

AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON TUESDAY, FEBRUARY 7, 2023 AT 9:00 A.M.

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

OTHERS PRESENT: ELISE WHITE, COUNTY CLERK; KAREN PITSENBARGER, COUNTY ADMINISTRATOR; RICK GILLESPIE, EMERGENCY SERVICES COORDINATOR; CHAD BOWERS, SHERIFF; DIANA MITCHELL, 911 DIRECTOR; LAURA BROWN, EDA DIRECTOR; AMBER NESSELRODT, CVB DIRECTOR; CHARLOTTE HOOVER, DISTRICT SUPERVISOR FOR POTOMAC VALLEY CONSERVATION DISTRICT; LOIS CARR, DISTRICT SUPERVISOR FOR POTOMAC VALLEY CONSERVATION DISTRICT; DON WHETZEL, WATERSHED MANAGER, WV CONSERVATION AGENCY; STEPHEN SMOOT, THE PENDLETON TIMES; DAVID SNYDER, OMNI ASSOCIATES

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

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 continued until Friday, February 10, 2023.

Minutes of the January 17, 2023 meeting of the County Commission and the February 1, 2023 Board of Review meeting, on motion of Commissioner Dahmer, were unanimously approved.

Charlotte Hoover, Conservation District Supervisor, Lois Carr, Conservation District Supervisor and Don Whetzel, Watershed Manager, updated the Commission on the work done on the dams in Pendleton County. Ms. Carr thanked the Commission for partnering with the Conservation Agency under the 713U agreement. The first project was completed recently. They appreciate the financial support the Commission provides and asked for their continued support with a request of possibly increasing the \$7,500 to \$10,000.

Maintenance:

No major maintenance issues.

Commissioner Hevener stated that he had been working with Randall & Kevin Smith regarding a used generator for the Pendleton County Community Building (PCCB) that had a John Deere diesel motor and 670 hours on it. A new switch would be required. It would run the whole building and allow it to be used as an emergency facility for the community. The total cost, including labor, would run about \$35,000. Commissioner Dahmer made a motion to purchase the generator, vote unanimous.

The Records Management and Preservation Board awarded grant money in the amount of \$10,000 for fiscal year 2024 for the County Clerk's Office for back indexing deed books.

Diana Mitchell, 911 Director, informed the Commission that all is well at the 911 Center. There was one issue with snow/ice removal that has been addressed. Rick Gillespie, Emergency Services Coordinator, reported that the telephone system upgrade at 911 is basically complete.

Mr. Gillespie said there is a meeting scheduled next Thursday, February 16, 2023, regarding the National Quiet Zone. He stated that he is trying to receive an exemption in the UHF band for the County.

Mr. Gillespie also mentioned that in October 2023 the County would be hosting the Statewide 911 Council meeting.

Laura Brown, EDA Director, reported she had received the LEAD contract with Lingo from the State. Currently their attorney is reviewing. Once it has been signed by all parties, can begin to break ground on the project.

Amber Nesselrodt introduced herself as the new CVB director. She plans to update the Commission quarterly.

On motion of Commissioner Dahmer, vote unanimous, a Memorandum of Understanding with Region 8 was signed to provide the grant administration for the Courthouse Annex at an estimated cost of \$40,000.

Mr. Gillespie inserted that he had found a possible grant for the parking lot at PCCB through the USDA. He has emailed the information to the Commissioners.

The Division of Forestry agreed to the increase of \$12.00 per square foot to continue to lease office space in PCCB. Commissioner Bennett made a motion to accept and sign the lease, vote unanimous.

The Commissioners reviewed the WVCorp Insurance renewal application. It was noted that the contents value for the 911 Center may need to be adjusted with the recent upgrades. Mr. Gillespie will review.

Sheriff Chad Bowers informed the Commission that the cruiser he had ordered last February had been cancelled. He will not be able to order any vehicles until September. He was able to find one in Ohio to purchase. Deputy Kontyko and Bailiff Kimble picked it up and it is currently in Clarksburg to have everything installed.

David Snyder, with Omni Associates, presented the plans for the handicap accessible ramp to be constructed on the North side of the Courthouse. Commissioner Dahmer, vote unanimous, motioned to approve the plans. Mr. Snyder will submit the plans to the State Historical Board for review. Once approved, the County will be able to submit the plans out for bid.

The Commission discussed the existing Courthouse security camera system and possible upgrades with the Sheriff.

