

**AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON WEDNESDAY, JUNE 21, 2023 AT 2:00 P.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; DIANA MITCHELL, 911 DIRECTOR; SHERRY MONGOLD, EDA SECRETARY; APRIL MALLOW, PROSECUTING ATTORNEY; CHAD BOWERS, SHERIFF; STEPHEN SMOOT, THE PENDLETON TIMES**

**PUBLIC PRESENT: FRIENDS OF BEAUTIFUL PENDLETON COUNTY**

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

Minutes of the June 6, 2023 meeting of the County Commission, on motion of Commissioner Dahmer, were unanimously approved.

Maintenance:

Generator at Pendleton County Community Building is now fully operational.

Scott Somerville, on behalf of Friends of Beautiful Pendleton County, was unable to attend. The Commission stated that it would take no further action on a moratorium until receiving a response from the West Virginia Attorney General's Office.

Diana Mitchell, 911 Director, had a road name request for an unnamed road in the Franklin Airport Development at Hall's Hill. The road name requested is Duncan Drive. There are no conflicts with the name within the County. On motion of Commissioner Bennett, vote unanimous, Duncan Drive was approved.

Rick Gillespie, Emergency Services Coordinator, requested to purchase a drone using Title III funds as our existing drone is not working. Total estimated cost, including extra batteries and other peripheral attachments, is \$15,000. On motion of Commissioner Dahmer, vote unanimous, the request was approved to use 50% of Title III funds towards the purchase of a drone, with the remaining 50% coming out of General County funds.

There were no updates on broadband, per Sherry Mongold, EDA Secretary.

Karen Pitsenbarger, County Administrator, mentioned that construction on the handicap ramp began on Monday. Still has received no information regarding removal of the underground tank nor has there been any update from the Supreme Court in reference to the Annex drawings.

On motion of Commissioner Bennett, vote unanimous, the 2023 Help America Vote Act (HAVA) Subgrant Agreement and ES&S Sales Order Agreement were approved and signed. The grant will pay for 50% of the cost of purchasing electronic pollbooks for all polling locations in the amount of \$13,399.50. The remaining 50% will be paid for out of the election equipment budget.

Elise White, County Clerk, informed the Commission about Senate Bill 522 which created two new funds for the use of the County Clerk. They are Fund #61, County Clerk Election Administration Fund and Fund #62, County Clerk Real Property E-Recording Act. On motion of Commissioner Bennett, vote unanimous, the Commission approved a resolution to create the funds and corresponding checking accounts.

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 Monday, June 5, 2023, through Wednesday, June 21, 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, Tuesday, June 6, 2023, the following matters were disposed of in the presence of the Clerk:**

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

**MARGARET J DAHMER**, who was named in the last will and testament of **STANLEY LEE DAHMER**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

**On, Wednesday, June 7, 2023, 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**, who was named in the last will and testament of **GARY S. JUDY**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

**On, Thursday, June 8, 2023, the following matters were disposed of in the presence of the Clerk:**

The said estate of **CAROLE H. HARTMAN**, deceased was referred to **G. ISAAC SPONAUGLE III**, a FIDUCIARY COMMISSIONER for the Pendleton County, for settlement thereof.

More than 31 days since the date of death or the surviving spouse or heir, upon a motion, **FRANCES PROPST** was appointed and qualified as ADMINISTRATRIX of the estate of **JOSEPH NILES BERG**, deceased. Bond was 150,000.00.

**On, Thursday, June 15, 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, **WANDA JOAN HEDRICK** was appointed and qualified as ADMINISTRATRIX of the estate of **DAVID ARLIN HEDRICK**, deceased. Bond was 2,000.00.

**On, Friday, June 16, 2023, the following matters were disposed of in the presence of the Clerk:**

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

**NAYONE MOATS**, who was named in the last will and testament of **MELVIN MOATS, JR**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

*Elise M. White*

Elise M. White  
Clerk of the Pendleton County Commission

Wednesday, June 21, 2023

Confirmed

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

Gregory L. Sharp, Administrator of the **Estate of Sue Ann Sharp, deceased**; Waiver of Final Settlement

Kevin P. Black, Executor of the **Estate of Mary Ann Black, deceased**; Affidavit and Waiver of Final Settlement

Joyce M. Dyer, Administratrix of the **Estate of James R. Dyer, deceased**; Waiver of Final Settlement

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

Justin D. Bowers & Taylor Myers, Franklin District, \$62.52

The Commission reviewed the Sheriff's financial statement for the month of May 2023.

