

STATE OF WEST VIRGINIA
RANDOLPH COUNTY COMMISSION SS:

At a regular session of the Randolph County Commission in and for the aforesaid County and State, at the James F. Cain Courthouse Annex, on the 24th day of October, 2017 at 1:30 p.m.

PRESENT: Michael Taylor, President of the Randolph County Commission and Mark Scott, Commissioner thereof. Commissioner Chris See was absent.

Meeting called to order by Commissioner Taylor

PUBLIC COMMENT:

Tom Rennix from the Tygart Valley Homestead Association appeared before the Commission. He said they have been awarded a grant in the amount of \$16,400.00 from the West Virginia Preservation Alliance. This money is to be used for roof repairs at the Homestead School Building. The roof over the gym that was blown off by the March 1st storm has been repaired by Randolph County Board of Education and he understands that they are finishing that up today. He said the money from the grant will be used for other roofs on the school building that is in need of repair. He said with this grant they have to do the work first and then get reimbursed for it. He said the school building has not technically closed yet, due to the failure of the previous administration to follow the proper closure procedures. The current administration will have to go through the entire process of closure all over again with public announcements, public meetings and all. He said it could be January before the building is turned over to them. He said the current administration said there may be a possibility of leasing the building and grounds from them until such time the building is turned over to them at a very low cost lease. Mr. Rennix said they now have a security officer, Mr. Tim Sayre, who is making random night time patrols both inside and outside the building. They have had some problems with vandalism in the past.

Commissioner Scott advised Mr. Rennix that at the last special call session the legislature expanded the historic preservation grants that are being awarded by the State.

Michelle Depp, President of the Randolph County Convention and Visitors Bureau appeared before the Commission. She presented the Commission with a copy of her statement and then she read the statement out loud. (See attached copy)

MINUTES:

Commissioner Scott moved to approve the minutes from the regular meeting that was held on October 5, 2017, as submitted.

All yes – Motion passed unanimously

REPORTS:

North Central Community Corrections Director, Erin Golden appeared before the Commission. She reported to the Commission that there are currently 108 participants

on the program and the program has saved the County \$594,391.75 in regional jail bills so far this fiscal year.

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner Taylor announced that the next County Commission meeting will be held on November 2, 2017 at 1:30 p.m.

ITEMS FOR DISCUSSION/ACTION:

CONSIDER APPROVAL OF FUNDING REQUEST FROM MOUNTAIN ARTS DISTRICT

Josie Cuda from the Mountain Arts District appeared before the Commission. She said since she was here in April they have been very busy working to bring more arts to our area. She said they have been working to make the online website better and they have been doing a lot of rack cards and getting them out to different places. She said one of their artists was invited to do an art exhibit in Lewisburg and he credits the Mountain Arts District for that. She said last year the County Commission gave them \$1,000.00 and they are back to ask for more. She said they have a full time worker and need money to pay him and also they need money to purchase more advertising material. They would like to request \$2,000.00 if possible. She said they have submitted a grant application in the amount of \$10,000.00 and they need a commitment of a cash match also if they grant is awarded to them. She also had Pat Schoonover and Scottie Wiest with her at the meeting. Commissioner Scott said he was glad to hear they are working with the Community Arts Center. Commissioner Scott moved to approve the funding request from the Mountain Arts District in the amount of \$1,000.00 and that is to be taken out of Hotel Motel Tax funds.

