

AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON TUESDAY, JULY 5, 2022 AT 9:00 A.M.

COMMISSIONERS PRESENT: GENE MCCONNELL, PRESIDENT, CARL HEVENER, CHARLES BURGOYNE, II

OTHERS PRESENT: ELISE WHITE, COUNTY CLERK; KAREN PITSENBARGER, COUNTY ADMINISTRATOR; RICK GILLESPIE, EMERGENCY SERVICES COORDINATOR; DIANA MITCHELL, 911 DIRECTOR; APRIL MALLOW, PROSECUTING ATTORNEY; LAURA BROWN, ECONOMIC DEVELOPMENT AUTHORITY (EDA) DIRECTOR; WALTER HOJKA, THE PENDLETON TIMES; DAVE ELLIS; TINA EYE; ROGER DAHMER

Commission meeting called to order at 9:00 a.m. by President Gene McConnell.

Minutes of the June 21, 2022 meeting of the County Commission on motion of Commissioner Hevener were unanimously approved.

Maintenance:

Eddie Simpson submitted an estimate in the amount of \$3,460.89 to replace windows in three of the offices in the Pendleton County Community Building (PCCB). On motion of Commissioner Hevener, vote unanimous, the Commission approved Mr. Simpson to proceed with the replacement.

Rick Gillespie, Emergency Services Coordinator, informed the Commission about HB4688 that was passed allowing 911 dispatchers hired after July 1, 2022 to participate in the Emergency Medical Services Retirement System (EMSRS). The Commission would need to pass a resolution to become a participating employer in this system. Mr. Gillespie indicated that being a member of this system could be a plus in attracting dispatchers. On motion of Commissioner Burgoyne, vote unanimous, the Commission passed a resolution to become a member of the EMSRS.

Laura Brown, EDA Director, reported that the feasibility study should be finalized by the end of this month.

Karen Pitsenbarger, County Administrator, said that Omni Associates informed her the core drilling truck would be available for additional drilling in the parking lot in approximately three weeks.

The Pendleton County Public Service District (PCPSD) is in need of another truck. The 2003 Dodge Dakota is no longer being used by Mr. Gillespie. He stated that it has been inspected, has county tags and is ready to be used. On motion of Commissioner Hevener, vote unanimous, the Commission agreed to transfer the surplus truck to the PCPSD.

On motion of Commissioner Burgoyne, vote unanimous, Peter Tuckerman was reappointed to the Pendleton County Library board for a five-year term.

A motion was made by Commissioner Burgoyne, vote was unanimous, to approve a Coal Severance Fund budget revision for fiscal year 2023 to appropriate the assigned fund balance ending June 30, 2022.

Elise White, County Clerk, informed the Commission of an estimated carryover balance for the General County fund for Fiscal Year 2023. The Commission reviewed some suggested allocations of the carryover balance. Decisions were tabled until the next meeting when the actual amount of the carryover balance will be available.

THE FOLLOWING APPOINTMENTS OF ADMINISTRATORS, EXECUTORS, ETC., DONE BY THE CLERK IN VACATION OF THE COMMISSION, WERE THIS DAY PRESENTED TO THE COMMISSION AND ON MOTION OF COMMISSIONER BURGOYNE WERE UNANIMOUSLY APPROVED.

United States of America

State of West Virginia



County of Pendleton, ss:

Clerk's Fiduciary Report

Estate from Tuesday, June 21, 2022, through Friday, July 1, 2022

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, Tuesday, June 21, 2022, 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 SKYE HEDRICK** was appointed and qualified as ADMINISTRATRIX of the estate of **MICHAEL CLAY HEDRICK**, deceased. Bond was 20,000.00.

On, Friday, June 24, 2022, the following matters were disposed of in the presence of the Clerk:

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

TAMMY J. DAVIS, who was named in the last will and testament of **DALE W. BLAND**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

ANDY D. BLAND, who was named in the last will and testament of **DALE W. BLAND**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

More than 31 days since the date of death or the surviving spouse or heir, upon a motion, **JANET SMITH** was appointed and qualified as ADMINISTRATRIX of the estate of **JASON C. PROPST**, deceased. Bond was 6,000.00.

On, Monday, June 27, 2022, the following matters were disposed of in the presence of the Clerk:

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

DONALD L MALLOW, who was named in the last will and testament of **MORRIS L MALLOW**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

FREDERICK M MALLOW, who was named in the last will and testament of **MORRIS L MALLOW**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

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

DONALD L MALLOW, who was named in the last will and testament of **MARY SUE MALLOW**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

FREDERICK M MALLOW, who was named in the last will and testament of **MARY SUE MALLOW**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

Elise M. White

Friday, July 1, 2022

Elise M. White
Clerk of the Pendleton County Commission

Confirmed

Estate: 000004706

Fiduciary Report

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

Zachary B. Ruddle, Administrator cta of the **Estate of Lucy Mae Ruddle, deceased;** Waiver of Final Settlement

Loretta J. Blankenship, Executrix of the **Estate of Larry D. Blankenship, deceased;** Waiver of Final Settlement

