

APPROVED: _____

DATE: _____

**MINUTES
PUTNAM COUNTY COMMISSION REGULAR SESSION
October 9, 2018**

OPENING

Commissioners Stephen A. Andes, Ronald R. Foster, and R. Andrew Skidmore were present when the 9:00 a.m. meeting was convened in the Putnam County Commission Chambers by County Clerk Brian Wood. The Pledge of Allegiance followed.

BRIAN WOOD, COUNTY CLERK

Mr. Wood presented the following documents for the Commissioner's approval and signature:

1. Edit registers and checks

Commissioner Foster made a motion to approve and sign the presented documents. Commissioner Andes seconded the motion. The motion carried unanimously.

GENERAL BUSINESS

Commissioner Foster made a motion to approve the minutes of September 27, 2018. Commissioner Andes explained the reason he was absent from the last Commission meeting was because he was on a family vacation planned by his son months ago. Commissioner Andes said there was a comment that there is a reason we show up for these meetings and he felt this was unprofessional. Commissioner Andes said under board member list it was stated that the Development Authority and Convention and Visitors Bureau did not have their board member lists on their websites. He said Convention and Visitors Bureau did have their board member list on their website, but it was not easy to locate it and he feels it is a good idea for the information to be easier to locate. Commissioner Andes seconded the motion. The motion carried unanimously.

Commissioner Andes requested the September 11, 2018 Commission meeting minutes be on the October 25, 2018 agenda for discussion and possible amendment.

ERRONEOUS ASSESSMENTS

Commissioner Foster made a motion to deny one erroneous assessment for G & G Investments and approve the remaining Erroneous Assessments as presented:

Two for Charles W. Abner, Jr., John Christopher &/or Angela Adams, Brian D. &/or Angela Allen, Richard C. Basford II, Gregory Carey, Julie Carr, John Casto et ux, Cathcart Construction, Mia Lynn Clark, Christine L. Cochran, Joshua &/or Katelyn Jo (Jacobs) Coiner, James &/or Lindsey Eads, Richard Marc Farley, John W. &/or Valerie L. Fowler, GE HFS LLC, G & G Investments, Utawka Gibson, Margaret A. Given, Karin L. Hetrick, Gilbert O. Jividen,

Marcos Pizza, Anthony or Danielle (Whittington) Mathes, Douglas J. McElhaney, Suzanne McGraw, Cecil W. Jr. &/or Kathy A. Melton, F. Eugene Moore et ux, Mountaineer Family Medicine Inc., Nermin Moussa, Jeffrey &/or Kimberly Pack, Petroleum Products LLC (Nitro Plant), Brian D. &/or Brenda K. Reed, Michael or Rebecca Richmond, three for Roos Place, Cassandra Roush, Edward Stuart Sevilla, Shane &/or April Shamblin, Stantec, Walter R. Thomas, Kenneth L. or Deborah A. Tucker, David &/or Vivian Turner, Catherine Ann Warren, two for Carole I. Workman, 2010 Properties LLC

48 Erroneous Assessments were approved totaling \$20,431.20 in deduction of taxes.

Commissioner Andes seconded the motion. The motion carried unanimously.

COURT ORDERS APPROVED

Commissioner Foster made a motion to approve and sign the following orders, personnel payroll changes and certifications:

1. An Order to add to payroll Mariah Bachmann, Part-time, Kennel Tech/Office Assistant, Department 716, \$9.00/hourly, effective October 5, 2018 as presented by the Commission Secretary
2. An Order to delete from payroll Katelynn Priddy, Part-time, Kennel Tech/Office Assistant, Department 716, effective October 6, 2018 as presented by the Commission Secretary

Commissioner Andes seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Assistant Principal Carolyn Baldwin from Putnam Career and Technical Center appeared before the Commission with drafting students Dylan Thacker and Katelyn Provost who are assisting her in writing a grant offered by the West Virginia Department of Education. The Economic Projects Impacting Communities (EPIC) grant is for \$50,000 and requires approval from the Putnam County Commission. Dylan Thacker explained they plan to build two energy efficient log cabins in Eleanor Park, which the Town of Eleanor will rent to generate income. Commissioner Foster offered Project Coordinator Tim Hanna's assistance for the grant.