All yes – Motion passed unanimously

CONSIDER AMENDMENTS/MODIFICATIONS TO EXISTING RANDOLPH COUNTY HOTEL/MOTEL TAX ORDINANCE - FIRST READING

Commissioner Taylor said this is the first reading of some amendments to the Randolph County Hotel/Motel Tax Ordinance. He said the Randolph County Commission has taken under consideration the amendments of the existing Hotel/Motel Tax Ordinance that was just done in March of 2017. He said this will be the first reading of the proposed changes. The first change being in Section 1.2 which section is the Purpose. The purpose of this order is to levy an occupancy tax on Hotel/Motel rooms located in the unincorporated areas of Randolph County for the following purposes: at least 50% of the net received during the fiscal year by the County pursuant to the requirements of the Code of the State of West Virginia shall be transmitted to a convention and visitor's bureau, this is the change he said, and what is being stricken is the Randolph County Convention and Visitors Bureau, Inc. and added is a convention and visitors bureau located within the County for the promotion of conventions and tourism and if a convention and visitors bureau is located within the County for conventions and tourism and if a convention and visitors bureau is not located within the County then the percentage appropriated required by this subsection shall be appropriated as follows:

any Hotel located within the County may apply to the Randolph County Commission for appropriations of such Hotel or portion of the tax authorized by this article and collected by such Hotel and remitted to the County for uses directly related to the promotion of tourism and travel including advertisement, salaries, travel, office expense, publications and similar expenses. The portion of such tax allocable to such Hotel shall not exceed 75% of the portion of such tax collected and remitted by such Hotel which is required to be expended pursuant to this subsection provided the prior appropriation of any monies to such hotel the Randolph County Commission shall require the submission of and give approval to a budget setting forth the proposed usage of said monies. He said this is number two: If there is more than one convention and visitors bureau located within the County the County Commission may allocate the tax authorized by this ordinance to one or more such bureaus in such portions as the County Commission in its sole discretion determines. He said number three is the balance of net revenue required to be expended by this subsection shall be appropriated to the regional travel council serving the area in which the county is located. The remaining portion of the net revenues receivable during the fiscal year by the county be expended for one or more of the following purposes, and Mr. Taylor said that is the same as it previously was with no changes.

He said in Section 2.1 what is stricken is that convention and visitors bureaus are interchangeable and shall mean, The Randolph County Convention and Visitors Bureau, Inc. and the new wording will be: the convention and visitors bureau and visitors and convention bureau are interchangeable and shall mean a non-stop non-profit corporation with a full time staff working exclusively to promote tourism and to attract conventions, conferences and visitors to Randolph County.

He said under Section 5.1 general procedures and administration subsection b, required expenditures: at least 50% of the net revenue receivable during the fiscal year by the County pursuant to this order shall be transmitted to – what is stricken from the old ordinance is – The Randolph County Convention and Visitors Bureau, Inc. for the promotions of conventions and tourism. He said what is added is a convention and visitors bureau located within the County for the promotion of conventions and tourism and if a convention and visitors bureau is located within the county for the promotion of conventions and tourism if a conventions and visitors bureau is not located within the County then the percentage appropriated by this subsection shall be appropriated as follows: #1 Any hotel located within the County may apply to the Randolph County Commission for an appropriation of such hotel of a portion of the tax authorized by this article and collected by such hotel and remitted to the County for uses directly related to the promotion of tourism and travel including advertising, salaries, travel, office expenses, publication and similar expenses. The portion of such tax allocable to such hotel shall not exceed 75% of that portion of such tax collected and remitted by such hotel which is required to be expended pursuant to the subsection provided that prior to appropriating any monies to such hotel the Randolph County Commission shall require the submission of and give approval to a budget setting for the proposed use of such monies. If there is more than one convention and visitors bureau located within the County or region the County Commission may allocate the tax authorized by the ordinance to one or more of such bureaus in such portion as the County Commission in

its sole discretion determines. The balance of net revenues required to be expended by this subsection shall be appropriated to the regional travel council in the area in which the County is located.

He said this is all of the changes and this is the first reading of the Amendments to the Ordinance.

Commissioner Scott moved to go into executive session with legal counsel, pursuant to WV Code 6-9A.

All yes – Motion passed unanimously

2:07 p.m. Commissioner Taylor said we are returning to regular session with no action taken during executive session.

Commissioner Scott moved to amend the Randolph County Hotel/Motel Tax Ordinance as presented on first reading.

