

APPROVED: \_\_\_\_\_

DATE: \_\_\_\_\_

**MINUTES  
PUTNAM COUNTY COMMISSION REGULAR SESSION  
August 13, 2019**

**OPENING**

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

**VIRGINIA SEIBERT, DEPUTY CLERK**

Mrs. Seibert presented the following documents for the Commissioner's approval and signature:

1. Edit registers and checks

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

**GENERAL BUSINESS**

Commissioner Andes made a motion to approve the minutes of July 25, 2019. Commissioner Skidmore seconded the motion. The motion carried unanimously.

**ERRONEOUS ASSESSMENTS**

There were none.

**COURT ORDERS APPROVED**

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

1. An Order to delete from payroll William Mullins, Part-time, Bailiff, Department 700, effective July 31, 2019 as presented by the Commission Secretary
2. An Order to add to payroll William Bogle, Full-time, Deputy, Department 700, \$19.66/hourly, effective September 2, 2019 as presented by the Commission Secretary
3. An Order to delete from payroll Devin Weis, Full-time, Deputy, Department 700, effective August 3, 2019 as presented by the Commission Secretary

4. An Order to add to payroll Robert Flinn, Full-time, Deputy, Department 700, \$19.66/hourly, effective September 2, 2019 as presented by the Commission Secretary
5. An Order to add to payroll Jamie Moffatt, Part-time, Telecommunicator, Department 712, \$14.00/hourly, effective August 4, 2019 as presented by the Commission Secretary
6. An Order to add to payroll Martha Dixon, Part-time, Telecommunicator, Department 712, \$14.00/hourly, effective August 2, 2019 as presented by the Commission Secretary
7. An Order to make a payroll change for Cheryl Whitt, Part-time to Full-time, Telecommunicator, Department 712, \$14.68/hourly, effective August 6, 2019 as presented by the Commission Secretary
8. An Order to re-appoint Dr. Sam Sentelle to serve on the Putnam County Library Board, effective July 1, 2019 with a term to expire on June 30, 2024 as presented by the Commission Secretary

Commissioner Skidmore seconded the motion. The motion carried unanimously.

#### **DOUG TATE, ALPHA TECNOLOGIES**

After a brief discussion, Commissioner Andes made a motion to approve Change Order #1 as presented by Mr. Tate. Commissioner Skidmore seconded the motion. The motion carried unanimously.

#### **TERRY MARTIN/SOJUANA ELLIS, REGIONAL INTERGOVERNMENTAL COUNCIL**

Commissioner Andes made a motion to approve the payment request #5. Commissioner Andes amended his motion to approve and authorize the President to sign payment request #5 as presented by Mr. Martin. Commissioner Skidmore seconded the motion. The motion carried unanimously.

#### **JIM NAGY, TERRADON**

Commissioner Andes made a motion to approve and authorize the President to sign Change Orders #1 & 2 for the Manila Ridge Water Main Project for Stonegate Construction as presented by Mr. Nagy. Commissioner Skidmore seconded the motion. The motion carried unanimously.

#### **DELBERT BRANNON, AMERICAN LEGION**

Delbert Brannon from the American Legion appeared before the Commission to inform them of the 9/11 Remembrance Ceremony at 10:00 a.m. on September 11, 2019 in front of the courthouse and the Veterans Appreciation Day on November 3, 2019.

#### **RANDY BARRETT, MAYOR OF WINFIELD**

Mayor Barrett appeared with before the Commission to present the activities scheduled for the Putnam County Homecoming on September 7-8, 2019. Mayor Barrett asked the Commission to consider providing inflatables and portable toilet rentals for the event. The Commissioners will make a decision at the August 29, 2019 Commission meeting.

### **BARBARA UBRICH**

Barbara Ubrich of West Virginia Gold Star Mothers appeared before the Commission to request the Commissioners display the Honor and Remember Flag to recognize our military fallen heroes. Commissioner Andes made a motion to accept and fly the Honor and Remember Flag. Commissioner Skidmore seconded the motion. The motion carried unanimously.

Ms. Ubrich will present the flag at the Commission meeting on August 29, 2019.

### **TRICK OR TREAT**

Commissioner Andes made a motion to designate Trick or Treat to be Thursday, October 31, 2019 from 6:00 p.m. to 8:00 p.m. for all areas of Putnam County outside of city limits. Commissioner Skidmore seconded the motion. The motion carried unanimously.

### **LARRY FRYE, COUNTY ATTORNEY**

Larry Frye explained the board or commissions having the word “commission” in the name have been confused with Putnam County Commission. Mr. Frye read information from the WV State Code that authorizes the county commission to develop the county parks and recreation commission, the planning commission, and the building commission. Commissioner Skidmore and President Foster both said they have encountered a lot of confusion with “commission” being in the name of several boards. The Commissioners requested Mr. Frye look into referring to the governing body of parks and recreation commission, planning commission, and building commission as boards instead of commissions.

