

AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON TUESDAY, MAY 2, 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; DIANA MITCHELL, 911 DIRECTOR; LAURA BROWN, EDA DIRECTOR; STEPHEN SMOOT, THE PENDLETON TIMES; DAVID SNIDER, RILEY TOBREY, JASON HARPER WITH OMNI ASSOCIATES

PUBLIC PRESENT: SCOTT SOMERVILLE; LARRY THOMAS

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

Minutes of the April 18, 2023 meeting of the County Commission, on motion of Commissioner Dahmer, were unanimously approved.

Maintenance:

No new maintenance issues.

Larry Thomas distributed information to the Commissioners regarding windmills.

Rick Gillespie, Emergency Services Coordinator, wanted to publicly thank the Pendleton County 911 personnel, along with the Grant County 911 personnel, for the tremendous job they did during the week of fires in our County.

Diana Mitchell, 911 Director, agreed that the dispatchers did well. She stated that they reviewed what happened and reflecting on areas where changes could be made. She said that we were grateful that some people came every day to help and that this was a first-time incident for many of them. She felt that Grant County 911 went above and beyond what was asked of them to get as much help as possible to us. She also mentioned McDowell VFD who blew the clutch on one of their vehicles and then worked all night to get it fixed so they could come back the next day and continuing helping fight the fires. She said we were very blessed to have so much help.

Mr. Gillespie distributed a list of all the resources that assisted the County during that week of four different fires. He said this was the biggest incident here since the 1985 flood. Fire departments from West Virginia, Virginia and Maryland came to help. He stated that all of them did a great job and that only the one structure that burned at the beginning of the fire (and is what alerted someone to report the fire) was lost. He also mentioned that, to his knowledge, there were no injuries.

A report on the known fuel costs and equipment repairs was compiled and distributed by Mr. Gillespie. The total came to \$9,541.02. He recommends that the Commission do a resolution thanking all the entities that assisted and, if possible, to try to help out the different fire departments with fuel costs and such.

On motion of Commissioner Dahmer, vote unanimous, the Commission agreed to reimburse the County fire departments for their fuel and repair costs and to send \$1,000.00 to the McDowell VFD as a donation towards their clutch repair costs and fuel costs.

In a separate motion, made by Commissioner Dahmer, vote unanimous, the Commission approved to send \$250.00 to each of the 19 outside fire departments, plus any others that may have been unintentionally left off of the list, that assisted with the fires.

Laura Brown, EDA Director, informed the Commission that Lingo had applied for an MBPS grant and would contribute an additional \$100,000 toward the project. This project's total cost would be \$2,209,370 and cover 33 miles with 315 addresses.

Commissioner Hevener's term on the Potomac Valley Transit Authority Board expires June 30, 2023. On motion of Commissioner Dahmer, vote unanimous, he was reappointed to a three-year term.

The Commission signed a Proclamation designating May as Community Action month on motion of Commissioner Dahmer, vote unanimous.

The May Delinquent and Publication List for tax year 2022 was reviewed and approved on motion of Commissioner Bennett, vote unanimous.

Shentel Cable did not accept the County's five-year franchise agreement they approved at the last meeting. Shentel would like the agreement to be amended stating it be for five years, plus add that at the end of that five-year period, the agreement would automatically be extended for an additional five years, unless the County would notify them otherwise. This change would help cut their legal and administrative costs for this agreement. On motion of Commissioner Dahmer, vote unanimous, the amendment was approved.

Upon motion of Commissioner Bennett, vote unanimous, the Commission approved the 2023-2024 West Virginia Counties Risk Pool Insurance proposal for Liability and Workmen's Compensation in the amount of \$74,329.

The Executive Session for personnel issues was postponed until a later date.

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

Ronald Halterman, Mill Run District, \$64.36
Coty Puffenbarger, Bethel District, \$7.33

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

Farrar Holden Delauder, Administrator of the **Estate of Michael Kenneth Delauder, deceased;**
Affidavit and Waiver of Final Settlement

Helen E. Troutman, Executrix of the **Estate of Edwin L. Troutman, deceased;** Affidavit and Waiver of Final Settlement

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, April 17, 2023, through Monday, May 1, 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, Thursday, April 20, 2023, the following matters were disposed of in the presence of the Clerk:

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

RITA A. LAMBERT, who was named in the last will and testament of **MABLE RUTH SIMMONS**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Friday, April 21, 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, **AMANDA JOLLIE** was appointed and qualified as ADMINISTRATOR of the estate of **DANIEL JOLLIE**, deceased. Bond was 94,000.00.

On, Monday, April 24, 2023, the following matters were disposed of in the presence of the Clerk:

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

DOROTHY M. NELSON, who was named in the last will and testament of **WILLIAM C. RAINES**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Wednesday, April 26, 2023, the following matters were disposed of in the presence of the Clerk:

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

RACHEL RUDDLE, who was named in the last will and testament of **SHELDA J. WARNER**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

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

JUDY C. SIMMONS, who was named in the last will and testament of **IRINE MARY KUYKENDALL**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

Elise M. White

Monday, May 1, 2023

Elise M. White
Clerk of the Pendleton County Commission

Confirmed

Estate: 756

FiduciaryReport

ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:

GENERAL COUNTY FUND:	Check Nos. 33946 – 33969 April Payroll & Benefits	\$19,754.05 \$204,826.47
COAL SEVERANCE FUND:	Check Nos. 200160 – 200163	\$1,269.87
GENERAL SCHOOL FUND:	Check No. 81	\$9,370.00
MAGISTRATE COURT FUND:	Check Nos. 300191 – 300192	\$274.00
911 FUND:	Check Nos. 3962 – 3966	\$42,214.83
HOME CONFINEMENT FUND:	Check Nos. 303 - 304	\$160.00
PARKS & RECREATION FUND:	Check Nos. 1340 - 1344	\$1,321.07
CLINTON HEDRICK COMM BLDG:	Check No. 1139	\$100.41
PENDLETON COUNTY COMM BLDG:	Check Nos. 1223 – 1224	\$762.09

David Snider, Riley Tobrey and Jason Harper of Omni Associates, reviewed the specifications and drawings for the Courthouse Annex Phases 2 and 3 with the Commission. The Request for Proposal (RFP) should be going out soon with an anticipated start date of Phase 2 in September 2023.

ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER DAHMER, VOTE UNANIMOUS, UNTIL TUESDAY, MAY 16, 2023.

President