

AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON TUESDAY, OCTOBER 18, 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; LAURA BROWN, EDA DIRECTOR; CHAD BOWERS, SHERIFF; STEVE SMOOT, THE PENDLETON TIMES; TINA EYE; RHETT DUSENBURY, DISTRICT REPRESENTATIVE FOR ALEX X. MOONEY

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

Minutes of the October 4, 2022 meeting of the County Commission on motion of Commissioner Hevener were unanimously approved.

Maintenance:

No major maintenance issues.

Rick Gillespie, Emergency Services Coordinator, reported that all was going smoothly at 911 Center. He and Bruce Minor had participated in two large scale emergency exercises in Hardy and Tucker Counties. The tactical team and 911 Center also participated.

Laura Brown, Economic Development Authority Director, said that Shentel is working on the ECF grant and that the Gig Ready grant has not yet been submitted but should be soon.

The Commission reviewed the revised plans for the Courthouse Annex submitted by Omni Associates. On motion of Commissioner Hevener, vote unanimous, they approved the plans for the Annex and for the ADA ramp.

The Commission signed a resolution for the Pendleton County Economic & Community Development Authority to obtain a grant with a \$30,000 local match for the fiscal year 2022/2023 under the Local Economic Development (LED) grant program.

On motion of Commissioner Hevener, vote unanimous, an application and Resolution for the Records Management and Preservation Grant for personnel to do scanning and indexing in the County Clerk's Office was signed.

On motion of Commissioner Burgoyne, vote unanimous, the Commission approved a General County Budget Revision for fiscal year 2023.

LGSD BFR (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

Person To Contact Regarding Request:
Name: Elise M. White
Phone: 304-358-2505
Fax: 304-358-2473
Email: countyclerk@pencowv.com

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: 1
Rev. No. 2
Pages: 1

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
382	Refunds/Reimbursements (External Sources)	268,436	47,828		316,264
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) 47,828
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	981,998	60,000	1,400	1,040,598
431	Economic Development	105,258	8,166		113,424
801	Mental Health		500		500
809	Water	242,305	39,662		281,967
699	Contingencies	711,952		59,100	652,852
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
NET INCREASE/(DECREASE) Expenditures			47,828		

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

Elise M White 10/18/2022
AUTHORIZED SIGNATURE APPROVAL
OF ENTITY DATE

RESOLUTION

At a regular session of the Pendleton County Commission, held October 18, 2022 the following order was made and entered:

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

The WIC lease agreement for office space in the Pendleton County Community Building (PCCB) for \$90.00 per month for five years was approved on motion of Commissioner Hevener, vote unanimous.

The Commission tabled the approval for the Assessor Supplement based on the Certificate of Compliance for Farm Census until the next meeting to obtain additional information.

On motion of Commissioner Burgoyne, vote unanimous, the Commission approved to renew for one year the Blue Cross Blue Shield Health Insurance and the Health Reimbursement Account for plan year beginning December 1, 2022.

The Sheriff’s monthly financial statement for September 2022 was reviewed.