The Commission reviewed the employee timesheets for the month of May.

**ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:**

GENERAL COUNTY FUND:	Check Nos. 34074 – 34101	\$193,768.90
COAL SEVERANCE FUND:	Check Nos. 200171 – 200172	\$712.32
MAGISTRATE COURT FUND:	Check No. 300198	\$280.00
911 FUND:	Check Nos. 3979 – 3988	\$5,928.12
HOME CONFINEMENT FUND:	Check Nos. 308 - 309	\$7,019.60
PARKS & RECREATION FUND:	Check Nos. 1355 - 1356	\$154.47
CLINTON HEDRICK COMM BLDG:	Check No. 1143	\$29.86
PENDLETON COUNTY COMM BLDG:	Check No. 1226	\$298.98

On motion of Commissioner Dahmer, vote unanimous, the Commission went into executive session to discuss a personnel issue at 3:00 p.m. Commissioner Dahmer made a motion, vote unanimous, to adjourn executive session at 4:54 p.m.

No action was taken during executive session.

On motion of Commissioner Dahmer, vote unanimous, they approved a letter to the 911 staff adopting new policy changes.

**ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER DAHMER, VOTE UNANIMOUS, UNTIL WEDNESDAY, JULY 5, 2023.**

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President



**PENDLETON COUNTY COMMISSION  
RESOLUTION**

Whereas, the WV Senate Bill 522 has created two new funds for the use of the County Clerk;

Whereas, the first fund is #61 and designated as County Clerk Election Administration Fund to be used for improving election administration, infrastructure, and security;

Whereas the second fund is #62 and designated as County Clerk Real Property E-Recording Act to be used to comply with the Uniform Real Property Electronic Recording Act, §39A-4-1 et seq. of this code;

Whereas the said WV Senate Bill 522 states that the monies in these accounts shall not be cause to reduce the budget of the County Clerk;

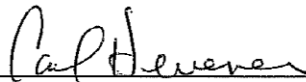
Whereas, the County Commission is aware that at some time there may not be Federal Grant Funds available for equipment purchases for Election Equipment and Grant Funds may not be available for the items necessary for Electronic Recording;

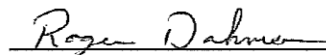
Now, therefore be it resolved, that the Pendleton County Commission does hereby approve the creating of two checking accounts, designated as:

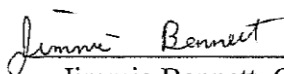
Fund #61 – County Clerk Election Administration Fund

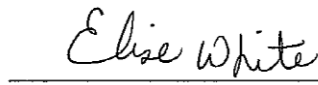
Fund #62 – County Clerk Real Property E-Recording Act Fund

Approved this 21<sup>st</sup> day of June, 2023.

  
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Carl Hevener, Commission President

  
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Roger Dahmer, Commissioner

  
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Jimmie Bennett, Commissioner

