

AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON TUESDAY, NOVEMBER 7, 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; CHAD BOWERS, SHERIFF; DIANA MITCHELL, 911 DIRECTOR; LAURA BROWN, SENECA ROCKS REGIONAL DEVELOPMENT AUTHORITY DIRECTOR (SRRDA); SHERRY MONGOLD, EDA SECRETARY; STEPHEN SMOOT, THE PENDLETON TIMES; NATHAN HARTWELL; JENNIE HARTWELL; SCOTT SOMERVILLE

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

Minutes of the October 17, 2023 meeting of the County Commission, on motion of Commissioner Dahmer, were unanimously approved.

Maintenance: No major issues.

Karen Pitsenbarger, County Administrator, gave a report on 911 and Emergency Management as Diana Mitchell and Rick Gillespie were unable to attend the meeting. A letter from Mike Alt, Pendleton County Emergency Rescue (PCER), recognizing Darren Taylor for his prompt actions during a cardiac incident at the Department of Motor Vehicles on October 26, 2023. The actions of Mr. Taylor played a large part in the positive outcome for this patient. The PCER wishes to formally thank him for his support.

On motion of Commissioner Bennett, vote unanimous, the Commission signed the grant application for the proposed tower site in Seneca Rocks.

Mr. Gillespie also sent an email stating that Homeland Security had awarded the County a \$25,000.00 grant towards replacement of obsolete radios.

Laura Brown, Seneca Rocks Regional Development Authority Director (SRRDA), informed the Commission they had been awarded a \$99,000.00 grant to be used to make the old Board of Education building an innovation hub.

Ms. Brown also said that MonForest Towns was working with three towns towards establishing a regional planning commission and a regional comprehensive plan. The Benedum Foundation will be awarding a \$75,000.00 grant in January. She believes that the SRRDA has a good chance of being the recipient of this grant.

Scott Somerville submitted a draft requesting the Commission to appoint a Planning Commission that would then create a strategic plan. He stated that a regional planning commission would be good for this area, but doesn't feel it would be strong enough to allow the Commission to issue a moratorium for wind turbines. On motion of Commissioner Dahmer, vote unanimous, the request was tabled until they see what the regional plan comes up with.

Commissioner Dahmer spoke to Mr. Somerville regarding the statements he previously made about supporting a candidate to run against Commissioner Dahmer who would vote in favor of creating a planning commission. Commissioner Dahmer stated that he had felt threatened by that statement and that he had taken no donations from anyone towards his campaign expenses last year. Mr. Somerville admitted that he was wrong to have said that and apologized for his threats. He did continue saying that he felt the wind turbines were heading to this County and wants the Commission to fight them, so he will try to find a candidate to replace Commissioner Dahmer.

On motion of Commissioner Dahmer, vote unanimous, the Commission approved the second budget revision for General County for fiscal year 2024.

LGSD BR (Ver. 2020)

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: 1
 Rev. No. 2
 Pages: 1

Pendleton County Commission

GOVERNMENT ENTITY

Person To Contact Regarding Request:

Name: Elise M. White
 Phone: 304-358-2505
 Fax: 304-358-2473
 Email: countyclerk@pencowv.com

P.O. Box 1167
 STREET OR PO BOX
 Franklin CITY 26807
 ZIP CODE

COUNTY
 Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
306	Gas & Oil Severance Tax	10,000	48,900		58,900
322	Federal Grants		47,965		47,965
325	Federal Payment in Lieu of Taxes	250,000	318,861		568,861
337	Clerk Deed Fees		1,800		1,800
382	Refunds/Reimbursements (External Sources)	328,609	38,665		367,274
	#N/A				
NET INCREASE/(DECREASE) Revenues (ALL PAGES)			456,191		

