

AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON TUESDAY, DECEMBER 5, 2023 AT 9:00 A.M.

COMMISSIONERS PRESENT: CARL HEVENER, PRESIDENT AND ROGER DAHMER AND JIMMIE BENNETT

OTHERS PRESENT: ELISE WHITE, COUNTY CLERK; KAREN PITSENBARGER, COUNTY ADMINISTRATOR (BY PHONE); BRADLEY KIMBLE, SHERIFF; MATT KONTYKO, DEPUTY SHERIFF; BRETT RAINES, DEPUTY SHERIFF; RICK GILLESPIE, EMERGENCY SERVICES COORDINATOR; DIANA MITCHELL, 911 DIRECTOR; LAURA BROWN, SRREDA DIRECTOR; DARREN TAYLOR, DIRECTOR, SOUTH BRANCH VALLEY REGIONAL DAY REPORT CENTER; STEPHEN SMOOT, THE PENDLETON TIMES; AMBER NESSELRODT & LAUREN HAGMAN, PAWS; MIKE ALT

Commissioner Dahmer led those present in prayer. Commissioner Hevener opened the meeting.

Minutes of the November 21, 2023 meeting and the November 29, 2023 special meeting of the County Commission, on motion of Commissioner Dahmer, were unanimously approved.

Maintenance: Mid Atlantic Petroleum Services is currently installing the new tank.

Diana Mitchell, 911 Director, stated that all is good at the Center at this time. She added that this is a stressful time of year, but have been dealing well with everything. Rick Gillespie, Emergency Services Coordinator, complimented the dispatchers on a job done well as there have been a lot of 911 calls recently. The new employee is starting today.

Mr. Gillespie informed the Commission had received the 2021 EMPG grant award letter in the amount of \$23,769. Commissioner Hevener signed the letter accepting the awarded amount.

He is also mentioned that he had pushed back on the Homeland Security grant request that had only awarded us \$25,000 out of a \$445,000 request. After reviewing everything again, they have revised the amount and are now awarding us \$50,000. These grant funds will be used to replace some of the older communication radios.

Mr. Gillespie updated the Commission on the Seneca Rocks Tower Site grant he submitted. The decision has been postponed until December 12. In 2021 a ruling had changed regarding accountability for grants going back more than ten years. They were requiring accountability for the two tower grants the County had received in 2011 and 2012. He is currently waiting on a response from the Auditor's Office and the PSC regarding these reports.

Laura Brown, SRREDA Director, informed the Commission that they had closed on the purchase of the Board of Education building last week. They have two tenants already lined up to rent the upstairs.

In two weeks, she will have an update with Thrasher regarding the broadband grants' status for the County. The Commission may also need to appoint or re-appoint members for the Broadband Council. Commissioner Hevener stated that the Council has not met for a while, so will need to schedule a meeting after the first of the year.

Karen Pitsenbarger, County Administrator, said that Omni Associates had submitted the new annex designs to the Supreme Court and are currently waiting on a response from them.

Amber Nesselrodt and Lauren Hagman thanked the Commission for their support to PAWS. Ms. Nesselrodt gave an update on what PAWS has been able to accomplish this last year. They are in the process of recruiting new board members. She also requested the Commission to continue to support them in the next fiscal year.

Darren Taylor, Director of Day Report Center, presented to the Commission the Memorandum of Understanding (MOU) for the next fiscal year, which has not changed from prior years. Commissioner Dahmer made a motion, vote unanimous, to sign the MOU. They will be asking for an increase in the county match for the next fiscal year from \$17,666 to \$20,000.

Mike Alt presented a plaque to Darren Taylor, thanking him for his prompt assistance on a recent incident at the DMV. He was instrumental in saving a person's life.

On motion of Commissioner Bennett, vote unanimous, the Commission signed a Resolution creating Fund #41 as the County Fire Protection Fund.

Commissioner Dahmer made a motion, vote unanimous to go into Executive Session at 9:21 a.m. for a personnel issue. The Commission adjourned out of Executive Session at 10:00 a.m. No decisions were taken in Executive Session.

Commissioner Dahmer made a motion, vote unanimous, that 911 Dispatchers minimum work hours per week be thirty-five (35) to maintain full-time status. All leave must be pre-approved by the 911 Director, or in her absence, by the Emergency Services Coordinator. The Commission will review any unpaid leave used in excess of 5 times per year.

On recommendation of Deputies Kontyko and Raines, and on motion of Commissioner Dahmer, vote unanimous, Ben Hubbard will be appointed to the Civil Service Board.

Sheriff Bradley Kimble reported that Chad Bowers, former Sheriff, had hired Tristan Wagoner to the Security Guard position prior to his resignation. Mr. Wagoner will start December 16, 2023.

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 Dahmer, and unanimously confirmed.

United States of America

State of West Virginia



County of Pendleton, ss:

Clerk's Fiduciary Report

Estate from Tuesday, November 21, 2023, through Monday, December 4, 2023

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, November 29, 2023, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **KENNETH BRISON JUDY, SR.**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

GINA MICHELLE DAVIS, who was named in the last will and testament of **KENNETH BRISON JUDY, SR.**, deceased, as CO EXECUTRIX thereof, qualified as such. No bond was required.

KENNETH BRISON JUDY, JR., who was named in the last will and testament of **KENNETH BRISON JUDY, SR.**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

On, Monday, December 4, 2023, 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, **TAMARA D. MITTS** was appointed and qualified as ADMINISTRATRIX of the estate of **MIRANDA NICOLE HENDERSON**, deceased. Bond was 10,000.00.

Elise M. White

Elise M. White
Clerk of the Pendleton County Commission

Monday, December 4, 2023

Confirmed

There were no settlements of accounts presented.

On motion of Commissioner Dahmer, vote unanimous, the following exoneration was approved:

Travis Borrer, Franklin District, \$221.60

ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:

GENERAL COUNTY FUND:	Check Nos. 34479 – 34508	\$32,250.35
	November Payroll	\$249,009.59
COAL SEVERANCE FUND:	Check Nos. 200201 - 20023	\$1,157.71
DOG & KENNEL FUND:	Check No. 452	\$32.40
MAGISTRATE COURT FUND:	Check No. 300208	\$24.00
911 FUND:	Check Nos. 4096 – 4103	\$70,226.30
HOME CONFINEMENT FUND	Check Nos. 321 – 323	\$806.00
PARKS & RECREATION FUND:	Check Nos. 1402 - 1408	\$1,684.11
AMERICAN RESCUE PLAN ACT FUND:	Check No. 124	\$11,350.00

ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER DAHMER, VOTE UNANIMOUS, UNTIL TUESDAY, DECEMBER 19, 2023.

President