Wednesday, December 6, 2023
11:00 A.M.

The Harrison County General Service Building 229 South Third St. you may join and listen via Zoom Conference Call by the following steps. Public participation will be allowed during public comment period and/or scheduled appointments.

Join Zoom Meeting
****
https://us02web.zoom.us/j/7628160712
Dial: 1-646-568-7788
Meeting ID: 762 816 0712
Passcode: 26301

Appointments:

11:00 A.M. --- Call to Order --- Invocation --- Pledge of Allegiance

11:05 A.M. --- Estate Hearing --- Dorothy J. Kehrer --- Remove William G. Kehrer as Excutor

NEW BUSINESS – Action Items for Consideration or Approval:

1. **Public Comment Period**
2. **Consent Agenda**
3. **Payroll Change Notices:**
   - **A. Samantha Elkins --- Resignation --- Prosecuting Attorney --- Effective 12-31-2023**
   - **B. Linda Hausman --- New Hire --- Prosecuting Attorney – Effective 12-28-2023**
   - **C. David Romano --- 2023 Contract --- Prosecuting Attorney --- Effective 11-30-2023**
   - **D. Paul Rasmussen --- Family Medical Leave --- 911**
   - **E. James Copenhaver --- Retirement --- 911 --- Effective 12-24-2023**
4. **Minutes and /or Amended Minutes of Previous Meeting: (NONE)**
5. **Requisitions --- Purchase Orders --- Invoices**
   - **A. Vendor List of Payments**
6. **Exonerations --- Corrective Tickets --- Joint Property Application: (NONE)**
7. **Consideration of Approval of a Project Fund Requisition for the payment of associated with the project to be financed from proceeds of the Series 2019 Bonds for the Charles Pointe Economic Opportunity Development District, Series 2021 A & (Development District No. 3 White Oaks Project No. 2) & Series 2008 A (Charles Pointe Project No. 2 – North Land Bay Improvements:**
8. **Review – Discuss - Consider GSA Update --- (Potential Executive Session Pursuant to 6-9A- 4(b)(9) to Consider Matters Involving or Affecting the Purchase, Sale or Lease of Property, Advance Construction Planning, the investment of Public Funds or Other**

Matters Involving Commercial Competition, which if Made Public, Might Adversely Affect the Financial or Other Interest of The County

9. Review – Discuss – Consider MOU between the Harrison County Commission and the City of Clarksburg
10. Review-Discuss-Consider Approval and signature of Incumbency Forms authorizing MuniCap to perform TIF related administrative functions on behalf of the Commission.
    A. - Incumbency Certificate 1 is for Series 2008 A&B, and Series 2019 A&B.
    B. - Incumbency Certificate 2 is for Series 2021 A&B
11. Administrator's Report
12. Commissioner Comments – Questions

CONSENT AGENDA - (NOTE: Items May Require Discussion, Review and/or Action)

A. Weekly Fiduciary Report from the County Clerk
    1. 11-22-2023 thru 11-28-2023
B. Monthly Fiduciary Commission Settlements:
    1. Melba Jo Harmer --- Deceased
    2. Nella Marlene Thomas --- Deceased
    3. Geneva Alberta Baker --- Deceased
    4. William Brent Bennett --- Deceased
C. Monthly Minutes/Financial Information from Various Boards, Committees and Public Service
    1. Bingamon PSD --- Meeting Minutes --- 10-06-2023
    2. Eastern Gas Transmission and Storage --- Pipeline Information

TABLED ITEMS - - Items May Require Discussion and /or Approval

T-1. Thrasher being Engineer of record for the Rail Trail and the Agreement (03-22-2023)

Harrison County
10/16/2023 @ 02:02:37 PM
9:05 A.M
12-06-23

John R. Spires

Harrison County Clerk

301 W. Main Street

Clarksburg, WV 26301

9/28/23

Re: Request for Hearing In the Matter of Estate of Dorothy J. Kehrer

William G. Kehrer, Executor

Dear Clerk Spires:

I, Albert P. Kehrer, am interested in the Estate of Dorothy J. Kehrer as her son and as beneficiary under her Last Will and Testament. My siblings (listed below) are other interested persons and beneficiaries of her Estate, including William G. Kehrer who was appointed as Executor of her Estate. Mrs. Kehrer died a resident of Harrison County on September 1, 2022, and her Will is recorded in Will Book No. 209 at page 835. William G. Kehrer has breached his fiduciary duties as Executor and it is in the best interest of the Estate and its beneficiaries that the Harrison County Commission remove William G. Kehrer as Executor and appoint myself, Albert P. Kehrer as Executor in accordance with Article VI of her Will. Upon information and belief, my siblings will join in this request to remove William G. Kehrer as Executor.

The reasons for removing William G. Kehrer as

Executor, include but are not limited to: failure to keep the Estate beneficiaries adequately informed so they may protect their interests; failure to properly marshal, protect and preserve Estate assets; failure to list valuable Estate assets on the Appraisement and Non-probate Inventory Forms for the Estate which are incorrect and contain obvious errors or mistakes; refusal to provide beneficiaries with Non-Probate Inventory of the Estate as required by the West Virginia Code despite repeated requests from beneficiaries; and failure to file certified copies of probate record in Ritchie County where valuable real property interests are located. Also, upon information and belief, William G. Kehrer has used Estate assets for his personal benefit or other improper uses, neglected and/or mismanaged Estate assets, misrepresented that the beneficiaries authorized him to sell Estate assets to himself and misappropriation of Estate funds.

Thus, the undersigned respectfully request that the Harrison County Commission:

1. Schedule a hearing to hear cause for removing William G. Kehrer as Executor of the Estate of Dorothy J. Kehrer;

2. Deny commissions to William G. Kehrer as Executor;

3. Enjoin William G. Kehrer from auctioning the tangible personal property of Dorothy J. Kehrer without written approval from the Estate's beneficiaries;

4. Enjoin William G. Kehrer from distributing, dissipating or devaluing the real and personal property of the Estate of Dorothy J. Kehrer, and the personal property of the beneficiaries located on the property of the Estate of Dorothy J. Kehrer, including such located at 154 Trolley Car Lane, Clarksburg, West Virginia and at Ritchie County, West Virginia;

5. Enjoin William G. Kehrer from using Estate funds to employ

legal counsel to defend his removal as Executor;

6. Require William G. Kehrer to pay all costs associated with removal proceeding.

Thank you for your prompt attention and setting this matter for hearing before the Harrison County Commission as soon as possible. You may contact me at (304) 677-9481.

Sincerely,

Albert P. Kehrer

Albert P. Kehrer

Children and Beneficiaries of Dorothy J. Kehrer:

William G. Kehrer: Address 316 Sumner St Clarksburg, WV 26330;
Phone: 1-502-482-0017
Frank E. Kehrer 201 Teter Heights Rd Buckhannon, WV 26201:
Phone: 304-472-7475
Albert P. Kehrer: Address 628 Lawman Ave Bridgeport, WV 26330;
Phone: 304-677-9481
Dianna K. Urse: Address 61 Kimberly Circle Fairmont, WV 26554;
Phone: 304-216-0812
Doris Curley: Address 8829 Ramsbury Way Wilmington, NC 28411;
Phone: 1-703-475-3966

3-A

PAYROLL CHANGE NOTICE

DATE OF CHANGE	EMPLOYEE #	SOCIAL SECURITY NO
12.31.23		| | |-| | |-| | | |

NAME	ADDRESS
Samantha Elkins	

PHONE	CITY/STATE/ZIP	DEPARTMENT	SHIFT

THE CHANGE(S):

✓ All Applicable Boxes	FROM	TO
☐ DEPARTMENT		
☐ JOB		
☐ SHIFT		
☐ RATE		
☐ ADDRESS/PHONE		
☐ BENEFIT PLAN		
☐ OTHER _____	N-1	Ø
☐ OTHER _____		

THE REASON FOR THE CHANGE(S):

- ☐ HIRED
- ☐ RE-HIRED
- ☐ PROMOTION
- ☐ DEMOTION
- ☐ TRANSFER
- ☐ MERIT INCREASE
- ☐ WAGE SCALE CHANGE
- ☐ PROBATIONARY PERIOD COMPLETED
- ☐ LENGTH OF SERVICE INCREASE
- ☐ RE-EVALUATION OF EXISTING JOB
- ☒ RESIGNATION
- ☐ RETIREMENT
- ☐ LAYOFF
- ☐ DISCHARGE
- ☐ LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)

TYPE OF LEAVE _____

☐ OTHER (Explain)_____

AUTHORIZATION:

EMPLOYEE SIGNATURE	DATE
SUPERVISOR SIGNATURE Paul Romano	DATE 11-30-23
HUMAN RESOURCES MANAGER	DATE

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Amsterdam

3-B

PAYROLL CHANGE NOTICE

DATE OF CHANGE	EMPLOYEE #	SOCIAL SECURITY NO
12-28-23		| | |-| | |-| | | | |

NAME	ADDRESS
Linda Hausman	

PHONE	CITY/STATE/ZIP	DEPARTMENT	SHIFT

THE CHANGE(S):