All yes – Motion passed unanimously

DISCUSS/CONSIDER TEMPORARY SUSPENSION OF FUNDING TO THE RANDOLPH COUNTY CONVENTION AND VISITORS BUREAU REGARDING QUESTIONABLE EXPENDITURE OF FUNDS

Commissioner Taylor said as was brought up under public comment earlier, it has come to the attention of the Randolph County Commission and the City of Elkins, who are the main funding agencies for the Randolph County Convention and Visitors Bureau, back in August when we received a report from the convention and visitors bureau it was learned shortly after that, that the CVB had made a considerable expenditure under payroll taxes and benefits to the tune, according to their financial statement of \$238,029.00. This caught the attention of the Randolph County Commission and the City of Elkins as well. He said follow up discussion with the CVB revealed that the money was paid out in benefits to the executive director in the amount of \$125,000.00. He said this caused some questions by the Commission to question the plausibility of such expenditures and raising some questions that we felt that we owe the public to try to get answers to. He said before they move forward, which there will be a motion made, to temporarily suspend the funding to the Randolph County Convention and Visitors Bureau until such time as an inquiry can be made, a joint inquiry if the City of Elkins decides to join, to find out exactly how this came to being and see what direction we go as we move forward what we consider being the fiscal responsibility from the Hotel/Motel Tax.

Commissioner Scott moved that the Randolph County Commission temporarily suspend funding from the county Hotel/Motel Tax revenue to the Randolph County Convention and Visitors Bureau until such time as an inquiry can be conducted regarding an expenditure of \$125,000.00 in excess of the director's salary of the agency.

All yes – Motion passed unanimously

CONSIDER RECOMMENDATION FROM TOWER COMMITTEE REGARDING
BID FOR NEW TOWER CONSTRUCTION ON RICH MOUNTAIN

911/OEM Director, Cindy Hart appeared before the Commission. She said the name of the tower is now the Beverly tower site instead of Rich Mountain. She said they had a mandatory bid meeting on this project and only one company submitted a bid. She said the bid amount was \$466,313.00. The bid was reviewed by the tower committee and everything was accurate and they recommend that the Commission accepts the bid. The total amount of the grant was \$747,363.50 and the balance will be used for other equipment needed for the tower. She said she expects no balance to be remaining. She said they hope to have it completed by May of 2018. Commissioner Scott moved to accept the bid from Premier Construction Group of Jane Lew, WV in the amount of \$466,313.00 for the construction of the Beverly Tower.

All yes – Motion passed unanimously

CONSIDER APPROVAL OF FIDUCIARY COMMISSIONERS
RECOMMENDATION ON THE ESTATE OF PAUL R. BENDER

(See attached copy)

County Clerk, Brenda Wiseman submitted to the Commission a copy of Special Fiduciary Commissioner, Rebecca Judy's recommendation. She said there was a recommendation brought before the Commission a few months ago but at that time there was an objection made. Ms. Judy has investigated further into the estate and the invoices that the Executrix provided and what is being presented is her recommendation at this time. Pauline Bender was present and the Commission asked if she had any objections. She stated that she did not and that she just wanted this over with. Commissioner Scott moved to accept the recommendation from Special Fiduciary Commissioner, Rebecca Judy, as submitted.

All yes – Motion passed unanimously

CERTIFY RESULTS OF SPECIAL ELECTION THAT WAS HELD OCTOBER 7,
2017 (See attached copy)

County Clerk, Brenda Wiseman said the total number of voters for the Special election for the Road Bond was 2,073. She said it was a very low turnout and most of those votes came from early voting. She said we have held the canvass and reviewed all the provisional ballots and this is the final totals that need to be certified and sent to the Secretary of State's Office. Commissioner Scott moved to certify the election results of the special election that was held on October 7, 2017, as submitted.