  
\_\_\_\_\_  
Elise White, County Clerk

PENDLETON COMMUNITY BANK	BANK BALANCE	OUTSTANDING CHECKS/DEBITS	OUTSTANDING DEPOSITS/CREDITS	BOOK BALANCE
GENERAL COUNTY CHECKING	1,088,110.28	66,880.52-	1,973.65	1,023,203.41
PENDLETON COUNTY 911	115,392.08	5,695.00-	1,105.07	110,802.15
HOME DETENTION	83,054.20	60.00-	105.00	83,099.20
RESERVE FOR SPEC EMERG	.00	.00	.00	.00
PARKS & REC	72,086.47	.00	.00	72,086.47
CHCB	493.97	100.41-	.00	393.56
PCCB	988.49	492.09-	.00	496.40
HEALTH REIMB	239,767.05	.00	.00	239,767.05
ASSESSOR'S VAL	132,373.37	.00	.00	132,373.37
FINAN STABIL FUND	.00	.00	.00	.00
CONCEALED WEAPONS	11,890.89	350.00-	.00	11,540.89
SPECIAL LAW ENFORCEMENT	22,287.81	.00	.00	22,287.81
AMER RES PLAN ACT	1,093,532.68	.00	.00	1,093,532.68
CERTIFIED TO STATE	.00	.00	.00	.00
BOARD OF HEALTH	255,934.35	7,164.96-	.00	248,769.39
CLEARING ACCOUNT	.00	.00	.00	.00
RESER FOR SPEC EMERG MM	56,536.48	.00	.00	56,536.48
FINANCIAL STAB.-CD 2	.00	.00	.00	.00
FINANCIAL STAB.-MONEY MAR	231,889.62	.00	.00	231,889.62
FINAN STABIL FUND	1,310,179.01	.00	.00	1,310,179.01
GENERAL CO 12 MONTH CD	.00	.00	.00	.00
GENERAL CO 6 MONTH CD	.00	.00	.00	.00
GENERAL CO MONEY MARKET	1,478,510.65	.00	.00	1,478,510.65
911 SUPER SAVINGS	.00	.00	.00	.00
911 24 MONTH CD	.00	.00	.00	.00
GEN CO CD	1,518,257.24	.00	.00	1,518,257.24
PEN CO 911 FEES FUND MM	508,338.97	.00	.00	508,338.97
911 CD FEES FUND	100,657.24	.00	.00	100,657.24
*** BANK TOTAL ***	8,320,280.85	80,742.98-	3,183.72	8,242,721.59

SUMMIT COMMUNITY BANK	BANK BALANCE	OUTSTANDING CHECKS/DEBITS	OUTSTANDING DEPOSITS/CREDITS	BOOK BALANCE
WORTHLESS CHECK	1,862.74	.00	.00	1,862.74
PEND CO HOUSING	68,136.35	.00	.00	68,136.35
*** BANK TOTAL ***	69,999.09	.00	.00	69,999.09

THE GRANT COUNTY BANK	BANK BALANCE	OUTSTANDING CHECKS/DEBITS	OUTSTANDING DEPOSITS/CREDITS	BOOK BALANCE
CHCB	.00	.00	.00	.00
*** BANK TOTAL ***	.00	.00	.00	.00
*** COUNTY TOTAL ***	8,390,279.94	80,742.98-	3,183.72	8,312,720.68
CASH ON HAND				200.00
*** TOTAL ***				8,312,920.68

DATE: 6/06/23  
 TIME: 10:13:38

PENDLETON COUNTY  
 FINANCIAL STATEMENT  
 MONTH ENDING- 5/2023

PROG: SA058B

ACCOUNT	DESCRIPTION	BEGINNING BALANCE	CURRENT MONTH COLLECTIONS	ORDERS ISSUED	BALANCE PER BOOK
FUND - 001	GENERAL COUNTY				
301-01-RP-	GC-TAX REPAYMENT	.00	.00	.00	.00
FUND 001 TOTALS		4063305.34	147564.82	301283.14-	3909587.02
FUND - 002	COAL SEVERANCE				
FUND 002 TOTALS		20784.08	.00	2645.05-	18139.03
FUND - 003	DOG AND KENNEL				
FUND 003 TOTALS		6437.70	.00	.00	6437.70
FUND - 004	GENERAL SCHOOL				
FUND 004 TOTALS		19538.29	2175.00	9370.00-	12343.29
FUND - 005	MAGISTRATE COURT				
FUND 005 TOTALS		877.17	180.00	543.00-	514.17
FUND - 006	WORTHLESS CHECK				
FUND 006 TOTALS		1862.74	.00	.00	1862.74
FUND - 007	PEND CO 911				
FUND 007 TOTALS		754557.95	10733.76	45493.35-	719798.36
FUND - 008	HOME DETENTION				
FUND 008 TOTALS		81988.30	1665.00	554.10-	83099.20
FUND - 011	RES FOR SPEC EMERG				
FUND 011 TOTALS		56390.11	146.37	.00	56536.48
FUND - 013	BOARD OF PARKS				
FUND 013 TOTALS		83109.76	4765.00	15788.29-	72086.47
FUND - 024	PEND CO HOUSING				
FUND 024 TOTALS		67940.57	195.78	.00	68136.35
FUND - 025	CHCB				
FUND 025 TOTALS		163.97	330.00	100.41-	393.56

