 22, 2022 at 10:00 a.m. to discuss employee benefits.

Upon motion of Commissioner Hevener, vote unanimous, the Commission approved the 2022-2023 West Virginia Counties Risk Pool Insurance proposal for Liability and Workmen's Compensation in the amount of \$74,174. A dividend credit of \$1,179 will bring the total contribution due to \$72,995.

The Sheriff's monthly financial statement for March 2022 was reviewed.

PENDLETON COMMUNITY BANK	BANK BALANCE	OUTSTANDING CHECKS/DEBITS	OUTSTANDING DEPOSITS/CREDITS	BOOK BALANCE
GENERAL COUNTY CHECKING	1,730,696.17	137,446.50-	26,738.79	1,619,988.46
PENDLETON COUNTY 911	61,916.86	6,699.95-	.00	55,216.91
HOME DETENTION	66,434.19	8.58-	870.00	67,295.61
RESERVE FOR SPEC EMERG	55,873.97	.00	.00	55,873.97
PARKS & REC	70,200.93	164.96-	.00	70,035.97
PCCB	1,128.24	.00	.00	1,128.24
HEALTH REIMB	275,200.08	.00	.00	275,200.08
ASSESSOR'S VAL	128,409.03	324.99-	6,788.42	134,872.46
FINAN STABIL FUND	683,715.99	.00	.00	683,715.99
CONCEALED WEAPONS	20,823.69	365.00-	50.00	20,508.69
SPECIAL LAW ENFORCEMENT	3,471.50	.00	.00	3,471.50
COVID-19	.00	.00	.00	.00
AMER RES PLAN ACT	619,123.47	.00	.00	619,123.47
BOARD OF HEALTH	173,829.19	14,461.02-	.00	159,368.17
CLEARING ACCOUNT	.00	.00	.00	.00
FINANCIAL STAB.-CD 2	605,717.97	.00	.00	605,717.97
FINANCIAL STAB.-MONEY MAR	228,926.81	.00	.00	228,926.81
GENERAL CO 12 MONTH CD	273,894.49	.00	.00	273,894.49
GENERAL CO 6 MONTH CD	53,167.45	.00	.00	53,167.45
GENERAL CO MONEY MARKET	1,613,835.55	.00	.00	1,613,835.55
911 SUPER SAVINGS	591,913.64	.00	.00	591,913.64
911 24 MONTH CD	9,512.10	.00	.00	9,512.10
*** BANK TOTAL ***	7,267,791.32	159,471.00-	34,447.21	7,142,767.53

SUMMIT COMMUNITY BANK	BANK BALANCE	OUTSTANDING CHECKS/DEBITS	OUTSTANDING DEPOSITS/CREDITS	BOOK BALANCE
WORTHLESS CHECK	1,686.59	.00	.00	1,686.59
PEND CO HOUSING	66,123.15	.00	.00	66,123.15
*** BANK TOTAL ***	67,809.74	.00	.00	67,809.74

THE GRANT COUNTY BANK	BANK BALANCE	OUTSTANDING CHECKS/DEBITS	OUTSTANDING DEPOSITS/CREDITS	BOOK BALANCE
CHCB	446.97	.00	.00	446.97
*** BANK TOTAL ***	446.97	.00	.00	446.97

*** COUNTY TOTAL ***	7,336,048.03	159,471.00-	34,447.21	7,211,024.24
CASH ON HAND				200.00
*** TOTAL ***				7,211,224.24