✓ All Applicable Boxes	FROM	TO
☐ DEPARTMENT		
☐ JOB		
☐ SHIFT		
☐ RATE		
☐ ADDRESS/PHONE		
☐ BENEFIT PLAN		
☒ OTHER _____	O	N-3
☐ OTHER _____		

THE REASON FOR THE CHANGE(S):

☒ HIRED	☐ PROBATIONARY PERIOD COMPLETED
☐ RE-HIRED	☐ LENGTH OF SERVICE INCREASE
☐ PROMOTION	☐ RE-EVALUATION OF EXISTING JOB
☐ DEMOTION	☐ RESIGNATION
☐ TRANSFER	☐ RETIREMENT
☐ MERIT INCREASE	☐ LAYOFF
☐ WAGE SCALE CHANGE	☐ DISCHARGE

☐ LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)

TYPE OF LEAVE _____

☐ OTHER (Explain) New Hire

AUTHORIZATION:

EMPLOYEE SIGNATURE	DATE
SUPERVISOR SIGNATURE Rachel Romano	DATE 1-30-23
HUMAN RESOURCES MANAGER	DATE

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3-C

PAYROLL CHANGE NOTICE

DATE OF CHANGE	EMPLOYEE #	SOCIAL SECURITY NO
11-30-23		| | |-| | |-| | | | |
NAME David Romano		ADDRESS
PHONE	CITY/STATE/ZIP	DEPARTMENT / SHIFT

THE CHANGE(S):

✓ All Applicable Boxes	FROM	TO
☐ DEPARTMENT		
☐ JOB		
☐ SHIFT		
☐ RATE		
☐ ADDRESS/PHONE		
☐ BENEFIT PLAN		
X OTHER _____		$1,200.00
☐ OTHER _____		

THE REASON FOR THE CHANGE(S):

- ☐ HIRED
- ☐ RE-HIRED
- ☐ PROMOTION
- ☐ DEMOTION
- ☐ TRANSFER
- ☐ MERIT INCREASE
- ☐ WAGE SCALE CHANGE
- ☐ PROBATIONARY PERIOD COMPLETED
- ☐ LENGTH OF SERVICE INCREASE
- ☐ RE-EVALUATION OF EXISTING JOB
- ☐ RESIGNATION
- ☐ RETIREMENT
- ☐ LAYOFF
- ☐ DISCHARGE
- ☐ LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)

TYPE OF LEAVE _____

X OTHER (Explain) 2023 Contract Pay

AUTHORIZATION:

EMPLOYEE SIGNATURE	DATE
SUPERVISOR SIGNATURE David Romano	DATE 11.30.23
HUMAN RESOURCES MANAGER	DATE

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3-E

PAYROLL CHANGE NOTICE

DATE OF CHANGE	EMPLOYEE #	SOCIAL SECURITY NO
12/24/2023		
NAME: James Copenhaver		ADDRESS
PHONE	CITY/STATE/ZIP	DEPARTMENT: 712 / SHIFT

THE CHANGE(S):

✓ All Applicable Boxes	FROM	TO
☐ DEPARTMENT		
☐ JOB		
☐ SHIFT		
☐ RATE		
☐ ADDRESS/PHONE		
☐ BENEFIT PLAN		
☐ OTHER _____		
☐ OTHER _____		

THE REASON FOR THE CHANGE(S):

- ☐ HIRED
- ☐ RE-HIRED
- ☐ PROMOTION
- ☐ DEMOTION
- ☐ TRANSFER
- ☐ MERIT INCREASE
- ☐ WAGE SCALE CHANGE
- ☐ PROBATIONARY PERIOD COMPLETED
- ☐ LENGTH OF SERVICE INCREASE
- ☐ RE-EVALUATION OF EXISTING JOB
- ☐ RESIGNATION
- X RETIREMENT
- ☐ LAYOFF
- ☐ DISCHARGE
- ☐ LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)

TYPE OF LEAVE _____

☐ OTHER (Explain) Retirement effective 12/24/2023 unused sick+vacation towards retirement

AUTHORIZATION:

EMPLOYEE SIGNATURE	DATE
SUPERVISOR SIGNATURE	DATE
HUMAN RESOURCES MANAGER [signature]	DATE 12/4/2023

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Date of Meeting	6-Dec-23	Invoice - Quote									
Department Name	Vendor Name	Description Note	General County Fund	E-911	Vital Services Levy Fund	Community Corrections	Community Improvement Fund	ARPA Fund	QUOTES	Other as Needed
County Commission	Frontier	Service Courthouse	$671.44							
County Commission	Hope Gas	Various Locations	$1,248.99							
County Commission	Unline	Chair Mats	$6,153.89							
County Commission	Fedex	Postage	$60.78							
County Commission	State Electric	Maintenance Supplies	$356.11							
County Commission	Frontier	Statewide computer	$57.43							
County Commission	Upshur Agency	Appraisal	$1,500.00							
County Commission	A-1 Exterminating	Pest Control	$173.25							
County Commission	A-1 Exterminating	Pest Control	$180.00							
County Commission	A-1 Exterminating	Pest Control	$210.00							
County Commission	Hart Office Solutions	Copier Rental	$49.09							
County Commission	MonPower	Service Extension Office	$190.62							
County Commission	MonPower	V A Rail Trail	$128.07							
County Commission	MonPower	Various Locations	$1,634.39							
County Commission	Visual Edge	Copier Rental	$279.95							
Maintenance	Sandys	Supplies	$120.01							
Maintenance	WV Outdoor Power	Supplies	$88.42							
Gina Jones	Anmoore EMS	Allotment Nov. 2023			$7,211.04					
Gina Jones	Bridgeport Fire Depart.	Allotment Nov. 2023			$4,734.96					
Gina Jones	Harrison County EMS	Allotment Nov. 2023			$20,742.60					
Gina Jones	Nutter Fort VFD	Allotment Nov. 2023			$5,799.24					
Gina Jones	City of Salem	Allotment Nov. 2023			$3,388.32					
911 Center	U S Cellular	Cell Phone & Data Service			$1,094.80					
911 Center	Lowes	Air Filters			$22.68					
911 center	Lowes	Supplies			$74.99					
911 Center	R D Wilson	Supplies			$18.02					
911 Center	J T Martin	Fire Extinguishers			$108.88					
911 Center	Mon Power	Grafton Tower		$347.77						
911 Center	APCO International	Re-Certification		$30.00						
911 Center	Frontier	Service		$770.22						
911 Center	Hart Office Solutions	Copier Rental		$171.74						
911 Center	Hart Office Solutions	Copier Rental		$181.25						
911 Center	State Electric	Light Bulbs			$308.04					
911 Center	State Electric	Supplies			$64.58					
911 Center	Megan Rowand	Reimbursement		$46.02						
Animal Control	Audubon Animal Clinic	Services			$385.57					
Animal Control	Mon Power	Animal Control			$184.03					
Planning Department	Derek R. Molen	Appraisal Reports								$8,000.00
OEM	U S Bank	Custom Challenage Coins			$578.00					
County Clerk	The Exponent Telegram	Legal Ad	$216.68							
Sheriff & Treasurer	Stationer	Supplies	$217.70							
Sheriff & Treasurer	Truist Bank	Various Charges	$2,236.48							

5A

Date of Meeting	6-Dec-23	Invoice - Quote								
Department Name	Vendor Name	Description Note	General County Fund	E-911	Vital Services Levy Fund	Community Corrections	Community Improvement Fund	ARPA Fund	QUOTES	Other as Needed
Home Confinement	Canon Financial Service	Copier Rental				$218.01				
Community Corrections	Hart	Copier Rental				$371.00				
Law Enforcement	Curtis Diaz	Reimbursement	$160.00							
Law Enforcement	Optimum	Internet	$156.02							
Law Enforcement	AT & T	LPR & Equipment	$120.72							
Law Enforcement	Robins Perfect Fit	Uniform Alterations	$80.00							
Law Enforcement	Truist Bank	Meal	$9.83							
Law Enforcement	Truist Bank	Meals, Fuel, Travel	$1,138.85							
			$17,438.72	$1,547.00	$44,715.75	$589.01	$0.00	$0.00		$8,000.00
					Grand Total :	$72,290.48				

_____ _____

DATE

_____ _____

DATE

_____ _____

DATE

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is hereby entered into by and between the Harrison County Commission ("County") and the City of Clarksburg ("City"), referred to jointly as the "Parties," which sets forth the intergovernmental agreement for the County to administer the City's regularly scheduled elections concurrently with the statewide primary elections as set forth in Chapter 3 of the West Virginia Code, or both as agreed in this MOU, as authorized by West Virginia Code §§ 3-1-31 and 8-5-5.