All yes – Motion passed unanimously

CONSIDER OPENING A SEPARATE ACCOUNT FOR RICH MOUNTAIN TOWER
GRANT

Commissioner Taylor said this is a bookkeeping issue. He said the tower grant of \$747,363.50 is required by the State to be put into a non interest bearing account. The money is currently not where it should be. He said we have another account that we could use which is the 150 account. He said the bookkeeper at the Sheriff's office contacted the State Auditor's office and was told that we could use that account if we cleared it out. He said we already have several dozen checking accounts and he doesn't

think we need another one if we can keep from it. He said the money that is in the 150 account will be deposited into a miscellaneous revenue account and then once that's done the grant money can be placed in that fund. Commissioner Scott moved to table item G for further consideration at this time.

All yes – Motion passed unanimously

SIGNAGE OF VOCA GRANT FOR 2017-2018

Randolph County Prosecuting Attorney, Michael Parker, appeared before the Commission. He presented the Commission with the grant paperwork to be signed. He said this is the 21st year of the grant and that is how many years that Randolph County has applied so they have received this grant every year they have applied for it. The amount of the grant is \$39,436.00 with a required cash match from the County of \$9,859.00. He said in the past year 772 victims were contacted and offered services through his office by the Victim Services Coordinator, Jayne Rawl. He said the 12 month goals from the grant were met and exceeded within 10 months. He said this is certainly money well spent. Commissioner Taylor said they appreciate the work he does and his staff is excellent. Commissioner Scott moved to authorize the County Commission president and the County Clerk to sign the VOCA Grant for fiscal year 2017-2018, as submitted.

All yes – Motion passed unanimously

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

Commissioner Scott moved to approve the 11 final settlements/annual accountings, as submitted.

Lapel Clark Bodkins

Dilbert R. Isner

Leonard Dale Kerns

Evelyn P. Kilduff

Edgar Daustin Kyle

Ruth Louise Moses

William Thomas Parks

Thalia Summers

Daisy Arlene Thompson

Christopher Ray Vance

George D. Yokum

All yes – Motion passed unanimously

BUDGET REVISION: None

ERRONEOUS ASSESSMENTS/DIVISIONS OF PROPERTY:

Commissioner Scott moved to approve the erroneous assessments/divisions of property, as submitted. All yes - Motion passed unanimously

PAYMENT OF BILLS:

Commissioner Scott moved to pay the bills, as submitted.

All yes - Motion passed unanimously

ADJOURN THE MEETING;

Commissioner Scott moved to adjourn the meeting.

All yes - Motion passed unanimously

Attest: _____



The RCCVB continues to market and promote Randolph County, the City of Elkins and the varied tourism entities from our Visitor Center near the entrance to the city. Utilizing her network of connections in the advertising industry, our director continues to create partnerships to maximize the hotel/motel tax revenue to the best advantage of all recipients. When the RCCVB does the job successfully, both the City and County benefit from the portion of the tax that they retain for public projects within the region. Tourism has continued to grow in the region. Marketing and advertising by the RCCVB has increased and we continue to see growth in the industry.

During the course of our operations, it became evident that the growth of the organization is driven by our long-time Executive Director and her skillful and efficient operations. For nearly 29 years, Brenda Pritt has been the executive director of the organization and was the lead in getting it formed in 1990. Her entire career has been focused on generating tourism and stimulating the economy of Randolph County and the city of Elkins.

The organization did not have enough budget to operate solely for many years and thus shared expenses with the Chamber of Commerce until 2005. When the state suggested that CVBs be stand-alone organizations, Brenda continued as full-time executive director for the RCCVB. Year after year she asked our board for benefits, however, the organization could not afford to do so. She worked without health insurance, without retirement, receiving only leave time as a benefit. After 25 of working, we finally were able to begin a retirement account for her with a yearly contribution from the organization.

In 2016, the board recognized that unlike nearly all CVB directors in the state, she was getting closer to retirement and had virtually no ability to retire due to this extreme lack of retirement funding. Brenda has devoted nearly 3 decades of her expertise and talent to our community. She has been financially savvy for the organization and has put away reserve funds for many years. Our board recognized the reserve funds and their investment growth because of her financial acumen. Therefore, we wanted to right a wrong that happened for many years, and give her funds to make up for the 28 years of having no contributions to a retirement fund.