DATE: 6/06/23  
TIME: 10:13:38

PENDLETON COUNTY  
FINANCIAL STATEMENT  
MONTH ENDING- 5/2023

PROG: SA058B

ACCOUNT	DESCRIPTION	BEGINNING BALANCE	CURRENT MONTH COLLECTIONS	ORDERS ISSUED	BALANCE PER BOOKS
FUND - 026	PCCE				
	FUND 026 TOTALS	669.49	840.56	1013.65-	496.40
FUND - 052	HEALTH REIMB				
	FUND 052 TOTALS	246034.42	2615.45	8882.82-	239767.05
FUND - 056	ASSESSOR VALUATION				
	FUND 056 TOTALS	132600.01	310.90	537.54-	132373.37
FUND - 058	FINAN STABIL FUND				
	FUND 058 TOTALS	1537511.61	4557.02	.00	1542068.63
FUND - 059	CONCEALED WEAPONS				
	FUND 059 TOTALS	11135.39	410.00	4.50-	11540.89
FUND - 073	SPEC LAW RNF INVEST				
	FUND 073 TOTALS	22285.92	1.89	.00	22287.81
FUND - 207	AMER RES PLAN ACT				
	FUND 207 TOTALS	1093532.68	.00	.00	1093532.68
FUND - 312	CRIMINAL CHARGES				
	FUND 312 TOTALS	.00	55.00	55.00-	.00
FUND - 313	COURT REPORTER				
	FUND 313 TOTALS	.00	225.00	225.00-	.00
FUND - 314	STATE FINES				
	FUND 314 TOTALS	.00	65.00	65.00-	.00
FUND - 315	STATE POLICE				
	FUND 315 TOTALS	.00	350.00	350.00-	.00
FUND - 316	STATE CURRENT				
	FUND 316 TOTALS	.00	676.65	676.65-	.00
FUND - 361	CERTIFIED TO STATE				
	FUND 361 TOTALS	.00	.00	.00	.00
FUND - 364	TAX LIEN				
	FUND 364 TOTALS	78704.15	4954.64	15332.34-	68326.45
FUND - 365	DELINQ NONENTERED				
	FUND 365 TOTALS	4823.64	.00	.00	4823.64
FUND - 366	BOARD OF HEALTH				
	FUND 366 TOTALS	212178.04	65208.80	28617.45-	248769.39
FUND - 373	GEN CURRENT EXPENSES				
	FUND 373 TOTALS	.00	59754.74	59754.74-	.00
FUND - 378	FRANKLIN CURRENT				
	FUND 378 TOTALS	.00	1761.32	1761.32-	.00
FUND - 903	CLEARING ACCOUNT				
	FUND 903 TOTALS	.00	400.56	400.56-	.00
	FINAL TOTALS	8496431.33	309943.26	493453.91-	8312920.68
	BALANCE IN COUNTY DEPOSITORIES AT END OF MONTH:	8,390,279.94			
	ORDERS/DEBITS OUTSTANDING:	80,742.98-			
	DEPOSITS/CREDITS OUTSTANDING:	3,183.72			
	NET BANK BALANCE	8,312,720.68			
	CASH ON HAND	200.00			
	TOTAL IN COUNTY DEPOSITRIES AND OFFICES:	8,312,920.68			

I, Chadwick Bowers Sheriff of Pendleton County, West Virginia,

do hereby certify that the foregoing is a true and correct statement of the finances of

Pendleton County, for the month ending May 2023 showing the balance on

hand at the beginning of the month, the amount received, the amount distributed and the

remaining in the Treasury and County Depositories; to the Best of my abilities and knowledge.

Given under my hand this 6 day of June 2023

Chadwick Bowers Sheriff of Pendleton County