WHEREAS, the County, through its County Clerk, is responsible for the administration of statewide elections in the County;

WHEREAS, the City, through its City Clerk, is currently responsible for the administration of its municipal elections;

WHEREAS, the City desires for the County to administer its regularly scheduled municipal elections concurrently with the statewide primary elections;

WHEREAS, the City has satisfied its obligations to amend its Municipal Charter pursuant to West Virginia Code § 8-5-5(b) to establish its Municipal Election Date(s) on the same day as a regularly scheduled statewide primary;

WHEREAS, the City has scheduled its elections for every two years to be held on the same day as a regularly scheduled statewide primary;

WHEREAS, the City has satisfied its obligations to align its municipal voting precinct boundaries in the City, if any, with the voting precinct boundaries established by the County pursuant to West Virginia Code § 8-5-5(b), and the County has aligned the County voting precinct boundaries with the City boundaries pursuant to West Virginia Code § 3-1-5(b).

THEREFORE, the Parties hereto agree to the following:

TERMS AND CONDITIONS

1. The County shall concurrently hold the City general election concurrently with the regularly scheduled statewide primary election in even-numbered years on a two year basis beginning with the regularly scheduled statewide primary election scheduled for May 7, 2024.

2. The City shall share in the administrative costs of the County holding the City's regularly scheduled election(s), which costs shall not exceed the Municipalities' *pro rata* share of voters registered in the City compared with the total registered voters in the County pursuant to West Virginia Code § 8-5-5(i). The City's maximum *pro rata* share in the administrative costs of the election is calculated as follows:

$$\frac{\text{(City total reg. voters)}}{\text{(County total reg. voters)}} = _Y_\%$$

$$_Y_\% \times \text{(total cost of election)} = \text{City's total maximum share in the election costs}$$

3. The expected administrative costs are the costs of the poll workers for precincts located within the City's municipal limits. The City shall pay for one-half of the costs of such poll workers. Such expense is limited by Section 2 and the maximum *pro rata* share.

4. The County shall not charge any other administrative costs associated with the election, such as costs of mailing absentee ballots. The Parties acknowledge that the reason for foregoing such costs is that the County would incur such costs regardless of the City election.

5. The City shall pay any and all administrative costs and expenses incurred by the County in connection with a challenge to or recount of a City election, and the City shall fully indemnify and defend the County in any and all such proceedings, whether judicial, administrative or otherwise.

6. The County shall be responsible for selecting poll workers, election commissioners, and other temporary election workers for each election, as permitted by law following the submission of the lists of election workers by county political party executive committees pursuant to West Virginia Code § 3-1-30.

7. The City Clerk for the City shall be the office to which Candidate Certificates of Announcement and associated filing fees shall be filed, subject to the following:

    a. The City shall retain all filing fees for its elections.

    b. The City Clerk shall deliver, and the County shall receive (through the County Clerk), all Candidate Certificates of Announcement within three business days following the close of the filing period, all Write-In Certificates of Announcement within three business days following the close of the Write-In filing period, all appointments to fill vacancies in nomination or on the ballot within three business days following the close

of the appointment period, and all official Candidate Withdrawal Form within three business days following the close of the withdrawal period.

8. The City Clerk shall collect all financial disclosures from candidates for City offices and review and file all financial disclosures according to West Virginia law. The City shall fully indemnify and defend the County in relation to all City financial disclosures reviewed and filed by the City, and any challenges and/or proceedings, judicial, administrative, or otherwise, which relate to City candidate financial disclosures.

9. Except for publication of the Sample Ballot, which shall be the duty of the County as required by law, the County and City shall be separately and solely responsible for all notices required by any applicable law and neither Party shall be responsible for publishing any notice required by the other Party including but not limited to notice concerning proposed levies or levy renewals, public hearings concerning charter amendments or ordinances, or other legal advertisements, unless otherwise agreed in a subsequent writing between the Parties. So that the public interest is served in avoiding confusion in the election process, the County and City agree to coordinate as to public notices and the publication of public notices.

10. The County's Board of Ballot Commissioners shall prepare, proof, and approve the official ballot to be administered to City voters as required by law for any elections held by the County in accordance with this MOU. Notwithstanding the foregoing, the City shall have its City Clerk and City Manager review and approve that portion of the ballot that relates to the City's elections prior to approval by the County's Board of Ballot Commissioners. The City shall fully indemnify and defend the County in relation to all City official ballots reviewed and approved by the City, and any challenges and/or proceedings, judicial, administrative, or otherwise, which relate to an official City approved ballot.

11. The County shall hold the drawing for order/place on the ballot for candidates for City offices.

12. The County, under the authority of the County Clerk as provided in West Virginia Code § 3-3-1 *et seq*., shall be the official filing office for all Absentee Ballot Applications submitted by City voters, and shall be responsible for reviewing and issuing all Absentee Ballots to applicants.

13. The County Board of Canvassers shall superintend and conduct the Canvass for all elections, including Municipal elections held concurrently with the regularly scheduled statewide primary or general elections, or both as agreed in this MOU, and shall declare and certify the results of said election(s) as provided by law.

14. The County Board of Canvassers shall conduct any recount and contest filed by any City candidate or voter, as the case may be and as permitted by law.

15. The County will provide for early voting in the same manner as for other elections.

16. Nothing in this MOU shall terminate any legal obligations of the Parties concerning the administration of any election except as otherwise expressly herein provided and agreed.

CITY OF CLARKSBURG

_____

By Tiffany Fell
Its City Manager

HARRISON COUNTY COMMISSION

_____

By Laura Pysz
Its County Administrator

10-A

MUNICAP, INC.
PUBLIC FINANCE

November 21, 2023

Attn: Michelle Tonkin
Harrison County, West Virginia
301 West Main Street
Clarksburg, WV 26301

RE: United Bank Incumbency Certificate/Digital Authentication Authorized Callbacks Form for the Senior Tax Increment Refunding Revenue Bonds, Series 2021 A Tax Exempt and the Subordinate Tax Increment Revenue Bonds, Series 2021 B Taxable (Development District No. 3 – White Oaks)

Ms. Michelle Tonkin:

MuniCap, Inc. has been retained as the Administrator by the County Commission of Harrison County, West Virginia (the "County Commission") for services related to the administration of the Senior Tax Increment Refunding Revenue Bonds, Series 2021 A Tax Exempt (Development District No. 3 – White Oaks)(the "Series 2021 A Bonds") and the Subordinate Tax Increment Revenue Bonds, Series 2021 B Taxable (Development District No. 3 – White Oaks)(the "Series 2021 B Bonds" and, together with the Series 2021 A Bonds, the "Series 2021 Bonds").

MuniCap is requesting the attached form be signed by the County Commission, authorizing MuniCap to provide direction of the funds on deposit at United Bank (the "Trustee") with relation to the Series 2021 Bonds on the County Commission's behalf, when necessary, to the Trustee. This form also provides the Trustee with MuniCap contact information, in the event MuniCap or the Trustee will need to communicate in relation to the Series 2021 Bonds.

MuniCap will not provide monetary direction of funds or request information from the Trustee outside of the permissions set by the Series 2021 Bond documents unless directed by the Commission.

MuniCap, Inc.
The Administrator

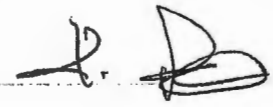
By: _____
Patrick Kennedy
Director

Attachment: Incumbency Certificate/Digital Authentication Authorized Callbacks

INCUMBENCY CERTIFICATE / DIGITAL AUTHENTICATION
AUTHORIZED CALLBACKS

The undersigned, _____, being the _____ of _____ (the "Company") does hereby certify that (1) the undersigned has full authority to execute this letter agreement on behalf of the Company, (2) the Company officers listed below (the "Authorized Officers") are qualified and acting officers of the Company, (3) the signature appearing below the name of each such officer is a true specimen of the genuine signature of such officer, (4) the email address and the phone numbers provided below by the Company with respect to each such officer are in fact the email address and phone numbers of each such officer, and (5) such officers have the authority to provide written direction/confirmation and receive callbacks at the office phone numbers noted below and to execute documents to be delivered to, or upon the request of United Bank ("United"). United Bank may rely conclusively upon the certification of authority of the Authorized Officers named in this Certificate in connection with all corporate trust transactions to which the Company is a party with United Bank until such time as the Company (I) expressly revokes this Certificate in writing or (ii) provides a revised Certificate; in order to be effective, either must be delivered to United Bank at the address or addresses provided in the related transaction governing documents.

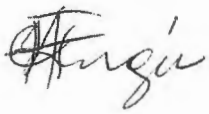
Authorized Officers:

First Name*	Keenan	**Last Name***	Rice
Job Title*	President	**Office Phone***	(443) 539-4102
Work Email*	keenan.rice@municap.com	**Mobile Phone****	(443) 286-0796
Signature*			

First Name*	Emily	**Last Name***	Metzler
Job Title*	Executive Vice President/CCO	**Office Phone***	(443) 539-4112
Work Email*	emily.metzler@municap.com	**Mobile Phone****	(724) 462-5053
Signature*			

First Name*	Molly	**Last Name***	Dearstine
Job Title*	Executive Vice President	**Office Phone***	(443) 539-4114
Work Email*	molly.dearstine@municap.com	**Mobile Phone****	(443) 812-2322
Signature*			

To add additional Authorized Officers, please copy and paste the table above.