We discussed this as per the agenda in December 2016 which was sent prior to the meeting according to our bylaws. The executive committee discussed this with a local attorney prior to the meeting to ensure that if the Board did vote to approve a sum for the purpose of retirement, that there were no legal constraints. It was also discussed with a local financial and retirement expert who suggested that any amount would need to be as pay with a substantial amount of payroll taxes as a deduction. We knew that approximately 28% of any amount given would be taken in taxes. In our discussion, we factored the 28 years without any retirement funding and it was determined that we would be financially able to fund two payments, one in 2016 and one in 2017.

The vote was proudly unanimous. Brenda is an ex-officio, non-voting member. The board stands proud of our decision to ensure our servant for tourism, the largest industry in our county, has funds so

that one day she may actually get to retire. Just as nearly every CVB funds their full-time employees with retirement, we simply funded ours as well. This standard business practice was a decision that we, as a board and citizens of the county, are proud to have made.

We have been completely transparent with all finances including all expenditures. We have answered all questions related to them. We are very pleased with the work we've done to generate tourism to the county and city. There can be no dispute that our efforts have proved to be successful. Our planning and ability to negotiate advertising rates, partner with other organizations, and dominate our efforts with social media continue to enhance the economic vitality of the region. Our marketing efforts work. Our efforts have been led by our Executive Director, Brenda Pritt, one of the most awarded and respected tourism professionals in the state of West Virginia. Our board stands behind our decisions related to expenditures that some have called into question.

Cuts to our annual budget will negatively impact our ability to maintain marketing and office operations at the current level. The RCCVB has faithfully presented our marketing plan, budget and financial disbursements to the city and county annually and has given an open door to access our accounting of the tax dollars allotted to our organization. We have worked with partnerships within and outside of the county in order to continue to build and grow tourism in our region.

To clarify some points of inaccuracy:

- 1) The President of the CVB did not resign. One of our board members resigned citing personal and professional conflict.
- 2) The Executive Director, Ms. Brenda Pritt, has neither resigned nor retired from her position. She is at this time on medical leave of absence as ordered by her physician.
- 3) Accounting for this transaction was present in our annual review of books by our accountant which was presented in August 2017 to both the City and County at the annual report.
- 4) At a joint meeting of the City, County and CVB we openly and willingly addressed any and all concerns that the governmental bodies presented at that time and welcomed them to audit our books and records for accuracy.

The RCCVB board requests that the City and County clarify the purpose and nature of this suspension of funding and with what documentation the suspension will be lifted and funding returned to the organization. We will fully cooperate with any necessary documentation needed to clear up this matter and return to the business of marketing and promoting the tourism assets of Randolph County and the City of Elkins.

Respectfully,

A handwritten signature in black ink, appearing to read "Michelle Depp". The signature is fluid and cursive, with the first name "Michelle" written in a larger, more prominent script than the last name "Depp".

Michelle Depp, President

And the Executive Committee of the RCCVB

Rebecca A. Judy, Esquire
rebecca@judylawoffice.com



Paige Fisher, Legal Assistant
paige@judylawoffice.com

October 10, 2017

Brenda Wiseman, Clerk
Randolph County Commission
Randolph County Courthouse
2 Randolph Avenue
Elkins, WV 26241

Pauline Bender
Executrix of Estate of Paul Bender
294 Randolph Drive
Beverly, WV 26253

Margaret Jean Robinson
P.O. Box 232
Junior, WV 26275-0232

Paul Bender
P.O. Box 2633
Elkins, WV 26241

Johnny Bender
19 Juliet Lane, Unit 24
Knottingham, MD 21236-1280

Helena Bowrey
PO Box 51
Beverly, WV 26253

Peggy Judy
396 Williams Road
Belington, WV 26250-9803

Buckie Fortney AKA Dave Harlan
53 Chestnut Street
Sisterville, WV 26175-1707

Sandy Moyers
1067 Mountain Turnpike
Hightown, VA 24465

Barbara Ann Barkley
P.O. Box 604
Elkins, WV 26241

RE: **The Estate of Paul R. Bender**
Date of Death: 05/06/2015
Hearing: January 12, 2017
Addendum to Special Fiduciary Commissioner Rulings and Recommendations Dated July 6, 2017