DATE: 10/04/22 SHERIFF'S ACCOUNTING SYSTEM PAGE: 1
TIME: 15:37:03 BANK BALANCE AS OF 09/30/2022 PROG: SA0068

PENDLETON COMMUNITY BANK	BANK BALANCE	OUTSTANDING CHECKS/DEBITS	OUTSTANDING DEPOSITS/CREDITS	BOOK BALANCE
GENERAL COUNTY CHECKING	2,288,920.04	198,299.00-	22,302.29	2,112,923.33
PENDLETON COUNTY 911	76,651.96	1,940.88-	.00	74,711.08
HOME DETENTION	72,065.11	.00	210.00	72,275.11
RESERVE FOR SPEC EMERG	55,901.99	.00	.00	55,901.99
PARKS & REC	77,555.57	520.01-	.00	77,035.56
PCCB	717.44	.00	.00	717.44
HEALTH REIME	262,946.36	.00	.00	262,946.36
ASSESSOR'S VAL	181,108.87	.00	9,782.30	190,891.17
FINAN STABIL FUND	689,878.54	.00	.00	689,878.54
CONCEALED WEAPONS	16,632.58	400.00-	5.00	16,237.58
SPECIAL LAW ENFORCEMENT	471.64	.00	.00	471.64
AMER RES PLAN ACT	1,154,831.37	.00	.00	1,154,831.37
BOARD OF HEALTH	196,127.99	11,861.63-	1,004.70	185,271.06
CLEARING ACCOUNT	.00	.00	.00	.00
FINANCIAL STAB.-CD 2	607,552.80	.00	.00	607,552.80
FINANCIAL STAB.-MONEY MAR	229,112.85	.00	.00	229,112.85
GENERAL CO 12 MONTH CD	.00	.00	.00	.00
GENERAL CO 6 MONTH CD	.00	.00	.00	.00
GENERAL CO MONEY MARKET	1,946,630.77	.00	.00	1,946,630.77
911 SUPER SAVINGS	592,210.48	.00	.00	592,210.48
911 24 MONTH CD	9,521.70	.00	.00	9,521.70
*** BANK TOTAL ***	8,458,838.06	213,021.52-	33,304.29	8,279,120.83
SUMMIT COMMUNITY BANK	BANK BALANCE	OUTSTANDING CHECKS/DEBITS	OUTSTANDING DEPOSITS/CREDITS	BOOK BALANCE
WORTHLESS CHECK	1,861.90	.00	.00	1,861.90
PEND CO HOUSING	66,648.23	.00	.00	66,648.23
*** BANK TOTAL ***	68,510.13	.00	.00	68,510.13
THE GRANT COUNTY BANK	BANK BALANCE	OUTSTANDING CHECKS/DEBITS	OUTSTANDING DEPOSITS/CREDITS	BOOK BALANCE
CHCB	660.53	.00	.00	660.53
*** BANK TOTAL ***	660.53	.00	.00	660.53
*** COUNTY TOTAL ***	8,528,008.72	213,021.52-	33,304.29	8,348,291.49
CASH ON HAND				200.00
CIR CRT WITNESS				29.80
MAG CRT WITNESS				33.20
*** TOTAL ***				8,348,554.49

ACCOUNT	DESCRIPTION	BEGINNING BALANCE	CURRENT MONTH COLLECTIONS	ORDERS ISSUED	BALANCE PER BOOKS
FUND - 001	GENERAL COUNTY				
301-01-RP-	GC-TAX REPAYMENT	.00	.00	.00	.00
FUND 001 TOTALS		3917684.58	247849.52	253912.69-	3911621.41
FUND - 002	COAL SEVERANCE				
FUND 002 TOTALS		15353.77	.00	1227.06-	14126.71
FUND - 003	DOG AND KENNEL				
FUND 003 TOTALS		6267.60	1587.00	880.20-	6974.40
FUND - 004	GENERAL SCHOOL				
FUND 004 TOTALS		24936.24	3507.36	.00	28443.60
FUND - 005	MAGISTRATE COURT				
FUND 005 TOTALS		3185.56	230.75	473.00-	2943.31
FUND - 006	WORTHLESS CHECK				
FUND 006 TOTALS		1861.73	.17	.00	1861.90
FUND - 007	PEND CO 911				
FUND 007 TOTALS		734882.07	8526.95	66965.76-	676443.26
FUND - 008	HOME DETENTION				
FUND 008 TOTALS		72219.71	420.00	364.60-	72275.11
FUND - 011	RES FOR SPEC EMERG				
FUND 011 TOTALS		55897.39	4.60	.00	55901.99
FUND - 013	BOARD OF PARKS				
FUND 013 TOTALS		79813.66	180.00	2958.10-	77035.56
FUND - 024	PEND CO HOUSING				
FUND 024 TOTALS		66481.15	167.08	.00	66648.23
FUND - 025	CHCB				
FUND 025 TOTALS		229.91	530.00	99.38-	660.53