First Name*	Charles	**Last Name***	Kungu
Job Title*	Vice President	**Office Phone***	(443) 539-4103
Work Email*	charles.kungu@municap.com	**Mobile Phone****	(443) 414-4053
Signature*			

First Name*	Kathy	**Last Name***	Lovaas
Job Title*	Director	**Office Phone***	(443) 539-4118
Work Email*	Kathy.Lovaas@municap.com	**Mobile Phone****	(410) 302-6263
Signature*			

To add additional Authorized Officers, please copy and paste the table above.

First Name*	Patrick	**Last Name***	Kennedy
Job Title*	Director	**Office Phone***	(412) 520-8363
Work Email*	Patrick.Kennedy@municap.com	**Mobile Phone****	(724) 561-4456
Signature*			

First Name*	Eric	**Last Name***	Mitzel
Job Title*	Director	**Office Phone***	(443) 539-4106
Work Email*	eric.mitzel@municap.com	**Mobile Phone****	(412) 512-2764
Signature*			

To add additional Authorized Officers, please copy and paste the table above.

First Name*	Christen	**Last Name***	Faubel
Job Title*	Manager	**Office Phone***	(804) 332-5662
Work Email*	Christen.Faubel@municap.com	**Mobile Phone****	(910) 899-2330
Signature*			

First Name*	Jason	**Last Name***	Jee
Job Title*	Manager	**Office Phone***	(443) 539-4117
Work Email*	Jason.Jee@municap.com	**Mobile Phone****	(443) 946-7985
Signature*			

To add additional Authorized Officers, please copy and paste the table above.

In witness whereof, the undersigned has duly executed and delivered this Certificate as of the date set forth below:

Attesting Officer Signature***

Attesting Officer Title*

Attesting Officer Phone*

Attesting Officer Work Email*

Date*

**All fields marked with an asterisk must be completed.*

***Required if using Digital Authentication to approve transactions. The Company and/or the Authorized Officer shall be responsible for any charges assessed by the Authorized Officer's cell phone provider.*

****Note that the Attesting Officer may not also be listed as an Authorized Officer above unless (i) the transaction governing documents establish the Attesting Company Officer's authority to provide instructions and (ii) this Certificate is notarized.*

10-B

MUNICAP, INC.
PUBLIC FINANCE

November 21, 2023

Attn: Michelle Tonkin
Harrison County, West Virginia
301 West Main Street
Clarksburg, WV 26301

RE: UMB Bank Incumbency Certificate for the Tax Increment Revenue and Refunding, Series 2008A and 2008B Bonds, Special District Excise Tax Revenue and Improvement Series 2019A Bonds, and Subordinate Special District Excise Tax Revenue and Refunding Series 2019B Bonds (Charles Pointe Economic Opportunity Development District)

Ms. Michelle Tonkin:

MuniCap, Inc. has been retained as the Administrator by the County Commission of Harrison County, West Virginia (the "County Commission") for services related to the administration of the Tax Increment Revenue and Refunding Bonds, Series 2008A and 2008B (the "Series 2008 Bonds"), Special District Excise Tax Revenue and Improvement Bonds, Series 2019A (the "Series 2019A Bonds"), and Subordinate Special District Excise Tax Revenue and Refunding Bonds, Series 2019B (the "Series 2019B Bonds" and, with the Series 2008 Bonds and Series 2019A Bonds, the "Bonds").

MuniCap is requesting the attached form be signed by the County Commission, authorizing MuniCap to provide direction of the funds on deposit at UMB Bank (the "Trustee") with relation to the Bonds on the County Commission's behalf, when necessary, to the Trustee. This form also provides the Trustee with MuniCap contact information, in the event MuniCap or the Trustee will need to communicate in relation to the Bonds.

MuniCap will not provide monetary direction of funds or request information from the Trustee outside of the permissions set by the Bond documents unless directed by the Commission.

MuniCap, Inc.
The Administrator

By: _____
Patrick Kennedy
Director

Attachment: Incumbency Certificate

INCUMBENCY CERTIFICATE

The County Commission of Harrison County, West Virginia

The undersigned, a duly authorized officer of the County Commission of Harrison County (the "Company") HEREBY CERTIFIES that the persons whose names, titles and signatures appear below are duly qualified and acting representatives of the Company on the date hereof. Each holds the office set forth beside his\her name, and the signature appearing opposite his\her name is the genuine signature of such representative. Each is authorized to act on behalf of the Company with respect to all matters requiring the direction, consent or other action of the Company.

Name	Title	Signature
Keenan Rice	President	
Emily Metzler	Executive Vice President	
Molly Dearstine	Executive Vice President	
Charles Kungu	Vice President	
Kathy Lovaas	Director	
Patrick Kennedy	Director	
Eric Mitzel	Director	
Christen Faubel	Manager	
Jason Jee	Manager	

IN WITNESS WHEREOF, the undersigned has executed this Certificate for and on behalf of the Company on this ___ day of _____, 2023.

By:_____

Title:_____

A-1

United States of America

State of West Virginia **County of Harrison, ss:**

Clerk's Fiduciary Report

Estate from Wednesday, November 22, 2023, through Tuesday, November 28, 2023

The County Commission of Harrison County this day proceeded to examine the report of the Clerk of the Commission of the Fiduciary and Probate matters had before his 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, November 27, 2023, the following matters were disposed of in the presence of the Clerk:

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

ROBERT ALLEN RINEHART, who was named in the last will and testament of **ELIZABETH DORREEN RINEHART**, deceased, as 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, **CURTIS MANUEL SHORT** was appointed and qualified as ADMINISTRATOR of the estate of **MARY LOUCILLE SHORT**, deceased. Bond was 50,000.00.

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

STEPHEN M DUNN, who was named in the last will and testament of **REBECCA LOU DUNN**, deceased, as ANCILLARY ADMINISTRATOR thereof, qualified as such. No bond was required.

On, Tuesday, November 28, 2023, the following matters were disposed of in the presence of the Clerk:

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

MICHAEL C HARRIS, who was named in the last will and testament of **ROBERT EURIS HARRIS**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

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

JAMES EDWARD GIFFORD, who was named in the last will and testament of **PATRICIA ANN GIFFORD**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

John R Spires
Clerk of the Harrison County Commission

Wednesday, December 6, 2023

Confirmed

B-1

IN THE COUNTY COMMISSION OF HARRISON COUNTY, WEST VIRGINIA

STEVE HANING and GARY KERNS,
CO-ADMINISTRATORS, c.t.a., d.b.n
OF THE ESTATE

OF /// **REPORT OF CLAIMS**
AND
WAIVER OF FINAL SETTLEMENT

MELBA JO HARMER, DECEASED

TO THE HONORABLE COUNTY COMMISSION OF HARRISON COUNTY, WEST VIRGINIA:

The report of Norman T. Farley, Fiduciary Commissioner for Harrison County, West Virginia, and Waiver of Final Settlement of the **Estate of Melba Jo Harmer,** deceased.

Your Commissioner who has before him the Waiver of Settlement which is duly signed and notarized by the personal representative and all heirs, beneficiaries and distributees of the **Estate of Melba Jo Harmer,** deceased, as provided in Chapter 44, Article 2, Section 29 of the West Virginia Code, as amended, respectfully reports:

That said estate was referred to Norman T. Farley, Fiduciary Commissioner, on **June 8, 2020;** that your Commissioner approved the appraisement of said estate and caused the same to be recorded in the Office of this Commission, and a copy was forwarded to the Tax Commissioner for West Virginia; and,

That pursuant to Article 2, Chapter 44 of the West Virginia Code as amended, the **26th day of December, 2019,** was appointed by your Commissioner as the day to receive on or before that date proofs of claim against said estate at his law office located at 917 W. Main Street, Bridgeport, West Virginia, 26330, and notice was given thereof to the creditors and beneficiaries of the estate by publishing notice in the manner and form prescribed by law in the Clarksburg Exponent-Telegram, a newspaper published and of general circulation in Harrison County, West Virginia, once each week for two successive weeks, said publication having been made on the **4th and 11th days of September, 2019;** and,

That there were no contingent or unliquidated claims or claims not matured against said estate that were presented to or proven before your Commissioner, and that no necessity exists to reserve any funds in the hands of the personal representative to meet the same; and;

That your Commissioner has concluded the hearing and thereafter said personal representative submitted the attached Waiver of Settlement duly executed by the personal representative and all heirs, beneficiaries and distributees of the **Estate of Melba Jo Harmer,** deceased, as provided in Chapter 44, Article 2, Section 29 of the West Virginia Code as amended; and

Your Commissioner further reports that the name of the personal representative was included in a list of all fiduciaries whose accounts were then before him for settlement, which list was prepared by him and caused by him to be published once a week for two successive weeks, as required by law, said publication having been made on the **4th and 11th days of October, 2023,** in the Clarksburg Exponent-Telegram, a newspaper published and of general circulation in Harrison County, West Virginia, and upon completion of said publication your Commissioner proceeded to make this final report for the settlement of the accounts of said personal representative.

