

AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON WEDNESDAY, JULY 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; RICK GILLESPIE, EMERGENCY SERVICES COORDINATOR; LAURA BROWN, EDA DIRECTOR; CHAD BOWERS, SHERIFF; STEPHEN SMOOT, THE PENDLETON TIMES

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

Minutes of the June 21, 2023 meeting of the County Commission, on motion of Commissioner Dahmer, were unanimously approved.

Maintenance:

Discussion on the new handicap ramp being built and if it is wide enough. Commissioners will look at after the meeting.

Rick Gillespie, Emergency Services Coordinator, informed Commission that the new 911 admin phone system has been installed.

He mentioned that there was discussion at a quarterly meeting with the Forest Service regarding tourists blocking access to the North Fork Tower Road. They will be looking into some possible solutions.

Laura Brown, EDA Director, had no updates for broadband. Mr. Gillespie stated that the new broadband federal monies that were allocated to West Virginia most likely will require financial matches from the counties.

Karen Pitsenbarger, County Administrator, stated she has been continuing to get estimates for the removal of the old tank and placement of the new tank with little success.

A motion was made by Commissioner Dahmer, vote was unanimous, to approve a Coal Severance Fund budget revision for fiscal year 2024 to appropriate the assigned fund balance ending June 30, 2023 in the amount of \$9,562 showing an increase of \$1,562 over the original budgeted amount.

On motion of Commissioner Bennett, vote unanimous, the Commission approved a Resolution designating 50% of the Hotel/Motel Tax collected to the Pendleton County Emergency Rescue (PCER) and Pendleton County Firemen's Association (PCFA).

The Commission reviewed the fiscal year 2024 General County Budget carryover.

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 Wednesday, June 21, 2023, through Friday, June 30, 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, June 28, 2023, the following matters were disposed of in the presence of the Clerk:

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

DAWN HALTERMAN, who was named in the last will and testament of **FRED O. HOTTINGER**, deceased, as CO EXECUTRIX thereof, qualified as such. No bond was required.

CHEYANA WARNER, who was named in the last will and testament of **FRED O. HOTTINGER**, deceased, as CO EXECUTRIX thereof, qualified as such. No bond was required.

On, Friday, June 30, 2023, the following matters were disposed of in the presence of the Clerk:

The said estate of **RUTH T. MOYERS**, deceased was referred to **ZELENE HARMAN**, a FIDUCIARY COMMISSIONER for the Pendleton County, for settlement thereof.

Elise M. White

Monday, July 3, 2023

Elise M. White
Clerk of the Pendleton County Commission

Confirmed

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

H. Michael Eye, Administrator of the **Estate of Johnny L. Rexrode, deceased**; Affidavit and Waiver of Final Settlement

Ronald D. Ours, Administrator of the **Estate of Delmas W. Ours, deceased**; Affidavit and Waiver of Final Settlement

Kimberly A. Hulmes, Executrix of the **Estate of Barbara Jean Verdoni, deceased**; Affidavit and Waiver of Final Settlement

On motion of Commissioner Dahmer, vote unanimous, the following exonerations were approved:

Scott Harper, Circleville District, \$83.72

ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:

GENERAL COUNTY FUND:	Check Nos. 34101 – 34149	\$524,891.20
	Payroll – June 2023	\$219,339.48
COAL SEVERANCE FUND:	Check Nos. 200173 – 200175	\$1,504.89
DOG FUND:	Check No. 444	\$94.50
MAGISTRATE COURT FUND:	Check Nos. 300199 – 300200	\$274.00
911 FUND:	Check Nos. 3989 – 3996	\$49,631.76
PARKS & RECREATION FUND:	Check Nos. 1357 - 1361	\$2,349.34

West Virginia University has continued billing the County for two extension agents. On motion of Commissioner Dahmer, vote unanimous, the Commission agreed to only pay one-half of the amount billed until they have hired a second agent. County Clerk Elise White will contact them to request a refund for prior payments.

ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER DAHMER, VOTE UNANIMOUS, UNTIL TUESDAY, JULY 18, 2023.

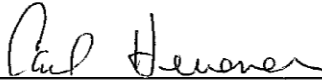
President

**Resolution Defining Pendleton County's
Distribution of the Hotel/Motel Tax**

- Whereas** the Pendleton County Commission is required by WV State Code §7-15-4 to provide emergency ambulance service within the financial constraints imposed by a current levy.
- Whereas** the Pendleton County Commission is authorized by WV State Code §7-18-1 to collect a hotel/motel tax
- Whereas** WV State Code §7-18-14(b) directs that 50% of the hotel/motel tax collected be transferred to the CVB and authorizes the County to utilize the remaining 50% of the tax for the purpose of providing emergency ambulance services as long as specific criteria is met.
- Whereas** the specific criteria defined in WV State Code §7-18-14(c) (9A through 9F) are satisfied in Pendleton County
- Whereas** the emergency service providers in Pendleton County, Pendleton County Emergency Rescue (PCER) and Pendleton County Firemen's Association (PCFA), are 501(c3) organizations established for the specific purpose of providing emergency services in Pendleton County are incurring sufficient added expenses
- Whereas** the Pendleton County Commission does intend to transfer 50% of the hotel/motel tax to PCER and PCFA to aid in offsetting added expenses.

Therefore, be it resolved that the Pendleton County Commission does hereby agree to the terms set forth above.

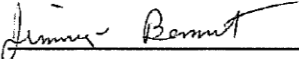
ADOPTED this 5th day of July 2023



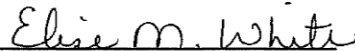
Carl Hevener, Commission President



Roger Dahmer, Commissioner



Jimmie Bennett, Commissioner

Attest: 

Elise M. White, County Clerk

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: 2
 Rev. No: 1
 Pages: 1

Pendleton County Commission
 GOVERNMENT ENTITY

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

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
298	Assigned Fund Balance	8,000	1,562		9,562
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
NET INCREASE/(DECREASE) Revenues (ALL PAGES)			1,562		

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
424	Courthouse	26,000	1,562		27,562
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
NET INCREASE/(DECREASE) Expenditures			1,562		

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

Elise M. White 7/5/2023
 AUTHORIZED SIGNATURE OF ENTITY APPROVAL DATE

RESOLUTION

At a regular session of the Pendleton County Commission, held July 5, 2023 the following order was made and entered:

SUBJECT: The revision of the Coal Severance Levy Estimate 2023-2024 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 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 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.