

**AT A COUNTY COMMISSION CONTINUED AND HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE THEREOF, ON TUESDAY, DECEMBER 4, 2018.**

**PRESENT: GENE McCONNELL, PRESIDENT, AND COMMISSIONER CARL HEVENER AND COMMISSIONER RANDY ROBERSON.**

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

Check Nos. 30019-30071 \$41,215.17

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

Check No. 200001 \$707.09

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

Check No. 389 \$124.20

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

Check Nos. 300000-300003 \$288.52

**ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF 911 FUND:**

Check Nos. 2999-3014 \$31,516.28

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

Check Nos. 222-223 \$291.35

**ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF PARKS AND RECREATION FUND:**

Check Nos. 932-938 \$1,478.84

**ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF CLINTON HEDRICK COMMUNITY BUILDING FUND:**

Check No. 1019 \$63.20

Minutes of the November 14, 2018 meeting of the County Commission were unanimously approved.

Maintenance:

The walk-through for the front of the Courthouse is scheduled for Thursday, December 6.

There were no other major maintenance issues.

On motion of Carl Hevener, vote unanimous, the Commission issued an order amending the Fire Departments authorization to recover costs incurred while providing emergency services in the County.

**AUTHORIZATION FOR VOLUNTEER FIRE DEPARTMENTS TO RECOVER COSTS  
INCURRED WHILE PROVIDING EMERGENCY SERVICES IN PENDLETON  
COUNTY**

The County Commission of Pendleton County, West Virginia, in accordance with WV Code §7-1-3d, does hereby authorize Volunteer Fire Departments in Pendleton County, West Virginia, that provide services in Pendleton County, West Virginia, to recover certain costs from the property owners, or other persons or entities responsible or liable for payment. This authorization is intended to assist Volunteer Fire Departments in Pendleton County, West Virginia, in meeting their operational financial obligations.

In accordance with state code, no fee for any single emergency incident or accident shall exceed the limits imposed by WV Code §7-1-3d, except in the case of an incident or accident involving hazardous materials or extended search and rescue and water rescue incidents may exceed this amount based on the reasonable and necessary costs incurred.

It is further required, in accordance with state code, that any fees charged pursuant to the authority conferred by WV Code §7-1-3d, must be in writing with clearly itemized charges. A schedule of charges shall be pre approved by the county commission and may, from time to time, be reviewed and adjusted by the county commission.

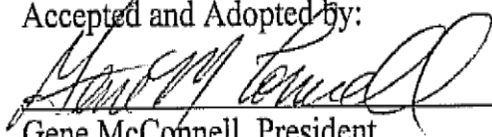
This authorization for Volunteer Fire Departments to charge for services as defined herein shall not be construed to be a mandatory obligation of the Volunteer Fire Departments, and the decision to charge or not charge shall be at the discretion of the individual Volunteer Fire Departments.

The County Commissioners of Pendleton County may, from time to time, amend, revise or rescind this authorization.

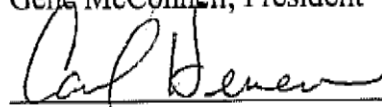
Within 60 days of the end of each Volunteer Fire Department's fiscal year, a report shall be submitted to the county commission detailing the amount billed and the amount received relative to this authorization.

This authorization shall become effective upon adoption by the Pendleton County Commission.

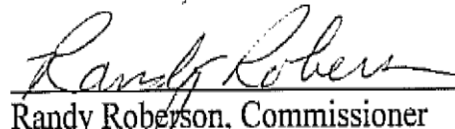
Accepted and Adopted by:

  
\_\_\_\_\_  
Gene McConnell, President

12-4-18  
Date

  
\_\_\_\_\_  
Carl Hevener, Commissioner

12-4-18  
Date

  
\_\_\_\_\_  
Randy Roberson, Commissioner

12-4-18  
Date

On motion of Randy Roberson, vote unanimous, the following Board appointments were approved pending acceptance upon notification.

911 Advisory Board:

Chuck King – Three-year term

Board of Health:

Dave Basagic – Five-year term

Carmen Rexrode – One-year term as Health Officer

Board of Parks:

Dave Basagic – One-year term

Junior Roberson – One-year term

Kent Gardiner – One-year term

Rick Wagoner – One-year term

Frankie Roberson – Two-year term

Nancy Sites – Two-year term

Economic & Community Development Authority:

Daniel Taylor – Three-year term

Kenneth Harper – Three-year term

Larry Rexrode – Three-year term

Bill Loving – Three-year term

Carl Warner – Three-year term

Kristen Dingess – Three-year term

Bill Hartman requested not to be reappointed. Brandon Mitchell submitted a resignation letter. His term was to end December 2019.