ACCOUNT	DESCRIPTION	BEGINNING BALANCE	CURRENT MONTH COLLECTIONS	ORDERS ISSUED	BALANCE PER BOOKS
FUND - 001	GENERAL COUNTY				
301-01-RP-	GC-TAX REPAYMENT	.00	.00	.00	.00
FUND 001 TOTALS		3250935.58	458452.57	282413.17-	3426974.98
FUND - 002	COAL SEVERANCE				
FUND 002 TOTALS		9176.14	.00	346.51-	8829.63
FUND - 003	DOG AND KENNEL				
FUND 003 TOTALS		5100.30	.00	.00	5100.30
FUND - 004	GENERAL SCHOOL				
FUND 004 TOTALS		12845.05	5351.50	.00	18196.55
FUND - 005	MAGISTRATE COURT				
FUND 005 TOTALS		3962.46	476.50	509.48-	3929.48
FUND - 006	WORTHLESS CHECK				
FUND 006 TOTALS		1686.47	.12	.00	1686.59
FUND - 007	PEND CO 911				
FUND 007 TOTALS		702361.00	11400.77	57119.12-	656642.65
FUND - 008	HOME DETENTION				
FUND 008 TOTALS		65224.81	2633.58	562.78-	67295.61
FUND - 011	RES FOR SPEC EMERG				
FUND 011 TOTALS		55869.22	4.75	.00	55873.97
FUND - 013	BOARD OF PARKS				
FUND 013 TOTALS		71502.73	.00	1466.76-	70035.97
FUND - 024	PEND CO HOUSING				
FUND 024 TOTALS		66105.40	17.75	.00	66123.15
FUND - 025	CHCB				
FUND 025 TOTALS		566.69	.00	119.72-	446.97

ACCOUNT	DESCRIPTION	BEGINNING BALANCE	CURRENT MONTH COLLECTIONS	ORDERS ISSUED	BALANCE PER BOOKS
FUND - 026	PCCB				
	FUND 026 TOTALS	573.70	810.56	256.02-	1128.24
FUND - 052	HEALTH REIMB				
	FUND 052 TOTALS	271739.47	4045.85	585.24-	275200.08
FUND - 056	ASSESSOR VALUATION				
	FUND 056 TOTALS	139581.84	7087.93	11797.31-	134872.46
FUND - 058	FINAN STABIL FUND				
	FUND 058 TOTALS	1517129.66	1231.11	.00	1518360.77
FUND - 059	CONCEALED WEAPONS				
	FUND 059 TOTALS	20073.69	435.00	.00	20508.69
FUND - 073	SPEC LAW ENF INVEST				
	FUND 073 TOTALS	3471.44	.06	.00	3471.50
FUND - 206	COVID-19				
	FUND 206 TOTALS	.00	.00	.00	.00
FUND - 207	AMER RES PLAN ACT				
	FUND 207 TOTALS	619123.47	.00	.00	619123.47
FUND - 312	CRIMINAL CHARGES				
	FUND 312 TOTALS	.00	1029.26	1029.26-	.00
FUND - 313	COURT REPORTER				
	FUND 313 TOTALS	.00	160.00	160.00-	.00
FUND - 314	STATE FINES				
	FUND 314 TOTALS	.00	120.00	120.00-	.00
FUND - 315	STATE POLICE				
	FUND 315 TOTALS	.00	365.00	365.00-	.00
FUND - 316	STATE CURRENT				
	FUND 316 TOTALS	.00	1490.17	1490.17-	.00
FUND - 364	TAX LIEN				
	FUND 364 TOTALS	95598.46	5265.91	7994.20-	92870.17
FUND - 365	DELINQ NONENTERED				
	FUND 365 TOTALS	5184.84	.00	.00	5184.84
FUND - 366	BOARD OF HEALTH				
	FUND 366 TOTALS	171144.16	26018.34	37794.33-	159368.17
FUND - 373	GEN CURRENT EXPENSES				
	FUND 373 TOTALS	.00	500228.31	500228.31-	.00
FUND - 378	FRANKLIN CURRENT				
	FUND 378 TOTALS	.00	10870.57	10870.57-	.00
FUND - 903	CLEARING ACCOUNT				
	FUND 903 TOTALS	.00	300.56	300.56-	.00
	FINAL TOTALS	7088956.58	1037796.17	915528.51-	7211224.24
	BALANCE IN COUNTY DEPOSITORIES AT END OF MONTH:	7,336,048.03			
	ORDERS/DEBITS OUTSTANDING:	159,471.00-			
	DEPOSITS/CREDITS OUTSTANDING:	34,447.21			
	NET BANK BALANCE	7,211,024.24			
	CASH ON HAND	200.00			
	TOTAL IN COUNTY DEPOSITRIES AND OFFICES:	7,211,224.24			

