

APPROVED: _____

DATE: _____

MINUTES
PUTNAM COUNTY COMMISSION REGULAR SESSION
September 10, 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 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 Andes made a motion to approve and sign the presented documents. Commissioner Skidmore seconded the motion. The motion carried unanimously.

GENERAL BUSINESS

Commissioner Skidmore made a motion to approve the minutes of August 29, 2019. President Foster seconded the motion. The motion carried unanimously.

ERRONEOUS ASSESSMENTS

Commissioner Andes made a motion to approve the Erroneous Assessments as presented:

Michael & Deborah Clark, James C. Fisher et ux, Wanda Mae Fisher, Jessica R. Fry, Lana &/or Kenneth Harless, Tyler C. Hood, Barbara A. Jackson, JP's Asian Cuisine, LB&B Associates Inc., three for Kyle C. Long, Jr. et ux, Brenda F. Parker, two for Marcia Pauley, Putnam County Chamber of Commerce, Kimberly &/or Gregory Scragg, Lori A. &/or Billy D. Stroub, two for Bobby D. Boggess et ux, John &/or Margaret Reffett, John I. Sr. &/or Christa J. Boggess, Tammy Cash, September Dawn Coll, five for Keith Cook et ux, Courtney McCoy, Eddie Doss, Albert C. Dunn, Jr., Tinsley A. Galyean, Jr., Hager Homes LLC, William Kevin Johnson & Lisa R. Bibbee, Franklin Lee Lawrence, two for Kyle C. Long, Jr. et ux, M & R Properties Matthew Brenda, George A. Mangus, Sr., Christopher J. Price, Claxton F. Smith, Jr., Dan J. Stanley, Larry A. Stanley, Stoneridge Development, Larry & Carol &/or Donna Simmons Sutphin, Glen Wayne &/or Monica Thornton, Eva R. Trachsel Trust, Justin & Ami Travis, Larry G. or Linda G. Wagner, Joseph E. Walker, Richard A. Walker, James R. & Jackie L. Washington, Sandy Wilkinson, Ricky L. &/or Brandy L. Withrow, Dave &/or Kelly Wirtz, Stephen M. Woomeer, Stoneridge Development, Raymond S. & Tammra L. Smith

59 Erroneous Assessment were approved totaling \$31,022.58 in deduction of taxes.

Commissioner Skidmore seconded the motion. The motion carried unanimously.

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 David Scragg, Part-time, Intern, Department 405, effective September 3, 2019 as presented by the Commission Secretary
2. An Order to add to payroll Earl Gorrell, Part-time, Bailiff, Department 700, \$12.98/hourly, effective September 3, 2019 as presented by the Commission Secretary
3. An Order to make a payroll change for Charlotte Buoy, Full-time, Office Assistant, Department 406, \$11.58/hourly, effective July 1, 2019 as presented by the Commission Secretary
4. An Order to make a payroll change for Jamey W. Hunt, Grant-Funded Temporary Full-Time, Day Report Director, Department 731, \$49,894.65/annually to be paid in 24 equal installments of \$2,078.95, effective July 1, 2019 as presented by the Commission Secretary
5. An Order to make a payroll change for Walter Earl Ingram, Grant-Funded Temporary Full-Time, Day Report Officer, Department 731, \$33,600.00/annually to be paid in 24 equal installments of \$1,400.00, effective July 1, 2019 as presented by the Commission Secretary
6. An Order to make a payroll change for Hanna Morgan Cremeans, Grant-Funded Temporary Full-Time, Day Report Officer, Department 731, \$33,600.00/annually to be paid in 24 equal installments of \$1,400.00, effective July 1, 2019 as presented by the Commission Secretary
7. An Order to make a payroll change for Swana C. Lovejoy, Grant-Funded Temporary Full-Time, Day Report Assistant, Department 731, \$26,000.00/annually to be paid at a rate of \$12.50 per hour, effective July 1, 2019 as presented by the Commission Secretary
8. An Order to add to payroll Brandon Facemire, Full-time, Advanced Care Technician, Department 715, \$11.50/hourly, effective September 12, 2019 as presented by the Commission Secretary
9. An Order to add to payroll Anthony Runyon, Full-time, Paramedic, Department 715, \$13.63/hourly, effective September 12, 2019 as presented by the Commission Secretary

Commissioner Skidmore seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Kim Harbour appeared before the Commission to report she lives at the lowest part of Thompson Acres and the storm water system drains need to be repaired, which has caused a large sinkhole on her property. Ms. Harbour explained Thompson Acres was annexed into the City of Hurricane and they maintain their roads. She explained she does not pay a storm water fee and the City of Hurricane says the storm water system is not their responsibility. President Foster asked the County Attorney Larry Frye to research the situation.