Dear Clerk and Heirs of Paul Bender:

On July 6, 2017, the Ruling of Special Fiduciary Commissioner with Recommendations was submitted to Randolph County Clerk and all heirs. The Randolph County Commission reviewed the Special Fiduciary Commissioner's findings at the July 20, 2017 meeting. During the meeting Ms. Pauline Bender, Executrix, was present and informed the Commissioners that she had found some receipts. She was directed to provide the information to the undersigned for review and for the Special Commissioner to submit an Addendum to the July 6, 2017 Ruling.



Review of Receipts Provided After July 20, 2017 County Commission Meeting

Ms. Bender provided a receipt from Lohr & Barb Funeral Home that showed a payment of \$423.00 on 5/6/15 from Pauline Bender. The payment from Pauline Bender was a check written from Paul Bender's checking account. The initial ruling dated July 6, 2017, stated the last bank statement from Davis Trust Company reflected a balance of \$358.08. (See Exhibit A) This was the balance after the \$423.00 payment was deducted from the account. Therefore, no new receipts have been presented.

After reviewing the information presented at the July 20, 2017 County Commissioner hearing, no new recommendations are being provided. Below are the recommendations as provided on the July 6, 2017 report and reiterated at this time.

Recommendation to Randolph County Commission by Special Fiduciary Commissioner:

Special Fiduciary Commissioner recommends that the Randolph County Commission deny in part and grant in part the first objection filed by Ms. Moyers and Ms. Barkley. The Final Settlement of Receipts and Disbursement that was filed by Ms. Bender on September 18, 2016, was not completely accurate. Special Fiduciary Commissioner revised the Final Settlement of Receipts and Disbursement and attached the revised version to as Exhibit D with the July 6, 2017 ruling. A discrepancy of \$442.76 exists between the cash withdrawn from the Estate account to pay bills and the receipts provided. The discrepancy would have increased the disbursement to Johnny Bender, Peggy Judy, Helen Bowrey, David Harlen, Paul Bender, Margaret Robinson and Sandy Moyer by \$63.26 each.

In the July 6, 2017 Ruling sent to all heirs and the County Clerk an option was provide for the heirs to waive the \$63.26 additional payment if they so desired. That report provided a waiver to be signed and returned to the Special Fiduciary Commissioner. Peggy Judy signed and returned the waiver. On October 11, 2017, Peggy Judy was contacted by Special Fiduciary Commissioner to confirm her waiver of the payout of \$63.26. Peggy Judy verbally confirmed she had signed the form and intended to waive the additional payout.

Therefore, the Special Fiduciary Commissioner is recommending to the County Commission that Pauline Bender pay \$63.26 to Johnny Bender, Helen Bowrey, David Harlen, Paul Bender, Margaret Robinson and Sandy Moyer within 45 days of the County Commission accepting this ruling or within a time period that the County Commission finds acceptable. And provide the Special Fiduciary Commissioner with proof of payment (i.e. copy of a check or money order made payable to each heir).

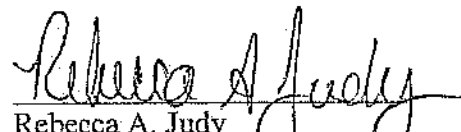
The Special Fiduciary Commissioner recommends that the Randolph County Commission deny the second through sixth objections filed by Ms. Moyers and Ms. Barkley based upon the findings as reported in the July 6, 2017 report.



Notice of Right to Appeal:

The Randolph County Commission will review the Special Fiduciary Commissioner's findings and recommendation at the next scheduled meeting on October 24, 2017 at 1:30 p.m. At that time, the Randolph County Commission will either accept or deny the recommendations of the Special Fiduciary Commissioner. The meeting is an open meeting and you may be present if you so desire.