This Report and attached Waiver of Settlement, filed herewith and expressly made a part hereof, may be filed as the final report of **Steve Haning and Gary Kerns, Co-Administrators, c.t.a., d.b.n., of the Estate of Melba Jo Harmer, deceased.**

GIVEN under my hand this 20TH day of November, 2023.

Norman T. Farley, Fiduciary Commissioner
Harrison County, West Virginia

United States of America

State of West Virginia County of Harrison, ss:

Affidavit and Waiver of Final Settlement

I, GARY KERNS, STEVE HANING, personal representative(s) in the estate of , MELBA J HARMER after being first duly sworn do aver and state as follows:

1. A release of lien, if required by West Virginia Code 11-1-1, has been filed with the County;

2. More than 60 days have elapsed since the filing of any notice required by West Virginia Code 44-2-1(b)

3. The time for filing of claims against the estate has expired;

4. No known unpaid claims exist against the estate;

5. All beneficiaries of the estate have each been advised of the share or shares to which each is entitled from the estate.

GARY KERNS
CO-EXECUTOR

STATE OF West Virginia COUNTY OF Harrison

The foregoing instrument was acknowledged before me this 8th day of August, 2023.

My Commission expires: March 8, 2028

Notary Public

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
KELLY WALKER
Hanner Funeral Home
300 Pike Street
Shinnston, WV 26431
My Commission Expires March 08, 2028

STEVE HANING
CO-EXECUTOR

STATE OF West Virginia COUNTY OF Harrison

The foregoing instrument was acknowledged before me this 8th day of August, 2023

My Commission expires: March 8, 2028

Notary Public

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
KELLY WALKER
Hanner Funeral Home
300 Pike Street
Shinnston, WV 26431
My Commission Expires March 08, 2028

JAY DAVID HARMER
BENEFICIARY Jay David Harmer

STATE OF West Virginia COUNTY OF Harrison

The foregoing instrument was acknowledged before me this 8th day of August, 2023.

My Commission expires: March 8, 2028

Notary Public

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
KELLY WALKER
Harmer Funeral Home
300 Pike Street
Shinnston, WV 26431
My Commission Expires March 08, 2028

GWENDOLYN K KERNS
BENEFICIARY Gwendolyn Kay Kerns

STATE OF West Virginia COUNTY OF Harrison

The foregoing instrument was acknowledged before me this 8th day of August, 2023

My Commission expires: March 8, 2028

Notary Public

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
KELLY WALKER
Harmer Funeral Home
300 Pike Street
Shinnston, WV 26431
My Commission Expires March 08, 2028

LESLIE J HANING
BENEFICIARY Leslie J. Haning

STATE OF West Virginia COUNTY OF Harrison

The foregoing instrument was acknowledged before me this 8th day of August, 2023

My Commission expires: March 8, 2028

Notary Public

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
KELLY WALKER
Harmer Funeral Home
300 Pike Street
Shinnston, WV 26431
My Commission Expires March 08, 2028

EVA A ZIRKLE
BENEFICIARY Eva A. Zirkle

STATE OF West Virginia COUNTY OF Harrison

The foregoing instrument was acknowledged before me this 8th day of August, 2023

My Commission expires: March 8, 2028

Notary Public

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
KELLY WALKER
Harmer Funeral Home
300 Pike Street
Shinnston, WV 26431
My Commission Expires March 08, 2028

Please note for dates of death July 13, 2001 or after, any heirs who are to received a bequest of cash or personal property are <u>not</u> required to sign

State of West Virginia, County of Harrison, to-wit:

I, John R Spires, Clerk of the Harrison County Commission, do hereby certify that the foregoing writing was this day examined and confirmed by said Commission, there having been no exceptions or objections filed thereto.

Given under my hand this _____day of _____, _____.

John R Spires
Clerk of the Harrison County Commission

By _____
Casey Blake
Deputy Clerk

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B-2

IN THE COUNTY COMMISSION OF HARRISON COUNTY, WEST VIRGINIA

DARRYL S. THOMAS, EXECUTOR OF THE ESTATE

OF /// **REPORT OF CLAIMS AND WAIVER OF FINAL SETTLEMENT**

NELLA MARLENE THOMAS, DECEASED

TO THE HONORABLE COUNTY COMMISSION OF HARRISON COUNTY, WEST VIRGINIA:

The report of Norman T. Farley, Fiduciary Commissioner for Harrison County, West Virginia, and Waiver of Final Settlement of the **Estate of Nella Marlene Thomas,** deceased.

Your Commissioner who has before him the Waiver of Settlement which is duly signed and notarized by the personal representative and all heirs, beneficiaries and distributees of the **Estate of Nella Marlene Thomas,** deceased, as provided in Chapter 44, Article 2, Section 29 of the West Virginia Code, as amended, respectfully reports:

That said estate was referred to Norman T. Farley, Fiduciary Commissioner, on **June 28, 2023** ; that your Commissioner approved the appraisement of said estate and caused the same to be recorded in the Office of this Commission, and a copy was forwarded to the Tax Commissioner for West Virginia; and,

That pursuant to Article 2, Chapter 44 of the West Virginia Code as amended, the **3rd day of October, 2023**, was appointed by your Commissioner as the day to receive on or before that date proofs of claim against said estate at his law office located at 917 W. Main Street, Bridgeport, West Virginia, 26330, and notice was given thereof to the creditors and beneficiaries of the estate by publishing notice in the manner and form prescribed by law in the Clarksburg Exponent-Telegram, a newspaper published and of general circulation in Harrison County, West Virginia, once each week for two successive weeks, said publication having been made on the **2nd and 9th days of August, 2023;** and,

That there were no contingent or unliquidated claims or claims not matured against said estate that were presented to or proven before your Commissioner, and that no necessity exists to reserve any funds in the hands of the personal representative to meet the same; and;

That your Commissioner has concluded the hearing and thereafter said personal representative submitted the attached Waiver of Settlement duly executed by the personal representative and all heirs, beneficiaries and distributees of the **Estate of Nella Marlene Thomas,** deceased, as provided in Chapter 44, Article 2, Section 29 of the West Virginia Code as amended; and

Your Commissioner further reports that the name of the personal representative was included in a list of all fiduciaries whose accounts were then before him for settlement, which list was prepared by him and caused by him to be published once a week for two successive weeks, as required by law, said publication having been made on the **8th and 15th days of November, 2023,** in the Clarksburg Exponent-Telegram, a newspaper published and of general circulation in Harrison County, West Virginia, and upon completion of said publication your Commissioner proceeded to make this final report for the settlement of the accounts of said personal representative.

This Report and attached Waiver of Settlement, filed herewith and expressly made a part hereof, may be filed as the final report of **Darryl S. Thomas, Executor of the Estate of Nella Marlene Thomas, deceased.**

GIVEN under my hand this 20TH day of November, 2023.

Norman T. Farley, Fiduciary Commissioner
Harrison County, West Virginia

United States of America

State of West Virginia **County of Harrison, ss:**

Affidavit and Waiver of Final Settlement

I,DARRYL S THOMAS, personal representative(s) in the estate of NELLA MARLENE THOMAS after being first duly sworn do aver and state as follows:

1. A release of lien, if required by West Virginia Code 11-1-1, has been filed with the County;

2. More than 60 days have elapsed since the filing of any notice required by West Virginia Code 44-1-14(a);

3. The time for filing of claims against the estate has expired;

4. No known unpaid claims exist against the estate;

5. All beneficiaries of the estate have each been advised of the share or shares to which each is entitled from the estate.

DARRYL S THOMAS Darryl S. Thomas (L.S.)
EXECUTOR

STATE OF Ohio COUNTY OF Montgomery

The foregoing instrument was acknowledged before me this 16 day of October, 2023.

My Commission expires: 7/31/2024 Maria Demmy
Notary Public

MARIA DEMMY - NOTARY PUBLIC
COMM EXP: JUL 31, 2024
STATE OF OHIO

TERRY L THOMAS
SON (L.S.)

STATE OF Florida COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 18th day of October, 2023.

My Commission expires: 09/04/2027 Benjamin Samper
Notary Public

BENJAMIN SAMPER
Notary Public - State of Florida
Commission # HH 440113
My Comm. Expires Sep 4, 2027
Bonded through National Notary Assn.

DARRYL S THOMAS Darryl S. Thomas (L.S.)
SON

STATE OF Ohio COUNTY OF Montgomery

The foregoing instrument was acknowledged before me this 16 day of October, 2023.

My Commission expires: 7/31/2024 Maria Demmy
Notary Public

MARIA DEMMY - NOTARY PUBLIC
COMM EXP: JUL 31, 2024
STATE OF OHIO

MARLA K. THOMAS-WEDLEY FULTON Marla K Thomas Wedley Fulton (L.S.)
DAUGHTER

STATE OF West Virginia COUNTY OF Marion

The foregoing instrument was acknowledged before me this 26 day of October, 2023.