The Commission also reviewed employee timesheets for January 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 Friday, January 13, 2023, through Monday, February 6, 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, Friday, January 13, 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, **VIVIANA OROZCO MONTOYA** was appointed and qualified as ADMINISTRATRIX of the estate of **ANTHONY F HENDERSON**, deceased. Bond was 5,500.00.

On, Tuesday, January 17, 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, **PATRICIA BAILEY** was appointed and qualified as ADMINISTRATRIX of the estate of **RONALD EUGENE RATLIFF**, deceased. Bond was 20,000.00.

The last will and testament of **EDWARD J. GAUS III**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

AMY C. GAUS, who was named in the last will and testament of **EDWARD J. GAUS III**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Wednesday, January 18, 2023, the following matters were disposed of in the presence of the Clerk:

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

GARY SHEFFER, who was named in the last will and testament of **EDDIE W. MALCOLM**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

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

HELEN E. TROUTMAN, who was named in the last will and testament of **EDWIN L. TROUTMAN JR.**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Thursday, January 19, 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, **H. MICHAEL EYE** was appointed and qualified as ADMINISTRATOR of the estate of **JOHNNY L. REXRODE**, deceased. Bond was 20,000.00.

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

SHERRY MONGOLD, who was named in the last will and testament of **CLEMET HALTERMAN**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Monday, January 23, 2023, the following matters were disposed of in the presence of the Clerk:

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

JOE DON STUMBO, who was named in the last will and testament of **IDA STUMBO**, deceased, as ADMINISTRATOR CTA DBN thereof, qualified as such. Bond was 500.00.

On, Tuesday, January 24, 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, **GREGORY L. SHARP** was appointed and qualified as ADMINISTRATOR of the estate of **SUE ANN SHARP**, deceased. Bond was 1,000.00.

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

MARY E MAY, who was named in the last will and testament of **BETTY C MAY**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Friday, January 27, 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, **JOYCE M. DYER** was appointed and qualified as ADMINISTRATRIX of the estate of **JAMES R. DYER**, deceased. Bond was 600,000.00.

On, Monday, January 30, 2023, the following matters were disposed of in the presence of the Clerk:

The said estate of **KENNETH L. NELSON**, deceased was referred to **MARLA ZELENE HARMAN**, a FIDUCIARY COMMISSIONER for the Pendleton County, for settlement thereof.

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

SANDRA E. BURGOYNE, who was named in the last will and testament of **THOMAS M. BURGOYNE**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Thursday, February 2, 2023, the following matters were disposed of in the presence of the Clerk:

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

SARAH L. MOATS, who was named in the last will and testament of **RUTH T. MOYERS**, deceased, as CO EXECUTRIX thereof, qualified as such. No bond was required.

DEWEY DEAN MOYERS, who was named in the last will and testament of **RUTH T. MOYERS**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

On, Friday, February 3, 2023, the following matters were disposed of in the presence of the Clerk:

The said estate of **MICHAEL CLAY HEDRICK**, deceased was referred to **GEORGE I SPONAUGLE, II**, a FIDUCIARY COMMISSIONER for the Pendleton County, for settlement thereof.

Elise M. White

Elise M. White
Clerk of the Pendleton County Commission

Monday, February 6, 2023

Confirmed

THE FOLLOWING SETTLEMENTS OF ACCOUNTS WERE THIS DAY PRESENTED TO THE COMMISSION AND APPROVED ON MOTION OF COMMISSIONER DAHMER, AND UNANIMOUSLY CONFIRMED:

Terry W. Bennett, Executor of the **Estate of George W. Bennett, deceased**; Affidavit and Waiver of Final Settlement

Patricia Blackbourne, Suzanne Walker and R. Charles Walker, III, Co-Executors of the **Estate of Patricia Walker Bliley, deceased**; Final Accounting of Report of Receipts and Disbursements

There were no exonerations.

ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:

GENERAL COUNTY FUND:	Check Nos. 33756 – 33802	\$86,728.28
COAL SEVERANCE FUND:	Check Nos. 200143 - 200145	\$1,059.15
DOG FUND:	Check No. 443	\$414.90
MAGISTRATE COURT FUND:	Check Nos. 300179 - 300182	\$508.00
911 FUND:	Check Nos. 3913 – 3921	\$42,616.36
HOME CONFINEMENT FUND:	Check No. 296	\$297.60
PARKS & RECREATION FUND:	Check Nos. 1324 - 1329	\$1,727.88
AMERICAN RESCUE PLAN ACT FUND:	Check No. 116	\$17,845.00

ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER DAHMER, VOTE UNANIMOUS, UNTIL TUESDAY, FEBRUARY 21, 2023.

President