Please be advised that any parties adversely affected by this ruling has the right to appeal this ruling to the Randolph County Commission and/or the Circuit Court of Randolph County, West Virginia. You are hereby notified that you have certain time constraints for said appeal and you are advised to seek the advice of legal counsel in regard to your appellate rights.


Rebecca A. Judy
Special Fiduciary Commissioner
Randolph County, West Virginia



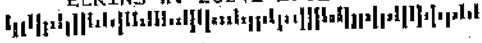
DAVIS TRUST COMPANY

227 Davis Avenue
P.O. Box 1429
Elkins, WV 26241-1429
(304) 636-0991
www.davistrust.com

FINANCIAL SERVICES STATEMENT

COPY

212 1 SP 0.485 *0060212 83
PAUL RICHARD BENDER
PO BOX 1701
ELKINS WV 26241-1701



00000212

DAVIS
1121C00X.001

Statement Date: 06/05/2015 Enclosures: (5) Account No.: 1368181 Page: 1

REGULAR CHECKING SUMMARY

Type: REG Status: Active

Category	Number	Amount
Balance Forward From 05/05/15	5	1,319.97
Debits	3	557.58
Automatic Withdrawals		404.33
Ending Balance On 06/05/15		358.08
Average Balance (Ledger)		573.98*

ELECTRONIC DEBITS

Date	Description	Amount
05/11/15	CREDIT ONE BANK PAYMENT CK # 580	287.81
05/12/15	FRONTIER CITIZEN CHECKPAYMT CK # 576	46.10
05/27/15	MON POWER CHECK PYMT CK # 583	70.42

CHECKS AND OTHER DEBITS

* indicates a gap in the check numbers

Date	Check #	Amount	Date	Check #	Amount	Date	Check #	Amount
05/06/15	575	20.17	05/08/15	581*	17.80	05/21/15	584*	86.49
05/11/15	577*	10.10	05/11/15	582	423.00			

DAILY BALANCE SUMMARY

Beginning Ledger Balance on 05/05/15 was 1,319.97

Date	Balance	Date	Balance	Date	Balance
05/06/15	1,299.80	05/11/15	561.09	05/21/15	428.50
05/08/15	1,282.00	05/12/15	514.98	05/27/15	358.08

OVERDRAFT FEE SUMMARY

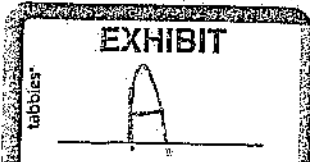
	Total For This Period	Total Year-To-Date
Total Overdraft Fees	0.00	0.00
Total Returned Item Fees	0.00	0.00

Continued



SEE REVERSE SIDE FOR IMPORTANT INFORMATION

0349



PAUL BENDER IYR-+ 09-112015 575
 PH. 331-638-7765
 PO BOX 1701
 ELKINS, WV 26241
 DATE May 5, 2015

PAY TO THE ORDER OF Leadsville PSD Sewer \$ 20.17
Twenty dollars and 17/100 DOLLARS

Davis Trust Company
 277 OAK AVE.
 ELKINS, WV 26241
 MEMO Acct 61052700 Paul Bender

⑆051501134⑆ 13⑈8818⑈1⑆ 000575

Number: 575 Date: 5/6/2015 Amount: \$20.17

PAUL BENDER IYR-+ 09-112015 577
 PH. 331-638-7765
 PO BOX 1701
 ELKINS, WV 26241
 DATE May 5, 2015

PAY TO THE ORDER OF Mountaineer Gas Company \$ 10.10
Ten dollars and 10/100 DOLLARS

Davis Trust Company
 277 OAK AVE.
 ELKINS, WV 26241
 MEMO Acct 61052700 Paul Bender