My Commission expires: April 10, 2025 Lauren N Davis
Notary Public

OFFICIAL SEAL
STATE OF WEST VIRGINIA
NOTARY PUBLIC
Lauren N. Davis
612 Union Ave Morgantown, WV 26505
My Commission Expires April 10, 2025

KENNETH L THOMAS II 10/16/2023 (L.S.)
SON

STATE OF OH:O COUNTY OF Butler

The foregoing instrument was acknowledged before me this 16th day of October, 2023.

My Commission expires: 08/03/2028 Felix J Ortiz
Notary Public

FELIX J ORTIZ
Notary Public
State of Ohio
My Comm. Expires
August 3, 2028

Please note for dates of death July 13, 2001 or after, any beneficiaries who are to received a bequest of cash or personal property are not required to sign.

State of West Virginia, County of Harrison, to-wit:

I, John R Spires, Clerk of the Harrison County Commission, do hereby certify that the foregoing writing was this day examined and confirmed by said Commission, there having been no exceptions or objections filed thereto.

Given under my hand this _____ day of _____, _____.

John R Spires
Clerk of the Harrison County Commission

By _____
Casey Blake
Deputy Clerk

B-3

IN THE COUNTY COMMISSIONER OF HARRISON COUNTY, WEST VIRGINIA

STEPHANIE MAE BRAMER, ADMINISTRATOR OF THE ESTATE

OF **AFFIDAVIT AND WAIVER OF FINAL SETTLEMENT**

GENEVA ALBERTA BAKER, DECEASED

TO THE HONORABLE COUNTY COMMISSION OF HARRISON COUNTY, WEST VIRGINIA:

In compliance with *West Virginia Code §44-2-29,* as amended, the Affidavit and Waiver of Final Settlement was filed by the Administrator of the above-referred estate, which said Affidavit and Waiver of Final Settlement was executed by all beneficiaries of said estate, whereupon your commissioner proceeded to prepare this Affidavit and Waiver of Final Settlement attached hereto.

Your Commissioner certifies that this estate was referred on the 17th day of August, 2023, and subsequent to said date the Clerk of the County Commission of Harrison County, West Virginia, did appoint the 6th day of August, 2023, as the time and place for the presentation of claims against this estate; that said Clerk's office gave notice thereof to the creditors and beneficiaries of this estate by publication in The Exponent-Telegram on the 7th and 14th days of June, 2023, the time so fixed being according to law; and that at the end of business hours on the 6th day of August, 2023, the claims period was formally closed, at which time no proofs of claim had been timely filed with said Clerk's office or your Commissioner against this estate.

Your Commissioner certifies that the name of Stephanie Mae Bramer, Administrator of the estate of Geneva Alberta Baker, deceased, was included in a list of fiduciaries, whose accounts were before your Commissioner for settlement, and said list was published on the 11th day of

October, 2023, in *The Exponent-Telegram* as required by *West Virginia Code §44-4-9,* as amended.

Whereupon your Commissioner proceeded to make and file this Report, in the manner and form as prescribed by law, and the foregoing constitutes the findings of your Commissioner and the Report of Receipts, Disbursements and Distribution, in lieu of a settlement of the accounts of said Administrator. Your Commissioner further reports that notice of the completion of this Report was given to all parties interested, or their attorneys, and the Report was held in his office for ten (10) days for the examination of any persons interested and the filing of exceptions, if any; and that ten (10) days having elapsed since said notice was given, as required by *West Virginia Code §44-4-15,* as amended, and no exceptions thereto having been filed, the same is respectfully offered for confirmation.

Given under my hand this 26th day of October, 2023.

Robert L. Greer
Fiduciary Commissioner

United States of America

State of West Virginia *County of Harrison, ss:*

Affidavit and Waiver of Final Settlement

I,STEPHANIE MAE BRAMER, personal representative(s) in the estate of GENEVA ALBERTA BAKER after being first duly sworn do aver and state as follows:

1. A release of lien, if required by West Virginia Code 11-1-1, has been filed with the County;

2. More than 60 days have elapsed since the filing of any notice required by West Virginia Code 44-1-14(a);

3. The time for filing of claims against the estate has expired;

4. No known unpaid claims exist against the estate;

5. All beneficiaries of the estate have each been advised of the share or shares to which each is entitled from the estate.

STEPHANIE MAE BRAMER _____ (L.S.)
EXECUTRIX

STATE OF WEST VIRGINIA COUNTY OF HARRISON

The foregoing instrument was acknowledged before me this 11 day of OCTOBER, 2023.

My Commission expires: NOV. 17, 2026 _____
Notary Public

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
Elizabeth A Calef
Harrison County Bank
1808 Buckhannon Pike Nutter Fort WV 26301
My Commission Expires November 17, 2026

JOSHUA LYLE BAKER _____ (L.S.)
GRANDSON

STATE OF Oklahoma COUNTY OF Pottawatomie

The foregoing instrument was acknowledged before me this 16 day of Octob., 23.

My Commission expires: 7-8-26 _____
Notary Public

TERRAH CHEATWOOD
NOTARY
22009262
POTTAWATOMIE COUNTY
PUBLIC
STATE OF OKLAHOMA

JEFFERY PAUL BAKER _____ (L.S.)
GRANDSON

STATE OF Oklahoma COUNTY OF Pottawatomie

The foregoing instrument was acknowledged before me this 16 day of October, 23.

My Commission expires: 7-8-26 _____
Notary Public

See Seal above

Please note for dates of death July 13, 2001 or after, any beneficiaries who are to received a bequest of cash or personal property are <u>not</u> required to sign.

State of West Virginia, County of Harrison, to-wit:

I, John R Spires, Clerk of the Harrison County Commission, do hereby certify that the foregoing writing was this day examined and confirmed by said Commission, there having been no exceptions or objections filed thereto.

Given under my hand this _____day of _____, _____.

_____ By _____

John R Spires
Clerk of the Harrison County Commission

Betty Byrd
Deputy Clerk

B-4

IN THE COUNTY COMMISSIONER OF HARRISON COUNTY, WEST VIRGINIA

PAMELA SUE BENNETT, ADMINISTRATOR OF THE ESTATE

OF **REPORT OF RECEIPTS, DISBURSEMENTS AND DISTRIBUTION**

WILLIAM BRENT BENNETT, DECEASED

TO THE HONORABLE COUNTY COMMISSION OF HARRISON COUNTY, WEST VIRGINIA:

In compliance with *West Virginia Code §44-2-29,* as amended, a **Report of Receipts, Disbursements and Distribution** was filed by the Administrator of the above-referred estate, which said Report of Receipts, Disbursements and Distribution was executed by all beneficiaries of said estate, whereupon your commissioner proceeded to prepare this Report of Receipts, Disbursements and Distribution attached hereto.

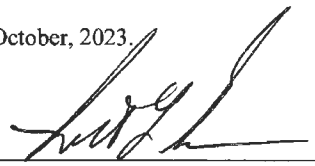
Your Commissioner certifies that this estate was referred to James Turner on the 9th day of April, 2020, and was transferred to Robert L. Greer in January 2022 and subsequent to said date the Clerk of the County Commission of Harrison County, West Virginia, did appoint the 5th day of April, 2020, as the time and place for the presentation of claims against this estate; that said Clerk's office gave notice thereof to the creditors and beneficiaries of this estate by publication in The Exponent-Telegram on the 5th and 12th days of February, 2020, the time so fixed being according to law; and that at the end of business hours on the 5th day of April, 2020, the claims period was formally closed, at which time no proofs of claim had been timely filed with said Clerk's office or your Commissioner against this estate.

Your Commissioner certifies that the name of Pamela Sue Bennett, Administrator of the estate of Willaim Brent Bennett, deceased, was included in a list of fiduciaries, whose accounts

were before your Commissioner for settlement, and said list was published on the 10th day of October, 2023, in *The Exponent-Telegram* as required by *West Virginia Code §44-4-9,* as amended.

Whereupon your Commissioner proceeded to make and file this Report, in the manner and form as prescribed by law, and the foregoing constitutes the findings of your Commissioner and the Report of Receipts, Disbursements and Distribution, in lieu of a settlement of the accounts of said Administrator. Your Commissioner further reports that notice of the completion of this Report was given to all parties interested, or their attorneys, and the Report was held in his office for ten (10) days for the examination of any persons interested and the filing of exceptions, if any; and that ten (10) days having elapsed since said notice was given, as required by *West Virginia Code §44-4-15*, as amended, and no exceptions thereto having been filed, the same is respectfully offered for confirmation.

Given under my hand this 11 th day of October, 2023.



Robert L. Greer
Fiduciary Commissioner

United States of America

State of West Virginia *County of Harrison, ss:*

ESTATE OF WILLIAM BRENT BENNETT, DECEASED

Date of Death: November 08, 2019

Report of Receipts, Disbursements and Distribution; Affidavit

filed by **PAMELA SUE BENNETT, ADMINISTRATRIX** of the estate of WILLIAM BRENT BENNETT, as provided by Chapter 44, Article 2, Section 1(b), of the Code of West Virginia, as amended.