North Eastern Regional Emergency Management Service (NEREMS) Board:

Chuck King – Two-year term

The WVU Economic Development Study agreement, as amended, was signed upon motion of Carl Hevener, vote unanimous.

On motion of Randy Roberson, vote unanimous, the Commission approved closing the Courthouse on December 14, 2018 from 11:30 a.m. – 1:30 p.m. for all employees to be allowed to attend the annual Christmas luncheon.

**THE FOLLOWING APPOINTMENTS OF ADMINISTRATORS, EXECUTORS, ETC., DONE BY THE CLERK IN VACATION OF THE COMMISSION, WERE THIS DAY PRESENTED TO THE COMMISSION, APPROVED AND CONFIRMED.**

The appointment of Chanda G. Sponaule as Ancillary Administratrix of the **Estate of Olin R. Sponaule, deceased**; Bond \$1,000.00.

The probation of the Last Will and Testament of **Myrtle R. Thompson, deceased**; Witnesses by affidavit, Jessica Elaine Liller and Tamara J. Smith; The appointment of Nelson Thompson as Executor of the **Estate of Myrtle R. Thompson, deceased**; permitted to qualify without bond as per Last Will and Testament of deceased.

The probation of the Last Will and Testament of **Evon Marie Simmons, deceased**; Witnesses by affidavit, Lorena B. Hoover and George I. Sponaule, II; The appointment of Loretta Hook Cook as Executrix of the **Estate of Evon Marie Simmons, deceased**; permitted to qualify without bond as per Last Will and Testament of deceased.

The probate of the Last Will and Testament of **Eston S. Simmons, Jr., deceased**; Witnesses by affidavit, Winona R. Hewitt and Garrett Harper; The appointment of Gregory Simmons as Executor of the **Estate of Eston S. Simmons, Jr., deceased**; permitted to qualify without bond as per Last Will and Testament of deceased.

The probate of the Last Will and Testament of **Ruby E. Skiles, deceased**; Witnesses by affidavit, Lorena B. Hoover, Ruth M. Scott, and Jeffrey S. Bowers; The appointment of Michael E. Skiles as Executor of the **Estate of Ruby E. Skiles, deceased**; Bond \$500.00.

The probate of the Last Will and Testament of **Margie Bell Wimer, deceased**; Witnesses by affidavit, Winona R. Hewitt and Patricia M. Musgrove; The appointment of Brenda S. Vanmeter as Executrix of the **Estate of Margie Bell Wimer, deceased**; permitted to qualify without bond as per Last Will and Testament of deceased.

The probate of the Last Will and Testament of **Russell Ray Day, deceased**; Witnesses by affidavit, April D. Dants (?) and Victoria Franks (?); The appointment of Larry Day and Carl Day as Co-Executors of the **Estate of Russell Ray Day, deceased**; permitted to qualify without bond as per Last Will and Testament of deceased.

The appointment of Sally George as Administratrix of the **Estate of Howard Wayne George, deceased**; Bond \$10,000.00.

**THE FOLLOWING SETTLEMENT OF ACCOUNTS WERE THIS DAY PRESENTED TO THE COMMISSION, APPROVED AND ORDERED RECORDED AND FILED:**

Stephanie Judy, Executrix of the **Estate of Charles M. Borrer, Jr., deceased**; Affidavit and Waiver of Final Settlement

Barbara Sue Ray, Executrix of the **Estate of Franklin Dean Ray, deceased**; Affidavit and Waiver of Final Settlement

Rita Hevener, Administratrix of the **Estate of Charles Steven Hevener, deceased**; Affidavit and Waiver of Final Settlement

Laura Richmond, Administratrix CTA of the **Estate of Alice Clara Huffman, deceased**; Report of Receipts, Disbursements and Distribution; Affidavit

Anne N. Murphy, Executrix of the **Estate of Mary Evelyn Neville, deceased**; Waiver of Final Settlement

George I. Sponaugle, II, Fiduciary Commissioner of the **Estate of Clemet Michael Halterman, deceased**; Final Settlement

There were no exonerations.

The 2017 Emergency Management Performance Grant was signed and submitted for reimbursement.

The Commission reviewed a letter to the National Security Agency relating to the National Radio Quiet Zone (NRQZ) and its impact on cell phone service in Pendleton County.

ORDERED THAT COMMISSION DO ADJOURN UNTIL TUESDAY, DECEMBER 18, 2018.

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President