⑆051501134⑆ 13⑈8818⑈1⑆ 000577

Number: 577 Date: 5/11/2015 Amount: \$10.10

PAUL BENDER IYR-+ 09-112015 581
 PH. 331-638-7765
 PO BOX 1701
 ELKINS, WV 26241
 DATE May 5, 2015

PAY TO THE ORDER OF City of Elkins \$ 17.80
seventeen dollars and 80/100 DOLLARS

Davis Trust Company
 277 OAK AVE.
 ELKINS, WV 26241
 MEMO Acct 61052700 Paul Bender

⑆051501134⑆ 13⑈8818⑈1⑆ 000581

Number: 581 Date: 5/8/2015 Amount: \$17.80

PAUL BENDER IYR-+ 09-112015 582
 PH. 331-638-7765
 PO BOX 1701
 ELKINS, WV 26241
 DATE May 6, 2015

PAY TO THE ORDER OF Lobr + Barb Furnal Homes \$ 423.00
four hundred twenty three dollars and 00/100 DOLLARS

Davis Trust Company
 277 OAK AVE.
 ELKINS, WV 26241
 MEMO Extra veining Paul Bender

⑆051501134⑆ 13⑈8818⑈1⑆ 000582

Number: 582 Date: 5/11/2015 Amount: \$423.00

PAUL BENDER IYR-+ 09-112015 584
 PH. 331-638-7765
 PO BOX 1701
 ELKINS, WV 26241
 DATE May 20, 2015

PAY TO THE ORDER OF Sudden Link \$ 86.49
Eighty six dollars and 49/100 DOLLARS

Davis Trust Company
 277 OAK AVE.
 ELKINS, WV 26241
 MEMO Acct 61051900 Paul Bender

⑆051501134⑆ 13⑈8818⑈1⑆ 000584

Number: 584 Date: 5/21/2015 Amount: \$86.49

0000212

DAVIS

112500X.001

25FDF

CD22



**AFFIDAVIT AND WAIVER OF ADDITIONAL PAYOUT
FROM PAUL R. BENDER ESTATE**

State of West Virginia
County of Randolph, TO WIT;

I Peggy Sue Judy, being first duly sworn, state as follows:

1. I am an heir of the Paul R. Bender Estate.
2. I have received and reviewed Rebecca A. Judy's Special Fiduciary Commissioner's Rulings and Recommendations, dated July 6, 2017.
3. I realize I am entitled to an additional payout of \$63.26 due to failure of Pauline Bender, Executrix of the Estate of Paul R. Bender, to retain the receipts from the expenses of the Estate.
4. I am voluntarily waiving the additional payout.
5. I understand that this waiver is final and absolute. I cannot come back at a later time and request the Randolph County Commissioner to reverse this waiver.

Further, Affiant sayeth naught,

7/18/17

Peggy Judy
Signature of Heir

The foregoing was acknowledged before me, ^{per a telephone call} this 18th day of October, 2017, by Peggy Judy.

My commission expires 6/22/2021.

Rebecca Judy
NOTARY PUBLIC

CERTIFICATE OF ELECTION RESULTS

We, the Board of Canvassers for the County of Randolph, having carefully and impartially examined the returns of the election held in each district of said County on Saturday, October 7, 2017, do hereby certify that the result of the election in said County on the question of the ratification or rejection of the proposed amendment is as follows:

Amendment No. 1: Roads to Prosperity Amendment of 2017

For ratification: 1,499 votes

Against ratification: 574 votes

Total: 2,073 votes

Given under our hands, the Members of the County Commission serving as Board of Canvassers for the County of Randolph, this 24th day of October, 2017.

Michael Taylor
County Commissioner Name (Printed)

Michael M. Taylor
Signature

Christopher See
County Commissioner Name (Printed)

Absent
Signature

Mark Scott
County Commissioner Name (Printed)

Paul
Signature

County Commissioner Name (Printed)

Signature

County Commissioner Name (Printed)

Signature

Brenda Wiseman
County Clerk Name (Printed)

Brenda Wiseman
Signature