RECEIPTS: *(Monies/Income, Proceeds from Sale of Real and/or Personal Property; Interest; Refunds; Advances, Etc.)*

Date Received:	Source:	Amount:
11/08/19	Joint Bank Account at Harrison County Bank with Wife	400.00
	TOTAL RECEIPTS:	400.00

DISBURSEMENTS: *(Paid from Estate Monies/Receipts listed above)*

Date Paid:	Payable to:	Amount:
	TOTAL DISBURSEMENTS:	00

DISTRIBUTION:

PAMELA SUE BENNETT PO BOX 383, LOST CREEK, WV 26385	WIFE	

TOTAL DISTRIBUTION: 60

AFFIDAVIT:

Pamela Sue Bennett 9-13-2023
Date

PAMELA SUE BENNETT, ADMINISTRATRIX
PO BOX 383
LOST CREEK WV 26385

STATE OF WV

COUNTY OF Harrison, to-wit:

Before the undersigned authority, authorized by law to administer oaths in cases of this character, this day personally appeared PAMELA SUE BENNETT, ADMINISTRATRIX of the Estate of WILLIAM BRENT BENNETT deceased, who being by me first duly sworn, did depose and say:

That the foregoing Report, dated the 13 day of September, is a true and correct Report of all Receipts, Disbursements and Distributions made by me as Administrator/rix through the 13 day of September 2023

The foregoing instrument was acknowledged before me this 13 day of September 2023

My Commission expires: Sept 30, 2026 Carol S Bennett

Notary Public

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
CAROL S BENNETT
PO Box 189
Lost Creek, West Virginia 26385
My Commission Expires Sept. 20, 2026

United States of America

State of West Virginia *County of Harrison, ss:*

AFFIDAVIT:

STATE OF WEST VIRGINIA,

COUNTY OF HARRISON, to-wit:

Before the undersigned authority, authorized by law to administer oaths in cases of this character, this day personally appeared PAMELA SUE BENNETT, ADMINISTRATRIX of the Estate of WILLIAM BRENT BENNETT deceased, who being by me first duly sworn, did depose and say:

That the foregoing Report, dated the 13th day of September 2023, is a true and correct Report of all Receipts, Disbursements and Distributions made by me as Administrator/rix through the 13th day of September, 2023.

That, after proper notice to all known creditors and payments of those claims found to be just and true, in the order provided by applicable statute, no assets exist. Any outstanding claims filed against the estate are listed as follows, to the best of my knowledge and belief:

WVU Medicine $44,415.44
University Health Associates $8,537.16

WITNESS my signature this 13 day of September, 2023.

Pamela Sue Bennett, administratrix

PAMELA SUE BENNETT, ADMINISTRATRIX

The foregoing instrument was acknowledged before me this 13 day of September 2023

My Commission expires: 2026, Sept 30 - Carol S Bennett

Notary Public

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
CAROL S BENNETT
PO Box 159
Lost Creek, West Virginia 26385
My Commission Expires Sept. 20, 2026

STATE OF WEST VIRGINIA,

COUNTY OF HARRISON, to-wit:

I, John R Spires, Clerk of the Harrison County Commission of said County, do hereby certify that the foregoing writing was this day examined and confirmed by said Harrison County Commission, there having been no exceptions or objections filed thereto.

Given under my hand this ____ day of _____, _____.

John R Spires
Clerk of the Harrison County Commission

By _____
Betty Byrd
Deputy Clerk

Estate: 8711

C-1

BINGAMON PUBLIC SERVICE DISTRICT
PO Box 35, Shinnston, WV 26431

Michael R Sieber, Chairman Edward Hildreth, Jr, Secretary
Brad Fortney, Treasurer

October 16th, 2023

The monthly meeting of the Bingamon Public Service District (BPSD) Board of Directors was held on October 16th 2023. at the Bingamon Public Service District office trailer.

CALL TO ORDER: The meeting was called to order at 6:34 p.m. by ***Chairman Michael Sieber.***

ROLL CALL: Board members present: Edward (Bud) Hildreth, Jr., Brad Fortney, and Michael Sieber. BPSD staff: General Manager Rusty Kuhens, office manager Renee' Eddy.

READING OF THE MINUTES - Minutes from the September 18th , 2023, BPSD board meeting were distributed. Mr. Sieber called for any corrections or additions to the minutes. ***A motion was made by Bud Hildreth and seconded by Brad Fortney, to accept the minutes as published. The motion carried unanimously.***

TREASURER'S REPORT – Board members reviewed the Treasurer's Report. The bank balance as of September 30th , 2023, was $35,236.35 Accounts receivable for the month totaled $3,569.82

- Current outstanding bills were reviewed. ***A motion was made by Michael Sieber and seconded by Brad Fortney, to pay the current bills. The motion was passed unanimously.***

OFFICE MANAGER'S REPORT – BALANCES AS OF September 30TH , 2023.

- City National Bank MMA earned $134.37 in interest and totals $109,700.84.
- City National Bank Reserve Account earned $70.51 in interest and totals $69,527.58.
- The Renewal/Replacement Acct. at BB&T earned $.09 in interest totals $11,396.55.
- There were 24 customers given 24 hour notices this month. Totaling $5502.01. $2,672.97 has been collected.

PLANT OPERATOR'S REPORT

- Mr. Kuhens reported that the locks need to be changed on the pump houses.
- Mr. Kuhens reported he is now going to be using chlorine.
- Mr. Kuhens reported he spoke to the contractor about the hydrants, and they will be starting soon.

SAFETY COMMITTEE MEETING: What To Do When You Are Involved In A Car Crash

CUSTOMERS' CONCERN: No customers in attendance.

OLD BUSINESS:

NEW BUSINESS: The board approved purchasing a used dump truck.

NEXT MONTHLY BPSD BOARD MEETING – The next regularly scheduled BPSD board meeting will be held @ the office trailer on November 20th . 2023 @ 6:30 PM

The board went into executive session @6:35 to discuss bad debt and shut off notices.

ADJOURNMENT – The meeting was adjourned at 7:16 pm upon a ***motion by Bud Hildreth, seconded by Michael Sieber, and carried unanimously.***

Michael Sieber, Chairman

Renee' Eddy, Office Manager

C-2

Eastern Gas Transmission and Storage
925 White Oaks Boulevard, Bridgeport, WV 26330
bhegts.com

EASTERN
GAS TRANSMISSION AND STORAGE
A BERKSHIRE HATHAWAY ENERGY COMPANY

Dear Public Official:

Eastern Gas Transmission and Storage (EGTS), which operates underground natural gas pipeline(s) in your county, works to keep our pipeline as safe as possible. One or more of our natural gas pipelines in your county have been classified as passing through a high-consequence area (HCA) as defined by the U.S. Department of Transportations (DOT), Pipeline and Hazardous Material Administration (PHMSA). This letter is an additional communication to inform you of these HCA areas in your jurisdiction as covered in RP 1162; the regulation outlining outreach to audiences along the path of pipelines.

Pipeline safety regulations use the concept of HCAs to identify those sections of our pipeline that pass through an area where a natural gas release could potentially have the most significant adverse consequences. Once identified, operators are required to devote additional focus, efforts and analyses towards maintaining the integrity of these pipelines. This process is part of EGTS's Integrity Management Program and complies with the DOT rules that Congress enacted in December 2003 for natural gas transmission pipelines.

EGTS places a high priority on safety and compliance, so we embrace DOT's goals of improving pipeline safety and raising the public confidence in the natural gas industry. To learn more about EGTS's Integrity Management program, please visit **https://www.bhegts.com/safety-and-environment/operational-safety/PIM**.

EGTS works closely with emergency responders to develop emergency response plans. If you would like more information about specific community emergency response plans, please contact the local or county Emergency Management Agency (EMA) or Local Emergency Planning Committee (LEPC) and request a copy.

To support public safety, pipeline markers are used to show the approximate location of pipelines and identify the companies that operate them. EGTS uses additional yellow markers to identify those sections of our pipelines that fall within these HCAs.

Many of our pipelines are critical to the nation's infrastructure, so we provide maps of our facilities following an evaluation of the merits of each request, to preserve homeland security. EGTS annually submits all of its jurisdictional pipelines to the PHMSA National Pipeline Mapping System. Our Pipelines, and those of other transmission operators, can be viewed at a county level through the National Pipeline Mapping System website **https://www.npms.phmsa.dot.gov/**. If you wish to obtain maps that show the specific locations of our pipelines which fall within an HCA in your county, please contact Darren Tatum at 1-681-842-3206.

We appreciate your efforts to help ensure pipeline safety.

Eastern Gas Transmission and Storage

Maintaining Pipeline Safety

Eastern Gas Transmission and Storage maintains a Damage Prevention Program in accordance with state and federal guidelines. The purpose of this program is to prevent damage to our pipelines and facilities from excavation activities, such as digging, trenching, blasting, boring, tunneling, backfilling, or by any other digging activity.

Call 811 Before You Dig, It's the Law!