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
401	County Commission	1,112,627	1,000		1,113,627
402	County Clerk	273,958	1,800		275,758
403	Circuit Clerk	227,095	9,000		236,095
413	Elections-County Clerk	130,000	13,400		143,400
420	Custodial	22,000	2,500		24,500
424	Courthouse	274,000	48,900		322,900
425	Other Buildings	92,000	50,925		142,925
431	Economic Development	115,351	20,865		136,216
699	Contingencies	348,061	18,405		366,466
809	Water	265,854	17,800		283,654
960	General Government	2,265,212	271,596		2,536,808
NET INCREASE/(DECREASE) Expenditures			456,191		

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

Elise M. White
 AUTHORIZED SIGNATURE
 OF ENTITY

11/7/2023
 APPROVAL
 DATE

RESOLUTION

At a regular session of the Pendleton County Commission, held November 7, 2023 the following order was made and entered:

SUBJECT: The revision of the General County 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 two, 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, Carl 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.

The Employee Handbook discussion was tabled until the next meeting to obtain additional information.

On motion of Commissioner Bennett, vote unanimous, Nathan Hartwell was appointed as Sheriff of Pendleton County, effective December 4, 2023 to finish Sheriff Bowers unexpired term.

The Commission signed the new lease for office space with the Division of Natural Resources.

The Christmas luncheon is scheduled for December 7, 2023. On motion of Commissioner Dahmer, vote unanimous, the Courthouse will close at 1:00 p.m. on that day.

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 Monday, October 16, 2023, through Monday, November 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, Monday, October 23, 2023, the following matters were disposed of in the presence of the Clerk:

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

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

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

SARAH KIMBLE, who was named in the last will and testament of **SHARON K. ALEXANDER**, deceased, as **EXECUTRIX** thereof, qualified as such. No bond was required.

On, Tuesday, October 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, **PATRICIA ANN VINT-AUVILLE** was appointed and qualified as **ADMINISTRATRIX** of the estate of **RAYMOND RAY AUVILLE**, deceased. Bond was 500.00.

Elise M. White

Monday, November 6, 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:

Rose Mary Brackman, Executrix of the **Estate of William Robert Brackman, deceased**; Waiver of Final Settlement

Mary E. May, Executrix of the **Estate of Betty C. May, deceased**; Affidavit and Waiver of Final Settlement

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

Thomas Simmons, Franklin District, \$7.33

Jarrett Evans, Union District, \$364.42

James & Theresa Bailey, et als, Bethel District, \$132.00

ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:

GENERAL COUNTY FUND:	Check Nos. 34402 – 34454	\$50,968.11
	Payroll – October 2023	\$230,584.82
COAL SEVERANCE FUND:	Check Nos. 200196 - 200199	\$635.95
DOG & KENNEL FUND:	Check No. 450	\$4.50
MAGISTRATE COURT FUND:	Check No. 300207	\$24.00
911 FUND:	Check Nos. 4070 – 4087	\$81,220.03
HOME CONFINEMENT FUND:	Check No. 320	\$438.40
PARKS & RECREATION FUND:	Check Nos. 1396 - 1401	\$2,164.05
PENDLETON CO COMM BLDG FUND:	Check Nos. 1233 – 1235	\$1,261.33

A conference call between the County Commission, Omni Architects, Supreme Court, and Judge Charles Carl was made to discuss the current floor plans for the Courthouse Annex. During review and discussion, some changes were made to the plans. A follow-up conference call was scheduled for Tuesday, November 14, 2023 at 12:30 p.m.

Sheriff Chad Bowers informed the Commission that he had received nine applicants for the court security position. He also stated that they may need to advertise for a chief deputy.

The Commission discussed the health insurance premiums. Highmark Blue Cross Blue Shield submitted a renewal plan with a 7.41% increase in premiums. On motion of Commissioner Dahmer, vote unanimous, the Commission agreed to keep the current plan as is with the County paying 88% of the premium and the employee paying 12%.

There was discussion on the number of hours that the 911 dispatchers must work to keep a status of full-time with benefits. The Commission agreed that in order to keep full-time status and be eligible for benefits, a dispatcher must work 80 hours in a pay period.

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

President