

AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON TUESDAY, AUGUST 6, 2024 AT 9:00 A.M.

COMMISSIONERS PRESENT: CARL HEVENER, ROGER DAHMER AND JIMMIE BENNETT

OTHERS PRESENT: BOBBIE ARMSTRONG, CHIEF DEPUTY COUNTY CLERK; KAREN PITSENBARGER, COUNTY ADMINISTRATOR; RICK GILLESPIE, EMERGENCY SERVICES COORDINATOR; STEPHEN SMOOT, THE PENDLETON TIMES; JANICE LANTZ, PENDLETON SENIOR & FAMILY SERVICES; DIANA MITCHELL, 911 DIRECTOR; ANNIE HUMES; MIKE ALT; TINA EYE; APRIL MALLOW, PROSECUTING ATTORNEY

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

Minutes of the July 16, 2024 meeting of the County Commission, on motion of Commissioner Dahmer, were unanimously approved.

Karen Pitsenbarger, County Administrator informed the Commission that the Franklin Fire Department was requesting 4 fans in the firehouse to be replaced. Motion was made by Commissioner Hevener, vote unanimous.

Diana Mitchell, 911 Director, informed the Commission that the ballots for the Emergency Services Retirement System have been completed and mailed back to the Retirement Board.

Rick Gillespie, Emergency Services Coordinator, gave an update on the progress on the tower at Seneca Rocks.

Ms. Pitsenbarger gave an update on the Annex stating that she hopes bids can go out by the end of the year.

Janice Lantz, Pendleton Senior & Family Services, thanked the Commission for their continued support for the Senior Center. Ms. Lantz asked for clarification of how the Commissioners wanted her to use the funds. Commissioner Hevener informed Ms. Lantz that the Commission's intent was for the money to be used for senior programs.

Annie Humes, informed the Commissioners that Amber Nesselrodt had resigned as CVB Director and informed the CVB Board members at the July 30, 2024 Board Meeting. Ms. Humes stated that they had started the hiring process.

Mr. Gillespie, gave an update that the No Parking signs have been ordered to be placed at the Pendleton Community Building parking lot. April Mallow, Prosecuting Attorney stated that the county does not need an ordinance to place these signs and that the Commission has the authority to place the signs on any county property.

Mike Alt and Tina Eye presented the Commission with the second quarter reports to reimburse from the EMS Salary Enhancement Funds. An amendment for incentive fees from the fund was also presented. The amendment would be effective from July 1, 2024 through December 31, 2024. Commissioner Bennett motioned to approve the reimbursement and amendment, vote unanimous.

The Commission signed a State of Emergency Proclamation for the extreme drought the County is in. A motion was made by Commissioner Bennett to approve the Proclamation, vote unanimous.

Pendleton County
EMERGENCY PROCLAMATION
Pendleton County, West Virginia August 6, 2024.

WHEREAS Pendleton County, WV has been or is immediately threatened by an Extreme Drought (D3) event, and

WHEREAS a state of emergency has been declared by the County Commission of Pendleton County.

NOW, THEREFORE, we, the County Commission of Pendleton County, declare that a state of emergency exists in the county and that we hereby invoke and declare those portions of the West Virginia Code which are applicable to the conditions and have caused the issuance of this proclamation be in full force and effect in the county for the exercise of a necessary emergency authority for protection of the lives and property of the people of Pendleton County and the restoration of local government with a minimum of interruption.

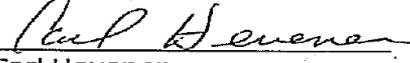
Reference is hereby made to all appropriate laws, statutes, ordinances and resolutions, and particularly to Chapter 15, Article 5 of the West Virginia Code.

All public offices and employees of Pendleton County are hereby directed to exercise the utmost diligence in the discharge of duties required by them for the duration of the emergency and in execution of emergency laws, regulations, and directives.

All citizens are called upon and directed to comply with necessary measures, to cooperate with public officials and emergency management forces in executing emergency operations plans and to obey and comply with the lawful direction of properly-identified officers.

All operating forces will direct their communications and request for assistance and new operations directly to the Emergency Operations Center.

In witness, we have hereto set our hand the 6th day of August 2024 A.D.


Carl Hevener
Pendleton County Commission, President

Mr. Gillespie updated the Commission on the water study for the county. The review board conducted interviews and after totaling the point scale, Thrasher was recommended to the Commission as the preferred engineering firm. On motion of Commissioner Dahmer, vote unanimous, the Commission approved Thrasher to conduct the water study.

Ms. Mallow reviewed the Opioid Contract for another lawsuit and stated there were some concerns she had with the contract. On motion of Commissioner Hevener, vote unanimous, the matter was tabled until next meeting.