Before you dig, contact your local one-call center listed in your phone directory or in this brochure.

National "Call Before You Dig" **811**

West Virginia 800-245-4848
"Miss Utility of West Virginia"

Pennsylvania 800-242-1776
"Pennsylvania One-Call System, Inc"

Ohio **800-362-2764**
"Ohio Utilities Protection Services, Inc"

New York **800-962-7962**
"Dig Safely New York"

Maryland **800-257-7777**
"Utility Service Protection Center 'Miss Utility'"

Virginia **800-552-7001**
"Virginia Utility Protection Service, LLC (VUPS)"

In the event of an emergency please CALL 911

811 Know what's below. Call before you dig.



Eastern Gas Transmission and Storage operates an underground natural gas pipeline in your area. The company transports and stores natural gas.

The location of our underground pipelines may be determined by calling the state one-call center where your work is to occur. Please call at least 48 hours (not including weekends and federal or state holidays) before starting your activity. This service is free.

When calling one of these centers, be prepared to give:

1. **Your name**
2. **Your telephone number**
3. **The company you represent, if applicable**
4. **Location of the work**
5. **Type of project/activity**
6. **The date and time the project is scheduled to begin**
7. **Whether or not explosives will be used as part of your project**

This information will be provided to us for prompt action.

In the event of an emergency please CALL 911

For more information on Eastern Gas Transmission and Storage's Natural Gas Integrity Management Program, please visit https://www.bhegts.com/safety-and-environment/operational-safety/PIM.

To see a map or find other operators in your area log on to the National Pipeline Mapping System at www.npms.phmsa.dot.gov

Call Before You Dig. It's The Law!

One easy phone call to 811 starts the process to get your underground pipelines and utility lines marked. When you call 811 from anywhere in the country, your call will be routed to your state One-Call center. Once underground lines have been marked for your project, you will know the approximate location of the pipelines and utility lines, and can dig safely. More information can be found at www.call811.com

EASTERN
GAS TRANSMISSION AND STORAGE
A BERKSHIRE HATHAWAY ENERGY COMPANY

Natural Gas Pipelines in Your Community

Please keep this brochure for future reference.

Important Pipeline Information

Si desea recibir este folleto en Espanol, marque la casilla de la tarjeta de respuesta y envíela por correo.



Natural Gas Pipelines in Your Community

Millions of Americans rely on clean, efficient natural gas to fuel homes and workplaces, with no thought about the vast network of pipelines that crisscross the country transporting this abundant source of clean energy from the wellhead to the burner tip. However, pipelines can be damaged by earth disturbance activities such as excavation, drilling, blasting, land movement and vandalism. Interference with pressured pipelines and connected equipment by untrained persons can be very dangerous.

While it is highly unlikely that these facilities will experience problems, we are providing this safety information to you so you will know how to identify problems and what to do if they occur. Please keep the information in a convenient place to assist you should you ever need to contact Eastern Gas Transmission and Storage in an emergency.

Facts About Natural Gas

The most common method of transporting natural gas is under high pressure in underground pipelines. Should a pipeline become damaged and natural gas escape, you should be aware that:

1. It is colorless and generally odorless, unless it contains a naturally occurring odor or has had an odorant added.
2. It is lighter than air and will rise and should dissipate rapidly.
3. Natural gas is not poisonous, but it can cause suffocation in a confined space because of its ability to displace oxygen.
4. Natural gas will burn when mixed with air and ignited. Escaping gas can be ignited by open flames, sparks from electrical switches and motors, ignition systems, mechanical equipment, moving rocks, etc.

811 Know what's below. Call before you dig.

Pipelines in Your Neighborhood

The companies that build and operate interstate natural gas pipelines have created the safest mode of transportation today – safer than highway, rail, airborne and waterborne transport. And the interstate natural gas pipeline industry is spending millions of dollars each year on research and new technologies to make their systems increasingly safer.

For your safety, markers are used to show the approximate location of pipelines and the companies that operate them. You should be aware of any pipeline markers in and around your neighborhood. Write down the name and phone numbers of the pipeline company that's listed on the markers in case of an emergency. The pipeline marker may not show the exact location of the underground pipeline.

Examples of pipeline markers



You also can help safeguard the pipeline in your area by notifying pipeline operators if you detect a problem. Also, keep pipeline rights-of-way clear. Remove any obstacle or condition that may hinder us from inspecting, maintaining, repairing or replacing our facilities.

To determine if a pipeline runs through your property:

- Check for pipeline markers posted on your property or in your neighborhood.
- Check your property records at the county clerk's office.

Recognizing a Leak

SIGHT: Discolored or abnormally dry soil/vegetation, continuous bubbling in wet or flooded areas, and vaporous fogs or blowing dirt around a pipeline area can all be indicative of a pipeline leak. Dead or discolored plants in an otherwise healthy area of vegetation or frozen ground in warm weather are other possible signs. Natural gas is colorless, but vapor and ground frosting may be visible at high pressures.

SOUND: Volume can range from a quiet hissing to a loud roar depending on the size of the leak and pipeline system.

SMELL: Natural gas is odorless unless an odorant is added. If an odorant is present an usual smell or gaseous odor will accompany a leak. Gas in transmission pipelines are not required to contain odorant, though many companies do transport odorized natural gas.

What to do in case of a leak or other pipeline emergency

1. Leave the area immediately, heading upwind.
2. Do not touch, breathe or make contact with leaking liquids or gases.
3. Do not light a match, start an engine, use a telephone, operate on/off light switches or do anything that may create a spark.
4. From a safe location, **CALL 911** or your local emergency response number and the pipeline company. Be ready to provide your name, telephone number, a description of the leak and its location.
5. Do not drive into a leak or vapor cloud area.
6. Do not attempt to stop the leak by operating pipeline equipment.
7. Warn others if necessary.
8. Remember, report even a scrape or dent on a pipeline to the pipeline company. If not promptly reported or repaired, it could result in a future leak or serious accident.
9. To reach Eastern Gas Transmission and Storage's 24 hour emergency line, call **1-888-264-8240**.



To: Emergency and Public Officials
Re: Identified Sites

EASTERN.
GAS TRANSMISSION AND STORAGE
A BERKSHIRE HATHAWAY ENERGY COMPANY

We need your help keeping people and property safe.
For security reasons, the general public will not be given access to the information stored in this registry.

- Please use this website **https://my.spatialobjects.com** to help your local pipeline operators identify sites where people congregate in your community
- Use your login information if you have already accessed the site or click Register to create your account. You can also reset your password if needed.
- Use the website to add sites where people congregate

Pipeline operators are **required by law** to work with public officials who have safety, emergency response and/or planning responsibilities who can provide quality information regarding **Identified Sites**. These sites are very difficult for companies to obtain without help from those with local knowledge of the area.

Identified Sites *are locations where people may occupy an area near a pipeline asset or facility. These are places where people may gather from time to time for a variety of reasons.*

There are many different types of **Identified Sites**. They include:

- Playgrounds and Sports Fields
- Outdoor Theaters and Stadiums
- Festivals/Fairs/Carnivals
- Camping Grounds and Beaches
- Office Buildings
- Places of Limited Mobility
  - Schools/Day Care Facilities
  - Hospitals
  - Prisons/Jails

If the areas described above are close to a pipeline, they may be classified by the pipeline company as **High Consequence Areas** and will be subject to additional safety and awareness activities.

For more information about **Identified Sites** visit www.ecfr.gov and search "Identified Sites."

Questions? Email us at: SoftwareSupport@pdigm.com, and reference your WebCode.

3-C

PAYROLL CHANGE NOTICE

DATE OF CHANGE	EMPLOYEE #	SOCIAL SECURITY NO
11-30-23		| | |-| | |-| | | | |

NAME	ADDRESS
David Romano	

PHONE	CITY/STATE/ZIP	DEPARTMENT	SHIFT

THE CHANGE(S):

✓ All Applicable Boxes	FROM	TO
☐ DEPARTMENT		
☐ JOB		
☐ SHIFT		
☐ RATE		
☐ ADDRESS/PHONE		
☐ BENEFIT PLAN		
☒ OTHER _____		$1,200.00
☐ OTHER _____		

THE REASON FOR THE CHANGE(S):

- ☐ HIRED
- ☐ RE-HIRED
- ☐ PROMOTION
- ☐ DEMOTION
- ☐ TRANSFER
- ☐ MERIT INCREASE
- ☐ WAGE SCALE CHANGE
- ☐ LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)
- ☐ PROBATIONARY PERIOD COMPLETED
- ☐ LENGTH OF SERVICE INCREASE
- ☐ RE-EVALUATION OF EXISTING JOB
- ☐ RESIGNATION
- ☐ RETIREMENT
- ☐ LAYOFF
- ☐ DISCHARGE

TYPE OF LEAVE _____

☒ OTHER (Explain) 2023 Contract Pay

AUTHORIZATION:

EMPLOYEE SIGNATURE	DATE
SUPERVISOR SIGNATURE David Romano	DATE 11.30.23
HUMAN RESOURCES MANAGER	DATE

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