Commissioner Foster made a motion to provide a letter of support for the Putnam Career and Technical Center's Economic Projects Impacting Communities (EPIC) grant application. Commissioner Andes seconded the motion. The motion carried unanimously.

Mr. Crabtree is a resident of Putnam County since 1987. He loves living here, but feels there has been an increase in crime and the number of homeless in our area, which needs to be addressed. He would like the law enforcement salaries be compared to neighboring areas. Mr. Crabtree said there is a need for a stoplight at Speedway on Route 60. President Skidmore explained the initial traffic study revealed the amount of traffic did not require a traffic light; however, the James H. Caruthers, Jr. Transportation Committee has requested another traffic study because the traffic has increased from the interstate construction.

FRANK CHAPMAN, OES/911 DIRECTOR

Commissioner Foster verified they budgeted \$700,000.00 for the software before the bid opening. OES/911 Director Frank Chapman appeared before the Commission to present one (1) bid for the Computer Aided Dispatch (CAD) System as follows: 1) Zuerker Technologies from South Dakota with a bid of \$405,683.00. Commissioner Andes asked Mr. Chapman why other companies did not bid and he said one company who chose not to bid has trouble with their system and the other company wanted an extension. Chief Deputy Hayzlett explained they have a lot trouble with their current system not linking up, but the new records management system will eliminate these issues and allow them to share information with neighboring law enforcement agencies. Chief Deputy Hayzlett said county issued cellular phones for the deputies might be phase two of this project.

Commissioner Foster made a motion to table the Computer Aided Dispatch System (CAD) decision to allow time for staff to review the bid. Commissioner Andes seconded the motion. The motion carried unanimously.

Commissioner Foster made a motion to approve and authorize the President to sign the EMPG Grant award request as presented by Mr. Chapman. Commissioner Andes seconded the motion. The motion carried unanimously.

LARRY FRYE, COUNTY ATTORNEY

Mr. Frye reviewed the petition filed by heir, Mark French who represented the petitioner Baeley Blake, who appeared in person. The Petitioner requested that Executor, John Cook of the Estate of James Cook aka James Jeremiah Cook be removed with the Fiduciary Commissioner's recommended order. Mr. Frye stated the Executor, John Cook, initially posted a bond but the appraisal he filed required a larger bond, which was never posted. Mr. Cook did not file annual accounting or close the estate, which has been open since 2011. The property was sold he used to post bond and he never came in to post bond. Mr. Cook did file a proposed settlement; however, Ms. Blake objected to the settlement and asked for it to be referred to a Fiduciary Commissioner. Fiduciary Commissioner Tim LaFon conducted a hearing where he determined Mr. Cook spent \$10,607.17 out of the estate that he determined should not have been paid. Mr. Frye recommends the Commission sign the order prepared by Mr. LaFon. He also recommends removing Mr. Cook as Executor and appointing Ms. Blake as Executrix.

After consideration thereof, Commissioner Foster made a motion to grant the petition to remove John Cook effective immediately and directed the Fiduciary Supervisor to appoint Baeley Blake as Executor of the Estate of James Cook aka James Jeremiah Cook. Commissioner Andes seconded the motion. The motion carried unanimously.

Mr. Frye presented a petition filed by heir, Terri L. O'Conner, who appeared in person. The Petitioner requested that Executor, Robert A. Bonnett of the Estate of Robert Christopher Bonnett be removed because Mr. Bonnett struggled to obtain the necessary paperwork to complete the estate.

