

AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON TUESDAY, FEBRUARY 18, 2025 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; STEPHEN SMOOT, THE PENDLETON TIMES; ANNIE HUMES, CVB INTERIM DIRECTOR, JENNIFER TAYLOR-IDE

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

Commissioner Dahmer motioned to add Letter of Opposition to Spruce Knob renaming to the agenda. Motion was unanimously approved.

This being a day set for the Commission to meet as Board of Review and Equalization of Pendleton County, for the purpose of reviewing and equalizing the assessment of said Pendleton County as returned by the Assessor thereof, the Commission met as such.

No appointments being scheduled for this date before the board, it was adjourned sine die on motion of Commissioner Dahmer.

Minutes of the February 4, 2025 meeting and the February 6 & 12, 2025 Board of Review meetings, on motion of Commissioner Dahmer, were unanimously approved.

Maintenance:

Clinton Hedrick Community Building (CHCB) – Drainage problem has been resolved.

One of the breaker panels at the Pendleton County Community Building (PCCB) needs replacing.

Diana Mitchell, 911 Director, reported that they have been extremely busy at the 911 center.

Rick Gillespie, Emergency Management Coordinator, mentioned he had talked with WV Senator Robbie Morris regarding the dangerous road issues on Allegheny Mountain. Senator Morris has presented those issues to the Director of the Department of Transportation.

Mr. Gillespie also mentioned that the Elk Mountain traffic camera installation is currently on hold. Mon Power is still working on various power outages in the County and elsewhere and are unable to install the utility poles at this time.

The Courthouse Annex bids are scheduled to be opened today at 1:30 p.m.

Kim Kline sent a letter of interest for the open position on the Board of Health. On motion of Commissioner Bennett, vote unanimous, Ms. Kline was appointed to fill the position.

Elise White, County Clerk, presented to the Commission budget revisions for department line items; E911 and General County. On motion of Commissioner Dahmer, all budget revisions were unanimously approved.

General County In House Budget Revisions FY2025					
Account #	Department	Account Name	Increase	Decrease	
401-106	County Commission	Retirement	1,939		
401-219	County Commission	Equipment Rent	100		
401-566	County Commission	Contributions (WC)	600		
401-459	County Commission	Equipment			(2,639)
402-214	County Clerk	Travel	1,000		
402-459	County Clerk	Equipment			(1,000)
405-106	Prosecuting Attorney	Retirement	22		
405-105	Prosecuting Attorney	Group Insurance			(22)
405-222	Prosecuting Attorney	Dues & Subscriptions	265		
405-341	Prosecuting Attorney	Supplies			(265)
406-459	Assessor	Equipment	10,000		
406-353	Assessor	Computer Software			(10,000)
413-221	Elections	Training	160		
413-223	Elections	Professional Services			(160)
712-106	E911	Retirement	3,624		
712-105	E911	Group Insurance			(3,624)
			\$ 17,710		\$ (17,710)

E911 Budget Revision - FY 2025	
Expenditures:	
M&R Buildings/Grounds (Tower Repairs)	(25,708)
M&R Equipment	(5,000)
Professional Services (Towers)	(13,200)
Supplies	(7,000)
Salaries (Retirement - PERS (9%) to EMSRS (9.5%))	(3,624)
Contingencies	(13,165)
	(67,697)
Revenues:	
Rents (Cell Towers)	1,352
Emergency 911 Fee	20,000
Federal Grants (Radios)	46,345
	67,697

RESOLUTION

At a regular session of the Pendleton County Commission, held February 18, 2025 the following order was made and entered:

SUBJECT: The revision of the General County Levy Estimate 2024-2025 Budget for the County of Pendleton. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the County Commission does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number three, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Commissioner Roger Dahmer, and duly seconded by Commissioner Jimmie Bennett, the vote thereon was as follows:

Commissioner Carl Hevener - Yes
Commissioner Roger Dahmer - Yes
Commissioner Jimmie Bennett - Yes

WHEREUPON, Commissioner Carl Hevener, President, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the County Clerk, Elise M. White is authorized to fix her signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

LGSD BR (Ver. 2020)

Ora Ash, Deputy State Auditor
 West Virginia State Auditor's Office
 200 West Main Street
 Clarksburg, WV 26301
 Phone: 627-2415 ext. 5114
 Fax: 304-340-5090
 Email: lgs@wvsao.gov

REQUEST FOR REVISION TO APPROVED BUDGET

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER
 FY: 2024
 Fund: 1
 Rev. No. 3
 Pages: 1

Person To Contact Regarding Request:

Name: Elise M. White
 Phone: 304-358-2505
 Fax: 304-358-2473
 Email: countyclerk@pencowv.com

Pendleton County Commission
 GOVERNMENT ENTITY
 P.O. Box 1167
 STREET OR PO BOX
 Franklin CITY 26807
 ZIP CODE

COUNTY
 Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
323	State Grants	98,296	30,640		128,936
334	Accident Reports	150	150		300
382	Refunds/Reimbursements (External Sources)	455,206	10,955		466,161
399	Transfers Assessor's Valuation Fund	68,959	22,573		91,532
	#N/A				
	#N/A				
NET INCREASE/(DECREASE) Revenues (ALL PAGES)			64,318		

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
407	Assessor's Valuation Fund	68,959	22,573		91,532
443	State Grants	98,296	30,640		128,936
699	Contingencies	400,000		17,656	382,344
700	Sheriff-Law Enforcement	771,122	19,027		790,149
711	Emergency Services/OES	262,946	7,306		270,252
809	Water	294,255	2,428		296,683
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
NET INCREASE/(DECREASE) Expenditures			64,318		

APPROVED BY THE STATE AUDITOR
 BY: _____ Date _____
 Deputy State Auditor, Local Government Services Div.