ACCOUNT	DESCRIPTION	BEGINNING BALANCE	CURRENT MONTH COLLECTIONS	ORDERS ISSUED	BALANCE PER BOOKS
FUND - 026	PCCB				
FUND 026 TOTALS		1141.61	200.56	624.73-	717.44
FUND - 052	HEALTH REIMB				
FUND 052 TOTALS		258166.02	6059.04	1278.70-	262946.36
FUND - 056	ASSESSOR VALUATION				
FUND 056 TOTALS		182262.59	10077.29	1448.71-	190891.17
FUND - 058	FINAN STABIL FUND				
FUND 058 TOTALS		1525144.21	1399.98	.00	1526544.19
FUND - 059	CONCEALED WEAPONS				
FUND 059 TOTALS		16337.58	500.00	600.00-	16237.58
FUND - 073	SPEC LAW ENF INVEST				
FUND 073 TOTALS		471.64	.00	.00	471.64
FUND - 207	AMER RES PLAN ACT				
FUND 207 TOTALS		1173006.37	.00	18175.00-	1154831.37
FUND - 312	CRIMINAL CHARGES				
FUND 312 TOTALS		.00	175.50	175.50-	.00
FUND - 313	COURT REPORTER				
FUND 313 TOTALS		.00	120.00	120.00-	.00
FUND - 314	STATE FINES				
FUND 314 TOTALS		.00	500.00	500.00-	.00
FUND - 315	STATE POLICE				
FUND 315 TOTALS		.00	400.00	400.00-	.00
FUND - 316	STATE CURRENT				
FUND 316 TOTALS		.00	2332.82	2332.82-	.00

ACCOUNT	DESCRIPTION	BEGINNING BALANCE	CURRENT MONTH COLLECTIONS	ORDERS ISSUED	BALANCE PER BOOKS
FUND - 364	TAX LIEN				
	FUND 364 TOTALS	90884.03	.00	.00	90884.03
FUND - 365	DELINQ NONENTERED				
	FUND 365 TOTALS	4823.64	.00	.00	4823.64
FUND - 366	BOARD OF HEALTH				
	FUND 366 TOTALS	208533.97	6954.92	30217.83-	185271.06
FUND - 373	GEN CURRENT EXPENSES				
	FUND 373 TOTALS	.00	175487.15	175487.15-	.00
FUND - 378	FRANKLIN CURRENT				
	FUND 378 TOTALS	.00	5439.17	5439.17-	.00
FUND - 903	CLEARING ACCOUNT				
	FUND 903 TOTALS	.00	20930.56	20930.56-	.00
	FINAL TOTALS	8439585.03	493580.42	584610.96-	8348554.49
	BALANCE IN COUNTY DEPOSITORIES AT END OF MONTH:	8,528,008.72			
	ORDERS/DEBITS OUTSTANDING:	213,021.52-			
	DEPOSITS/CREDITS OUTSTANDING:	33,304.29			
	NET BANK BALANCE	8,348,291.49			
	CASH ON HAND	200.00			
	CIR CRT WITNESS	29.80			
	MAG CRT WITNESS	33.20			
	TOTAL IN COUNTY DEPOSITRIES AND OFFICES:	8,348,554.49			

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 Sept. 2022, 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 October 2022

Chadwick Bowers Sheriff of Pendleton County

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 HEVENER WERE UNANIMOUSLY APPROVED.

United States of America

State of West Virginia



County of Pendleton, ss:

Clerk's Fiduciary Report

Estate from Monday, October 3, 2022, through Monday, October 17, 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, Wednesday, October 5, 2022, the following matters were disposed of in the presence of the Clerk:

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

SANDRA MOATS, who was named in the last will and testament of **BOYD JOSEPH MOATS**, deceased, as **EXECUTRIX** thereof, qualified as such. No bond was required.

