

**AT A COUNTY COMMISSION HELD FOR PENDLETON COUNTY, WEST VIRGINIA, AT THE COURTHOUSE, ON TUESDAY, SEPTEMBER 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; DIANA MITCHELL, 911 DIRECTOR; LAURA BROWN, EDA DIRECTOR; CHAD BOWERS, SHERIFF; NATASHA DYER, THE PENDLETON TIMES; SCOTT SOMERVILLE; DANNY WILBURN**

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

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

Scott Somerville discussed the recent response from the State Attorney General regarding a moratorium. He understands that the steps the County would need to take to create a Planning Commission per the State Code could be time consuming and costly and he agreed with the Commission's decision at the previous meeting to not move forward on this process at this time. He also mentioned alternative ways for the community to raise money to assist with the cost.

Danny Wilburn questioned if a Planning Commission was created, how it may possibly restrict what he could do with his farm. He also inquired if a Planning Commission was needed in this County. Mr. Somerville responded that if it was done properly, a Planning Commission would not be telling residents what they could or could not do on their property.

Maintenance: Only minor issues.

Diana Mitchell, 911 Director, stated that all was well at the 911 Center. She mentioned that in October they would be hosting the State 911 Council meeting for the first time. The meeting will be at the Pendleton County Community Building.

Commissioner Hevener inquired about the road signs and Ms. Mitchell responded that Paul Mallow and Terry Hedrick had been putting up signs.

County Administrator Karen Pitsenbarger reported that the new heating fuel tank has been ordered and the ramp should be completed shortly.

On motion of Commissioner Hevener, vote unanimous, the September Delinquent List was approved.

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 Thursday, August 17, 2023, through Friday, September 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, Wednesday, August 23, 2023, the following matters were disposed of in the presence of the Clerk:

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

**CHARLOTTE L. FEAGANS**, who was named in the last will and testament of **STEPHEN L. FEAGANS**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

*Elise M. White*

Friday, September 1, 2023

Elise M. White  
Clerk of the Pendleton County Commission

Confirmed

Estate: 786

FiduciaryReport

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

Gary D. Puffenbarger, Executor of the **Estate of Ona L. Puffenbarger, deceased**; Affidavit and Waiver of Final Settlement

Larry Day & Carl Day, Co-Executors of the **Estate of Russell Ray Day, deceased**; First & Final Settlement

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

**EXONERATIONS:**

David G. & Dona J. Bennett, Union District, \$299.10  
Billy Huffman, Franklin District, \$123.23  
Charles E. Turner, Bethel District, \$42.16  
Henry Pitsenbarger, Franklin District, \$7.34  
Robert Hedrick, Union District, \$40.29  
Sam Harper, Union District, \$4.07  
Jarrod & Jessica Kile, Union District, \$16.49  
Preston Alt, Mill Run District, \$123.65  
Judy Warner, Circleville District, \$34.70  
William R. & Michelle D. Copley, Bethel District, \$525.14  
Carlton Lynn Warner, Franklin District, \$345.61  
Shalee & Curtis Wilburn, Mill Run District, \$365.44

Commissioner Hevener stated that there would be minor repairs done to the parking lot of the Pendleton County Community Building this week. He said it was a quick fix for now for public safety before the Treasure Mountain Festival next week. The estimated cost would be between \$12,000 - \$15,000.

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

GENERAL COUNTY FUND:	Check Nos. 34267 – 34313	\$60,989.05
COAL SEVERANCE FUND:	Check Nos. 200186 - 200187	\$1,031.73
DOG & KENNEL FUND:	Check No. 448	\$967.50
MAGISTRATE COURT FUND:	Check No. 300203	\$24.00
911 FUND:	Check Nos. 4019 – 4034	\$5,025.22
HOME CONFINEMENT FUND:	Check No. 314	\$200.00
PARKS & RECREATION FUND:	Check Nos. 1376 - 1384	\$3,929.29

ORDERED THAT COMMISSION DO ADJOURN ON MOTION OF COMMISSIONER BENNETT, VOTE UNANIMOUS, UNTIL TUESDAY, SEPTEMBER 19, 2023.

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President