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

Teena Bowers, Franklin District, \$7.33
Harold Canfield, Union District, \$110.50
PCC Professional Buildings, LLC, Franklin Corp. District, \$1,478.24
Arlie S. Jr. & Sue C. Judy, Mill Run District, \$540.76
Sandra Waggy, Franklin Corp. District, \$31.94
Yvonne Marsh, Sugar Grove District, \$135.80
Shari Lynn Moyers, Sugar Grove District, \$228.15
Stephen & Julie Cook, Bethel District, \$356.26
Donnie Vandevander, Union District, \$47.25
Teresa L. Crigger, Sugar Grove District, \$590.54
Fontinalis Farm & Campground, Circleville District, \$737.63
James D. Page, Sugar Grove District, \$207.23
Laura Nulph, Franklin District, \$106.73
Mason Shipman, Sugar Grove District, \$220.40
Bonzell & Teresa Harvey, Sugar Grove District, \$7.33
Jeri Armstrong, Sugar Grove District, \$52.96
Miroslav Styblo, Franklin Corp. District, \$171.04
Lisa Bowers & Jeffrey Breeding, Franklin District, \$220.94
Arthur Hooton Jr., Circleville District, \$345.48

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

Rita A. Lambert, Executrix of the **Estate of Mable Ruth Simmons**; First Interim Report of Receipts and Disbursements

Roy Spencer Bowers & John Clinton Bowers, Co-Executors of the **Estate of John Roy Bowers**; Waiver of Final Settlement

Donna M. Bennett, Executrix of the **Estate of Shirley Marie Sites**; Affidavit and Waiver of Final Settlement

Michael Stuart Cupp, Executor of the **Estate of Harold Stuart Cupp**; Affidavit and Waiver of Final Settlement

William E. Raines & Douglas Raines, Co-executors of the **Estate of Phyllis S. Raines**, Affidavit and Waiver of Final Settlement

The following appointments of administrators, executors, etc., done by the County Clerk in vacation of the Commission were approved on motion of Commissioner Bennett, vote unanimous.

United States of America

State of West Virginia



County of Pendleton, ss:

Clerk's Fiduciary Report

Estate from Monday, July 15, 2024, through Friday, August 2, 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, Wednesday, July 17, 2024, the following matters were disposed of in the presence of the Clerk:

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

DONNA RUDDLE, who was named in the last will and testament of **ROSA LYNN TICHENOR**, deceased, as ADMINISTRATRIX CTA thereof, qualified as such. Bond was 40,000.00.

On, Tuesday, July 23, 2024, the following matters were disposed of in the presence of the Clerk:

The said estate of **CLINTON ANN BOWERS**, deceased was referred to **M. ZELENE HARMAN**, a FIDUCIARY COMMISSIONER for the Pendleton County, for settlement thereof.

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

GARY D. PUFFENBARGER, who was named in the last will and testament of **CARL D. PUFFENBARGER**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

On, Thursday, July 25, 2024, the following matters were disposed of in the presence of the Clerk:

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

MICHAEL B. REXRODE, who was named in the last will and testament of **ELEANOR S. REXRODE**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

On, Wednesday, July 31, 2024, the following matters were disposed of in the presence of the Clerk:

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

MARK ELIOT ROBINSON, who was named in the last will and testament of **ROSE MARIE ROBINSON**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

On, Thursday, August 1, 2024, the following matters were disposed of in the presence of the Clerk:

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

DWAYNE PROPST, who was named in the last will and testament of **STANLEY WALTON PROPST**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

On, Friday, August 2, 2024, 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, **DENALI HEDRICK** was appointed and qualified as ADMINISTRATRIX DBN of the estate of **BROCK RICHARD BLAND**, deceased. Bond was 500.00.

Elise M. White

Elise M. White
Clerk of the Pendleton County Commission

Friday, August 2, 2024

Confirmed

ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:

GENERAL COUNTY FUND:	Check Nos. 35050 – 35108	\$86,666.98
COAL SEVERANCE FUND:	Check Nos. 200249 – 200253	\$1,341.00
DOG FUND:	Check Nos. 458-459	\$861.30
MAGISTRATE COURT FUND:	Check Nos. 300224-300225	\$48.00
911 FUND:	Check Nos. 4241 – 4254	\$98,855.56
HOME CONFINEMENT FUND:	Check No. 337	\$198.40
PARKS & RECREATION FUND:	Check Nos. 1459 - 1463	\$288.86
PENDLETON COUNTY CB FUND:	Check Nos. 1251 - 1252	\$1,368.33
EMS SALARY ENHANCEMENT FUND	Check No. 1002	\$25,790.00

ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER BENNETT, VOTE UNANIMOUS, UNTIL TUESDAY, AUGUST 20, 2024.

President