Commissioner Andes made a motion for Mr. Frye to proceed with drafting language contingent on his findings to refer to the governing bodies of the parks and recreation commission, the planning commission, and the building commission as boards. Commissioner Skidmore seconded the motion. The motion carried unanimously.

### **FINANCIAL UPDATES**

Andrew Dunlap appeared before the Commission to notify them that their Business Retention Specialist Will Miller accepted another position, so they are seeking a replacement. They are working with Putnam Career and Technical Center to facilitate their heavy equipment training program and possible site locations.

Jamey Hunt appeared before the Commission to report their grant money was the same as last year. They have experienced staffing changes due to employees leaving for more money, so their board approved a 5% increase for salary employees. Mr. Hunt said they did have a carry over for the fiscal year. President Foster asked Mr. Hunt to provide a list of what he

would like to see in terms of reporting and Mr. Young can request it from the Supreme Court. Commissioner Andes said we could fill out a form for legislative issues also.

Kelli Dailey appeared before the Commission to provide their annual report. They completed their mobile visitor's center, which they utilized at many local events. Ms. Dailey attended the TEAMS Conference that attracted some baseball tournaments to Valley Park. Ms. Dailey reported they are updating their website design.

Lolita Kirk appeared before the Commission to provide their financial report and budget for the year. Ms. Kirk reported they are operational since they are no longer under contract with Kanawha County and they have some new staff. They have immunization back to school clinics and flu clinics will be starting soon. The board has an RFP for new branding and marketing.

Megan Tarbett appeared before the Commission to provide their end of year income statement, circulation report, and summer reading program with 1,500 participants. Ms. Tarbett reviewed the maintenance items they have completed and the needs of various branches. She would like to get a mobile library. Commissioner Skidmore recommended a volunteer program for students. Ms. Tarbett said they do not have a program, but they do get volunteers.

#### **TIM HANNA, PROJECT COORDINATOR**

Commissioner Andes made a motion to approve and authorize the President to sign the BJA FY 2018 Edward Byrne Memorial Justice Grant Application as presented by Mr. Hanna. Commissioner Skidmore seconded the motion. The motion carried unanimously.

#### **JEREMY YOUNG, COUNTY MANAGER**

Jeremy Young said the lowest estimate for the Cline Avenue tree removal of three trees by the garage was \$1,800.00 with two additional trees for \$1,600.00. Mr. Young mailed letters to the adjoining property owners to see if they are interested in the property and Mr. Hanna said three property owners showed interest. The Commissioners would like to continue trying to find someone interested in the property.

President Foster made a motion to table the decision for tree removal. Commissioner Skidmore seconded the motion. The motion carried unanimously.

#### **SHERRY HAYES, ASSESSOR**

Sherry Hayes appeared before the Commission to request an adjustment in pay for Charlotte Buoy from 2016 through 2019 to correct an error she made in calculating a 5% pay increase she gave to her employees in 2016.

After discussion, Commissioner Skidmore made a motion to approve correcting the payroll error for Charlotte Buoy with a preference of staying within the current budget or doing a state budget revision if necessary. Commissioner Andes seconded the motion. The motion carried unanimously.

## **BOARD APPOINTMENT**

Commissioner Andes made a motion to re-appoint Dr. Sam Sentelle to serve on the Putnam County Library Board, effective July 1, 2019 with a term to expire on June 30, 2024. Commissioner Skidmore seconded the motion. The motion carried unanimously.

## **PUBLIC COMMENTS**

There were none.

## **COMMISSIONERS REPORTS**

Commissioner Skidmore reported there is a Fire Board meeting this evening to discuss revamping details of how the fire fee is implemented.

Commissioner Andes reported he was out of town for the Convention and Visitors Bureau meeting last week and the Parks and Recreation Director resigned his position last night.

President Foster reported the Planning Commission continues to work on the ordinances and the subcommittee is discussing setting up a personnel committee. President Foster explained this came from the last Commission meeting's executive session with Timothy Smith. President Foster said he owes Timothy Smith an apology because he does not feel he was treated fairly. President Foster did not receive documentation during the meeting and filed a Freedom of Information Act to obtain it. President Foster reviewed information on the Planning Commission budget and said we are saving from \$14,000 to \$21,000 by having an engineer on staff. President Foster stated Timothy Smith used 90 hours of sick time. President Foster reviewed all of the county employee's sick days of which 39 employees had 90 hours or more. President Foster requested Mr. Frye research not paying per diem pay to employees taking excessive sick leave. The Commission meeting attendance showed a Commissioner had a lower rate of attendance than Timothy Smith did.