Elise M. White 2/18/2025
 AUTHORIZED SIGNATURE OF ENTITY APPROVAL DATE

Jennifer Taylor-Ide informed the Commission about Senate Bill 439 that would significantly change the way wind turbines are taxed if passed. She also inquired if the wind turbine company had expressed interest in talking with the Commission. Commissioner Hevener replied that they have but are not ready to officially talk with the Commission at this date. The company is waiting on other information before doing so.

A letter of opposition to House Concurrent Resolution #33 to rename Spruce Knob was read by Commissioner Dahmer. On motion of Commissioner Dahmer, the letter was unanimously approved. It was recommended to send the letter to all of the sponsors of the resolution in addition to Delegate Ward and Senators Morris and Hamilton.

On motion of Commissioner Dahmer, vote unanimous, Chrystal Winegard was approved as a full-time employee in the County Clerk's Office.

The Commission reviewed the January employee timesheets.

On motion of Commissioner Dahmer, vote unanimous, the Commission went into Executive Session at 9:43 a.m. for a personnel issue. The Commission adjourned out of Executive Session at 9:50 a.m.

No decisions were taken in Executive Session.

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, February 3, 2025, through Friday, February 14, 2025

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, Monday, February 3, 2025, the following matters were disposed of in the presence of the Clerk:

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

LUCY WIMER, who was named in the last will and testament of **CHRISTOPHER LEE WIMER**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Tuesday, February 4, 2025, the following matters were disposed of in the presence of the Clerk:

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

DEBRA A. JUDY hereby waived his/her right as EXECUTRIX of the estate of **GARY S. JUDY**, deceased.

RHIANNON PHARES, who was named in the last will and testament of **GARY S. JUDY**, deceased, as CO EXECUTRIX DBN thereof, qualified as such. No bond was required.

JEREMY S. JUDY, who was named in the last will and testament of **GARY S. JUDY**, deceased, as CO EXECUTOR DBN thereof, qualified as such. No bond was required.

On, Wednesday, February 5, 2025, the following matters were disposed of in the presence of the Clerk:

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

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

BEVERLY JEAN WESTFALL KEITER, who was named in the last will and testament of **NORMA REMONA WESTFALL**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Thursday, February 6, 2025, the following matters were disposed of in the presence of the Clerk:

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

AMBER N. DUNN, who was named in the last will and testament of **LOUIS H. WILCOX**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

Elise M. White

Elise M. White
Clerk of the Pendleton County Commission

Friday, February 14, 2025

Confirmed

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

Benjamin W. Heavner, Executor of the **Estate of Earl B. Bible, deceased**; Affidavit and Waiver of Final Settlement

There were no exonerations.

ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:

GENERAL COUNTY FUND:	Check Nos. 35548 – 35577	\$51,283.84
911 FUND:	Check Nos. 4395 – 4399	\$3,826.14
HOME CONFINEMENT FUND:	Check Nos. 351 – 354	\$709.30
CLINTON HEDRICK CB FUND:	Check Nos. 1178 – 1179	\$100.43
PENDLETON CO COMM BLDG FUND:	Check No. 1267	\$283.08

The County Commissioners worked on the budget for the fiscal year ending June 30, 2026. Elected Officials presented and discussed their budget requests with the Commission. The Commission reviewed and discussed budgets for other departments.

The Commission recessed at 12:20 p.m.

The County Commission reconvened at 1:30 p.m. for the purpose of opening bids for the Courthouse Annex.

Present: Commissioner Carl Hevener; Commissioner Roger Dahmer; Commissioner Jimmie Bennett; County Administrator Karen Pitsenbarger; County Clerk Elise White; Emergency Services Coordinator Rick Gillespie; Scott McConnell, Clerk of Works; Jeff Bowers, Building Commission; Kim Ruddle, Region 8; David Snider, Omni Associates; Caitlyn Freeland, Omni Associates; Robert Poling, Highpoint; Josh Baldwin, Lantz Construction; Chris Weaver, Lantz Construction

Two bids were received for the Courthouse Annex. David Snider, Omni Associates opened the bids. Both bids contained the West Virginia Contractor's License and Bid Bond, as required by the bidding documents.

The proposed bid from Highpoint was in the amount of \$5,235,400. The proposed bid from Lantz Construction was in the amount of \$4,969,000. Being the lowest bid on the table, Lantz Construction was awarded the project.

A meeting was scheduled for Thursday afternoon with Mr. Snider, Scott McConnell, Commissioners and Lantz Construction to review plans and scope of work.

On motion of Commissioner Bennett, vote unanimous, the meeting was adjourned.

ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER BENNETT, VOTE UNANIMOUS, UNTIL TUESDAY, MARCH 4, 2025.

President