Heidi Jon Hartman, Executrix of the **Estate of William W. Hartman, deceased;** Affidavit and Waiver of Final Settlement

Lanny A. Propst, Administrator of the **Estate of Sadie Belle Propst, deceased;** Affidavit and Waiver of Final Settlement

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

Caleb Taylor, Circleville District, \$20.46
Charles R. Propst, Sugar Grove District, \$52.61

ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:

GENERAL COUNTY FUND:	Check Nos. 33186 – 33232	\$242,301.03
COAL SEVERANCE FUND:	Check No. 200125	\$288.77
DOG FUND:	Check No. 434	\$129.60
MAGISTRATE COURT FUND:	Check Nos. 300151 - 300152	\$240.48
911 FUND:	Check Nos. 3781– 3786	\$43,277.92
HOME CONFINEMENT FUND:	Check Nos. 279 - 280	\$1,750.00
PARKS & RECREATION FUND:	Check Nos. 1258 - 1263	\$2,291.85
CLINTON HEDRICK CB FUND:	Check No. 1107	\$75.82
AMERICAN RESCUE PLAN FUND:	Check No. 107 - 108	\$11,733.51

Mr. Gillespie asked the Commission to begin thinking about two issues and possible solutions. The first is in regards to stranded visitors at tourist sites such as Spruce Knob. One possible solution would be to install cameras for the public to view so they could see the weather conditions before visiting. The Forest Service is also supposed to be installing additional signs such as mile markers, etc. The second issue is the ponding of water in front of the squad bays at PCCB.

ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER HEVENER, VOTE UNANIMOUS, UNTIL TUESDAY, JULY 19, 2022.

President

RESOLUTION

At a regular session of the Pendleton County Commission, held July 5, 2022 the following order was made and entered:

SUBJECT: The revision of the Coal Severance Levy Estimate 2022-2023 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 one, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Commissioner Charles Burgoyne, II, and duly seconded by Commissioner Carl Hevener, the vote thereon was as follows:

- Commissioner Gene McConnell - Yes
- Commissioner Carl Hevener - Yes
- Commissioner Charles Burgoyne, II - Yes

WHEREUPON, Commissioner McConnell, 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: 827-2415 ext. 5114
Fax: 304-340-5090
Email: igs@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)
Pendleton County Commission
GOVERNMENT ENTITY

CONTROL NUMBER
FY: 2023
Fund: 2
Rev. No. 1
Pages: 1

Person To Contact Regarding Request: P.O. Box 1167 STREET OR PO BOX COUNTY
Name: Elise M. White Franklin 26807 Government Type
Phone: 304-358-2505 CITY ZIP CODE
Fax: 304-358-2473
Email: countyclerk@pencowv.com

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
298	Assigned Fund Balance	9,000	1,329		10,329
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
			1,329		

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
425	Other Buildings	5,000	1,329		6,329
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
			1,329		

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

Elise M. White 7/5/2022
AUTHORIZED SIGNATURE OF ENTITY APPROVAL DATE



Consolidated Public Retirement Board

4101 MacCorkle Avenue, SE
Charleston, WV 25304
304-558-3570 or 800-654-4406
www.wvretirement.com



**EMSRS
Resolution
Form**

**Resolution to Become a Participating Employer of the West Virginia
Emergency Medical Services Retirement System (EMSRS)**

The following resolution was duly made and passed by no less than three-fifths vote of the governing body of
(entity name) Pendleton County Commission on the
5th day of July, two thousand and twenty-two.

Thereupon, it shall be the duty of the Clerk or Secretary to certify the determination of the county commission or political subdivision, including public corporations, in passing this resolution, to the Consolidated Public Retirement Board within ten (10) days after the final passage of this resolution by sending to said Board a certified copy of this resolution. A copy of the signed minutes wherein said resolution was approved shall be provided to the Consolidated Public Retirement Board within sixty (60) days after the final passage of this resolution.

BE IT RESOLVED that (entity name) Pendleton County Commission, a county commission, political subdivision, or county 911 public safety answering point, including public corporations, does hereby elect to be a participant in the Emergency Medical Services Retirement System pursuant to Chapter 16, Article 5V, Section 31 of the West Virginia Code, and thereby will include all its emergency medical services officers and 911 personnel who are eligible for membership in the Emergency Medical Services Retirement System. The entity hereby agrees to pay pursuant to Chapter 16, Article 5V, Section 8 of the West Virginia Code its employer contributions, and withhold applicable employee contributions monthly and remit the same to the Emergency Medical Services Retirement System for all eligible employees hired on or after the first day of the month following the date of said Resolution. The entity understands that according to the West Virginia Code once it elects to participate in the Emergency Medical Services Retirement System, the action is final and it may not, at a later date, elect to terminate its participation in the plan.

I, Elise M. White, Clerk or Secretary of

(entity name) Pendleton County Commission do hereby certify

that the above resolution is a true and correct copy taken from our records.

Elise M. White
Clerk or Secretary

of Pendleton County Commission



(Public Corporations must attach a certified copy of the ordinance or charter provision creating said Public Corporation.)