Commissioner Andes asked if the Commissioner attendance report included vacation time and President Foster said it does. There was a lengthy discussion on the duties and responsibilities of the Office of Planning and Infrastructure and the need for a personnel committee.

## **BOARD APPOINTMENT**

President Foster made a motion to appoint Steve Andes to the Putnam County Planning Commission Board. Commissioner Skidmore asked Commissioner Andes if he wants to serve on the Planning Commission and he does not. The motion died for a lack of a second.

President Foster made a motion to reduce the number of Planning Commission members by one. The motion died for a lack of a second.

Commissioner Andes made a motion to re-appoint Sarah McCallister to the Planning Commission. The motion died for a lack of a second.

## **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:** James Alvin Boykin, Edgar Taylor Dyke, Wilda Maxine Harmon, Robert Ray Higginbotham, Lavania Lucille Hoffman, Jesse Woodrow Kitchen, Jr., Luther McCloud, James Benjamin Nance, Edna Kathryn Ross, Nina Arlene Smith, Paul Arliss Smith, Doreen Sovine

**Long Form Settlement:** Connie Lee Cochran, Bryan Scott Godwin, Patricia Jean Miller

An Order to disburse the sum of \$170.00 from the Fiduciary Special Fund made payable to State Tax Department for estate tax administration fees.

An Order to disburse the sum of \$176.00 from the Fiduciary Special Fund made payable to Brian Wood, Clerk, for recording settlements.

An Order to disburse the sum of \$0.75 from the Fiduciary Special Fund made payable to Jenkins Fenstermaker for overpayment of fees to advertise in the Estate of Mary Joan Lipscomb.

An Order dismissing the claim of Gary Douglas Young in the Estate of Gary Ray Young in its entirety pursuant to Court Order.

An Order reopening the Estate of George Frank McGhee and appointing Sharon L. Thomas as Executrix for the sole purpose of amending the appraisal and transferring a mobile home title.

An Order releasing the Administrator Bond posted by W. R. Cowan and Todd Cowan aka William Todd Cowan in the Estate of Freda Mae Sloan.

An Order of "Estate Listing" of Actions of Fiduciary Supervisor from July 20, 2019 through August 9, 2019.

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

## **COMMISSIONERS REPORTS**

County Attorney Larry Frye recused himself.

President Foster stated the Planning Commission received a letter from Kylene Brown, but Mr. Young confirmed it was an email to Timothy Smith and himself. President Foster explained there are some issues with the BZA's decision for Ms. Brown to receive her screening. They

had a meeting with Jim Dodrill a Planning Commission member for an attorney consultation. President Foster, John Dill, and Jim Dodrill believe there is an issue with that ruling because the appeal was not within thirty days of the Planning Commission ruling. The executive session was not in accordance with the state law, which Jennifer Karr attended. President Foster explained Larry Frye had to recuse himself and Jennifer Karr will probably have to recuse herself. If there is a lawsuit against the Planning Commission then they will need to acquire legal representation.

### **JEREMY YOUNG, COUNTY MANAGER**

Commissioner Andes made a motion to donate and authorize the President to sign the 2014 Ford Taurus title to the Buffalo Police Department and the Sheriff will determine if he donates the equipment as presented by Mr. Young. Commissioner Skidmore seconded the motion. The motion carried unanimously.

Mr. Young presented the following orders for approval:

Commissioner Andes made a motion to issue a check from the Spay and Neuter Fund in the amount of \$289.00 payable to Help For Animals for services provided as presented by Mr. Young. Commissioner Skidmore 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 \$2,080.00 payable to Thomas M. Lyvers for professional services rendered for July 15, 2019 to July 26, 2019
2. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$2,620.00 payable to Prestera Center for Mental Health Services, Inc.
3. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$847.50 payable to Chris Moles for professional services rendered for July 2019 invoice
4. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$1,245.00 payable to Kimberly Sizemore for professional services rendered for July 2019 invoice
5. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$860.00 payable to C V Management for September 2019 invoice Unit #1
6. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$860.00 payable to C V Management for September 2019 invoice Unit #4
7. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$180.00 payable to Call2test, LLC for July 2019 invoice
8. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$160.00 payable to Call2test, LLC for May 2019 invoice

Larry Frye was called back into the Commission meeting.

9. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$20.08 payable to Office Depot, Inc.
10. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$1,950 payable to Compton Office Machine Company

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

Mr. Young recommended transferring \$100,000 into Technology Fund to cover the purchased IT equipment for upgrades. The Commissioner decided to wait to take action.

### **ADJOURN**

At 11:21 a.m., having no further business, Commissioner Andes made a motion and Commissioner Skidmore seconded to adjourn the regular session of the County Commission until Thursday, August 29, 2019 at 5:30 p.m.

Respectfully submitted,

Marcie Kimberling  
Secretary