

AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON TUESDAY, APRIL 2, 2024 AT 9:00 A.M.

COMMISSIONERS PRESENT: CARL HEVENER, ROGER DAHMER AND JIMMIE BENNETT

OTHERS PRESENT: ELISE WHITE, COUNTY CLERK; KAREN PITSENBARGER, COUNTY ADMINISTRATOR; RICK GILLESPIE, EMERGENCY SERVICES COORDINATOR; DIANA MITCHELL, 911 DIRECTOR; AMBER NESSELRODT, CVB DIRECTOR; SHERRY MONGOLD, SRRDA; STEPHEN SMOOT, THE PENDLETON TIMES; EDNA MULLENAX; TONIUE DYER; TERRY RYAN; JAMES RYAN; BRYCON GRIBBLE

Before the meeting was brought to order the Commission read the Proclamation by Governor Jim Justice proclaiming April 2024 as Child Abuse Prevention Month.

Commissioner Dahmer led those present in prayer. Commissioner Hevener called the meeting to order.

Minutes of the March 19, 2024 meeting of the County Commission, on motion of Commissioner Bennett, were unanimously approved.

Commissioner Dahmer read two resolutions recognizing and acknowledging all emergency service personnel and volunteers who contributed their time to the wildfires that occurred in the County on March 20, 2024. The contribution of their time was greatly appreciated. Rick Gillespie, Emergency Services Coordinator, specifically thanked Terry Ryan and Brycon Gribble for the amazing job they did as 911 dispatchers, along with Diana Mitchell, 911 Director. He also thanked the members and nonmembers of the volunteer fire departments for their outstanding work.

Maintenance:

Electrical work continuing at the Pendleton County Community Building (PCCB) in the kitchen and the emergency services offices.

The Emergency Services Center revamp is looking good.

Diana Mitchell, 911 Director, mentioned that the kids were very interactive at the Career Day at the High School.

On motion of Commissioner Dahmer, vote unanimous, two new policies for the County were approved as follows:

Policy: The County Commission established sick leave and vacation accrual based on an 8-hour work day. Upon retirement, resignation, or any circumstance where unused vacation time is paid, as permitted, the time will be converted to the equivalent of one day. For the purposes of retirement, resignation or any circumstance where unused vacation time is to be paid out the following shall be used to determine the days to be paid: 12-hour employees, 12 hours equals one day; 10-hour employees, 10 hours equals one day; and 8-hour employees, 8 hours equals one day. For all employees, the daily rate of pay is calculated as 8 hours equaling one day.

Policy: Hourly employees will be paid only for actual hours worked and not for hours scheduled to work in a shift. When the time changes in the Spring, an hourly employee who is working that shift when the time changes, will not be paid for the one hour lost, provided they do not work an additional hour. In the Fall, if they are working that shift when the time changes, they will be paid for the extra hour gained, provided they work that extra hour. This means if the employee works 11 hours during the scheduled shift, they will be paid for 11 hours. If the employee works 13 hours for the scheduled shift, they will be paid for 13 hours.

Sherry Mongold, Seneca Rocks Regional Development Authority, said there were no updates on the broadband projects.

Amber Nesselrodt, CVB Director, updated the Commission on the CVB's new website and the new Welcome to Pendleton County signs. She also requested a letter of support from the County to continue the Mon Forest partnership. On motion of Commissioner Dahmer, vote unanimous, the Commission agreed to continue the partnership.

Karen Pitsenbarger, County Administrator, stated that additional information was needed for the USDA loan for the annex. That information will need to be provided before we can put it out for bid.

She also mentioned that Glass & Metal Works was coming today to look at replacing the front and side doors.

A resolution to designate April as Fair Housing Month, was signed by the Commissioner on motion of Commissioner Dahmer, vote unanimous.

The South Branch Valley Day Report Center had submitted a request for funds for rent for the Substance Use/Abuse Recovery Program at the Franklin Office. After reviewing and discussing the approved uses for the Opioid Settlement funds, the Commission, on motion of Commissioner Bennett, vote unanimous, approved \$12,000 for rent at the Franklin Office from the Opioid Settlement Fund.

On motion of Commissioner Dahmer, vote unanimous, Dennis Hevener was appointed to fill Kent Gardiner's term on the Board of Parks and Recreation.

The following settlements of accounts were this day presented to the Commission and approved on motion of Commissioner Dahmer, and unanimously confirmed:

Timmy Bennett, Administrator of the **Estate of Betty A. Bennett, deceased;** Affidavit and Waiver of Final Settlement

Heidi J. Hartman, Executrix of the **Estate of Carole H. Hartman, deceased;** Affidavit and Waiver of Final Settlement

Terry W. Bennett, Administrator of the **Estate of Robbie Dean Martin, deceased;** Affidavit and Waiver of Final Settlement

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

Delmas Ours, Mill Run District, \$7.34
Karen & John C. Ours, Union District, \$330.78

Elise White, County Clerk, informed the Commission that the State Auditor's Office had approved the County's fiscal year 2025 budget.

The following appointments of administrators, executors, etc., done by the clerk in vacation of the Commission, were this day presented to the Commission, approved on motion of Commissioner Bennett, and unanimously confirmed.

United States of America

State of West Virginia



County of Pendleton, ss:

Clerk's Fiduciary Report

Estate from Monday, March 18, 2024, through Monday, April 1, 2024

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, March 19, 2024, the following matters were disposed of in the presence of the Clerk:

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

DENNIS MITCHELL, who was named in the last will and testament of **LLOYD MILLS JR.**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

JAMIE MITCHELL, who was named in the last will and testament of **LLOYD MILLS JR.**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

On, Friday, March 22, 2024, the following matters were disposed of in the presence of the Clerk:

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

SHERRY PENNINGTON, who was named in the last will and testament of **RUTH A. GRAPES**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Monday, March 25, 2024, the following matters were disposed of in the presence of the Clerk:

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

SHIRLEY LEA WARNER, who was named in the last will and testament of **IVANELL THOMPSON**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Wednesday, March 27, 2024, the following matters were disposed of in the presence of the Clerk:

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

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

On, Friday, March 29, 2024, the following matters were disposed of in the presence of the Clerk:

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

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

Elise M. White

Monday, April 1, 2024

Elise M. White
Clerk of the Pendleton County Commission

Confirmed

ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:

GENERAL COUNTY FUND:	Check Nos. 34684 – 34726	\$35,046.39
COAL SEVERANCE FUND:	Check Nos. 200226 - 200230	\$1,341.15
MAGISTRATE COURT FUND:	Check No. 300217	\$24.00
911 FUND:	Check Nos. 4169 – 4183	\$86,778.87
HOME CONFINEMENT FUND:	Check No. 328	\$100.00
PARKS AND RECREATION FUND:	Check No. 1425 – 1431	\$2,845.10

ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER BENNETT,
VOTE UNANIMOUS, UNTIL TUESDAY, APRIL 16, 2024.

President