After consideration thereof, Commissioner Foster made a motion to grant the Petition to remove Robert A. Bonnett effective immediately and directed the Fiduciary Supervisor to

appoint Terri L. O'Conner as Executor of the Estate of Robert Christopher Bonnett. Commissioner Andes seconded the motion. The motion carried unanimously.

JAKE HUNT, EXECUTIVE DIRECTOR WV REGION 2 WORKFORCE

Mr. Hunt appeared before the Commission let them know they offer assistance in training and provide youth programs. Commissioner Andes asked Mr. Hunt if they could cover or assist in the lifeguard recertifications for the Wave Pool and he said they could assist with the cost. Mr. Hunt will soon need additional Commissioners to serve on the Executive Committee due to the retirement of current members.

TIM HANNA, PROJECT COORDINATOR

Mr. Hanna presented the following orders for approval:

Commissioner Foster made a motion to issue a check from the General County Fund in the amount of \$128.62 payable to Charleston Newspapers for a legal advertisement for the Courthouse Facilities Improvement Authority Grant as presented by Mr. Hanna. Commissioner Andes seconded the motion. The motion carried unanimously.

Commissioner Foster made a motion to issue a check from the TIF Fund, Devonshire Account in the amount of \$268,194.12 payable to United Bank, Inc. – Trustee to transfer Devonshire tax increment revenues to the trustee as presented by Mr. Hanna. Commissioner Andes seconded the motion. The motion carried unanimously.

Commissioner Foster made a motion to issue a check from the General County Fund in the amount of \$410.00 payable to Putnam County Homecoming for reimbursement of inflatables at the 89th Annual Putnam County Homecoming as presented by Mr. Hanna. Commissioner Andes seconded the motion. The motion carried unanimously.

1. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$1,040.00 payable to Thomas M. Lyvers, Sr. for professional services rendered September 24, 2018 to September 28, 2018
2. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$1,040.00 payable to Thomas M. Lyvers, Sr. for professional services rendered October 1, 2018 to October 5, 2018

Commissioner Foster made a motion to approve the orders as presented. Commissioner Andes seconded the motion. The motion carried unanimously.

Commissioner Foster made a motion to authorize the President to sign the Records Management Preservation Board request for reimbursement in the amount of \$9,955.00. Commissioner Andes seconded the motion. The motion carried unanimously.

Commissioner Foster made a motion to approve and authorize the President to sign the Records Management and Preservation Board Grant Application as presented by Mr. Hanna. Commissioner Andes seconded the motion. The motion carried unanimously.

Commissioner Foster made a motion to approve and authorize the President to sign the Edward Byrne Memorial JAG Grant Contract as presented by Mr. Hanna. Commissioner Andes seconded the motion. The motion carried unanimously.

After a brief discussion with Mr. Frye, Commissioner Foster recused himself because DL Martin & Sons is one of his customers. Commissioner Foster exited Commission Chambers.

Commissioner Andes made a motion to award the CFIA Courthouse Exterior Stairwell Retaining Wall Project to DL Martin & Sons as presented by Mr. Hanna. President Skidmore seconded the motion. The motion carried unanimously.

Commissioner Andes made a motion to authorize the President to sign the CFIA Courthouse Exterior Stairwell Retaining Wall contract with DL Martin & Sons as presented by Mr. Hanna. President Skidmore seconded the motion. The motion carried unanimously.

Commissioner Foster returned to Commission Chambers.

ESTATE SETTLEMENTS

The Fiduciary Supervisor Mr. Frye presented the following documents to the Commission and recommended that they be approved as presented:

Short Form Settlements: John Lyle Burnside, James Henry Caruthers, Jr., Betty Francis Darby, Eleanor Lee M. Ernest, Mary Jane Harless, Della Meadows Patterson, Phyllis J. Sauer

Long Form Settlement: None

An Order to disburse the sum of \$130.00 from the Fiduciary Special Fund made payable to State Tax Department for estate tax administration fees.