On, Tuesday, October 11, 2022, the following matters were disposed of in the presence of the Clerk:

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

LEE ROY EVICK, JR, who was named in the last will and testament of **LEE ROY EVICK**, deceased, as **EXECUTOR** thereof, qualified as such. No bond was required.

On, Wednesday, October 12, 2022, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **JOHN F. BOWERS**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

GREG F. BOWERS, who was named in the last will and testament of **JOHN F. BOWERS**, deceased, as **EXECUTOR** thereof, qualified as such. No bond was required.

On, Friday, October 14, 2022, the following matters were disposed of in the presence of the Clerk:

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

ANN ELLIOTT, who was named in the last will and testament of **BROWNING BOGGS**, deceased, as **EXECUTRIX** thereof, qualified as such. No bond was required.

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

AMBER HEDRICK, who was named in the last will and testament of **ESTYL C. SHREVE**, deceased, as **ADMINISTRATOR** CTA thereof, qualified as such. Bond was 200,000.00.

On, Monday, October 17, 2022, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **PATRICIA WALKER BLILEY**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

SUZANNE STUART WALKER, who was named in the last will and testament of **PATRICIA WALKER BLILEY**, deceased, as **CO EXECUTOR** thereof, qualified as such. No bond was required.

PATRICIA BLACKBOURNE, who was named in the last will and testament of **PATRICIA WALKER BLILEY**, deceased, as **CO EXECUTOR** thereof, qualified as such. No bond was required.

R. CHARLES WALKER, III, who was named in the last will and testament of **PATRICIA WALKER BLILEY**, 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, **BETTY JANE SIMMONS** was appointed and qualified as **ADMINISTRATRIX** of the estate of **JAMES ARTHUR SIMMONS**, deceased. Bond was 500.00.

Elise M. White

Elise M. White
Clerk of the Pendleton County Commission

Monday, October 17, 2022

Confirmed

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

Beverly D., Eye, Executrix of the **Estate of Andrew L. Eye, deceased;** Affidavit and Waiver of Final Settlement

Lorella L. Nelson-Mitchell, Executrix of the **Estate of Donald R. Mitchell, deceased;** Affidavit and Waiver of Final Settlement

The following exonerations and increases were approved on motion of Commissioner Burgoyne, vote unanimous:

Thelma Landis, Union District, \$38.48

ORDERED THAT THE FOLLOWING ALLOWANCES BE MADE PAYABLE OUT OF:

GENERAL COUNTY FUND:	Check Nos. 33476 – 33511	\$65,810.81
COAL SEVERANCE FUND:	Check No. 200133	\$929.25
DOG FUND:	Check No. 439	\$6.30
MAGISTRATE COURT FUND:	Check Nos. 300165 - 300166	\$269.00
911 FUND:	Check Nos. 3850 - 3856	\$40,808.90
HOME CONFINEMENT FUND:	Check Nos. 289 - 290	\$626.50
PARKS & RECREATION FUND:	Check Nos. 1303 - 1304	\$301.76
CLINTON HEDRICK CB FUND:	Check No. 1121	\$29.86
PENDLETON COUNTY CB FUND:	Check No. 1206	\$258.95

Elise White, County Clerk, informed the Commission that the Help America Vote Act (HAVA) grant that had been applied for was denied. The HAVA Grant Board received more requests than the total amount of monies available. They opted to issue grants only to counties that were upgrading from iVotronic voting machines to ExpressVote voting machines.

A snow removal bid was received from Jonathan Simmons. On motion of Commissioner McConnell, vote unanimous, the bid was approved not to exceed \$1,200 per snow removal.

ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER HEVENER, VOTE UNANIMOUS, UNTIL TUESDAY, NOVEMBER 1, 2022.

President