I, Chadwick Bowers Sheriff of Pendleton County, West Virginia,

do hereby certify that the foregoing is a true and correct statement of the finances of

Pendleton County, for the month ending March 2022 showing the balance on

hand at the beginning of the month, the amount received, the amount distributed and the remaining in the Treasury and County Depositories; to the Best of my abilities and knowledge.

Given under my hand this 6 day of April 2022

Chadwick Bowers Sheriff of Pendleton County

**THE FOLLOWING APPOINTMENTS OF ADMINISTRATORS, EXECUTORS, ETC., DONE BY THE CLERK IN VACATION OF THE COMMISSION, WERE THIS DAY PRESENTED TO THE COMMISSION AND ON MOTION OF COMMISSIONER HEVENER, WERE UNANIMOUSLY APPROVED.**

United States of America

State of West Virginia



County of Pendleton, ss:

**Clerk's Fiduciary Report**

**Estate from Friday, April 1, 2022, through Monday, April 18, 2022**

The County Commission of Pendleton 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, Tuesday, April 5, 2022, the following matters were disposed of in the presence of the Clerk:**

More than 31 days since the date of death or the surviving spouse or heir, upon a motion, **KENT H. KIMBLE** was appointed and qualified as ADMINISTRATOR of the estate of **RESSIE MARGARET KIMBLE**, deceased. Bond was 52,000.00.

**On, Monday, April 11, 2022, the following matters were disposed of in the presence of the Clerk:**

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

**HEIDI J. HARTMAN**, who was named in the last will and testament of **CAROLE H. HARTMAN**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

**On, Wednesday, April 13, 2022, the following matters were disposed of in the presence of the Clerk:**

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

**SABRINA J. MALLOW**, who was named in the last will and testament of **GARRY C. PROPST**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

*Elise M. White*

Monday, April 18, 2022

Elise M. White  
Clerk of the Pendleton County Commission

Confirmed

**THE FOLLOWING SETTLEMENTS OF ACCOUNTS WERE THIS DAY PRESENTED TO THE COMMISSION AND ON MOTION OF COMMISSIONER HEVENER, WERE UNANIMOUSLY APPROVED:**

Thomas L. Phares, Executor of the **Estate of Beverly June Phares, deceased**; Report of Receipts, Disbursements and Distribution

Kenneth Allen Heatwole & Brenda Faye Helmuth, Co-Executors of the **Estate of Nelson J. Heatwole, deceased**; Affidavit and Waiver of Final Settlement

The following exonerations were approved on motion of Commissioner Burgoyne, vote unanimous:

Kevin Harold & Amanda Henley – Bethel District, \$0.70

**ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:**

GENERAL COUNTY FUND:	Check Nos. 329383 – 32987	\$44,713.95
COAL SEVERANCE FUND:	Check No. 200120	\$855.90
MAGISTRATE COURT FUND:	Check Nos. 300141 - 300142	\$164.00
911 FUND:	Check Nos. 3735 – 3743	\$5,092.11
HOME CONFINEMENT FUND:	Check Nos. 271 - 272	\$366.85
PARKS & RECREATION FUND:	Check No. 1236	\$60.43
CLINTON HEDRICK CB FUND:	Check Nos. 1101 - 1104	\$202.59
PENDLETON COUNTY CB FUND:	Check No. 1194	\$246.28
AMERICAN RESCUE PLAN FUND:	Check No. 104	\$24,031.25

ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER HEVENER, VOTE UNANIMOUS, UNTIL FRIDAY, APRIL 22, 2022.

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President