An Order to disburse the sum of \$77.00 from the Fiduciary Special Fund made payable to Brian Wood, Clerk, for recording settlements.

An Order to approve the Partial Settlement Report in the Estate of Frank Esterly by Phyllis McGowan, Administratrix, and approve the partial distribution therein.

An Order to reopen the Estate of Sterling Thomas Edward Lewis, Jr., and appoint Deborahjean Lewis, Executrix, for the sole purpose of amending the appraisal and transferring stock.

Approval of the Recommended Order of Fiduciary Commissioner, Timothy J. LaFon, Esq., in the Estate of James Cook (aka) James Daniel Jeremiah Cook.

An Order of "Estate Listing" of Actions of Fiduciary Supervisor from September 22, 2018 through October 5, 2018.

Commissioner Foster made a motion to approve the documents as presented and authorize the President to sign. Commissioner Andes seconded the motion. The motion carried unanimously.

An Order to remove John M. Cook as Executor DBN of the Estate of James Cook (aka) James Daniel Jeremiah Cook due to his failure to post the required bond and based on the findings outlined in the Recommended Order of Fiduciary Commissioner, Timothy J. LaFon, Esq.

An Order to remove Robert A. Bonnett as Executor of the Estate of Robert Christopher Bonnett due to his failure to respond to the Petition to remove submitted by Terri L. O'Connor and appoint Terri L. O'Connor as Executor.

Commissioner Foster made a motion to approve the orders to remove John Cook and Robert Bonnett and appoint Terri L. O'Connor as presented by Mr. Frye. Commissioner Andes seconded the motion. The motion carried unanimously.

Commissioner Foster withdrew the previous motion and made a motion to approve and authorize the President to sign the orders to remove John Cook and Robert A. Bonnett and appoint Terri L. O'Connor as presented by Mr. Frye. Commissioner Andes seconded the motion. The motion carried unanimously.

BRIAN WOOD, COUNTY CLERK

Mr. Wood presented the proposed poll worker pay increases. Commissioner Foster asked if he has the extra funds in his budget and Mr. Wood said he could not guarantee he will have the extra funds in his budget. Commissioner Foster asked Mr. Wood if they made a budget revision to cover the early voting at Valley Park Community Center, then would he have the funds to cover one of the options to increase the poll worker pay and Mr. Wood said he could not guarantee that. Mr. Wood explained he did not include this in the budget because he it had not been approved by the Legislature.

Commissioner Andes made a motion to approve increasing Election Day pay to \$175.00 per day as presented by Mr. Wood. President Skidmore seconded the motion. Commissioner Foster said he would have been for this if Mr. Wood had budgeted for the increase. Commissioner Foster voted nay. The motion carried.

Commission Andes made a motion to make a budget revision to add \$10,342.50 to County Clerk's budget for early voting at Valley Park Community Center. President Skidmore seconded the motion. The motion carried unanimously.

President Skidmore made a motion to approve increasing early voting pay to \$10.00 per hour. Commissioner Andes seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Susie Espisito said there is a need for a van at the senior center. President Skidmore stated County Manager Jeremy Young has reached out to them because someone mentioned this on a vent line. Ms. Espisito asked if there was an update on the Middle Trace Bridge, but

President Skidmore explained we have not received a response on the status of building a bridge or on the temporary bridge from the Army Corps of Engineers. Ms. Espisito asked if there is anything she could do to help. President Skidmore said she could reach out to the Governor's Office. Commissioner Foster asked Ms. Espisito if she has contacted Putnam County Aging for the senior van, which she said they suggested she come to the Commission with the request. Commissioner Foster suggested putting pressure on Putnam County Aging because they have funds available.

ADJOURN

At 11:13 a.m., having no further business, Commissioner Foster made a motion and Commissioner Andes seconded to adjourn the regular session of the County Commission until Tuesday, October 16, 2018 at 8:30 a.m.

Respectfully submitted,

Marcie Kimberling
Secretary