Tim Dean asked if he waives his right to speak at this time, then could he speak after last agenda item and President Foster said he could.

Boyd Daniels would like Sigman Fork Road paved and he reported a slip that needs to be repaired.

JOHN MCCUSKEY, WV STATE AUDITOR

John McCuskey appeared before the Commission to discuss the transparency website. Mr. McCuskey announced they launched project Mountaineer to put every city in the state on the transparency website and explained the process has been streamlined. The Commissioners requested this be on the next agenda for a decision.

MAYOR SCOTT EDWARDS & AMANDA RAMEY, MARKETING MANAGER FOR THE CITY OF HURRICANE

Mayor Edwards & Amanda Ramey appeared before the Commission to request a \$10,000 to \$15,000 contribution for the July 4, 2020 celebration in Hurricane.

Commissioner Skidmore would like to consider a line item at budget time for fairs and festivals and Accountant Lisa Copley confirmed there is one. Commission Andes agreed to look at a contribution in March during the budget work session.

SOJUANA ELLIS, REGIONAL INTERGOVERNMENTAL COUNCIL

Commissioner Andes motion to approve payment request #6 and a resolution as presented by Ms. Ellis. Commissioner Andes amended his motion to authorize the President to sign the necessary documents. 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 the certificate of substantial completion for the Manila Ridge Water Main Project with Stonegate Construction as presented by Mr. Nagy. Commissioner Skidmore seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

Circuit Clerk William "JJ" Mullins introduced himself saying he is retired from Sheriff's department, but also worked for Tri-State Airport and the Town of Eleanor. President Foster asked when Circuit Clerk would be electronic and Mr. Mullins said in November.

FRANK CHAPMAN, OES/911 DIRECTOR

Frank Chapman appeared before the Commission to review the towing policy requirement by the state. We currently use C&G Towing and Hurricane Wrecker for our towing companies.

Commissioner Andes made a motion to approve the 2019 Putnam County Towing Policy as presented by Mr. Frye. Commissioner Skidmore seconded the motion. The motion carried unanimously.

LARRY FRYE, COUNTY ATTORNEY

Mr. Frye reviewed the application of Town of Eleanor for a minor boundary adjustment to Annex a 1.3 track of Putnam County. Dee Price represents petitioner and explained this allows them to file the application. Mayor Clendenin explained the petitioner Bush Templeton has one piece of property in the Town of Eleanor and one piece outside the Town of Eleanor. Mr. Templeton is subdividing and selling the property.

Commissioner Andes made a motion to approve the filing of the application for the Town of Eleanor for a minor boundary adjustment to Annex a 1.3 track of Putnam County as presented by Mr. Frye. Commissioner Skidmore seconded the motion. The motion carried unanimously.

TIMOTHY SMITH, PLANNING DIRECTOR

Timothy Smith discussed Mr. Richardson's impact study on changing fast food restaurants and restaurants from a special permit use to a permitted use in the C-1 zone, which should take approximately a month to complete. Mr. Smith said the study is free and Mr. Richardson would look at the effects on residents, economy, traffic, and home values. Mr. Frye reviewed the letter and there may be minimal fees. The Commission asked Mr. Frye to add language that County Manager Jeremy Young would need to approve fees.

T.J. Summers owner of Four S Development recommended postponing the text amendment on the agenda for the Planning Commission until the impact study is received.

Chris Wentz who lives in Fox Run asked why it is important to change the text amendment or do a study on it when it was put in place to protect the property owners. President Foster explained that there is an applicant requesting this.

Glenn Yeager of Yeager Land thinks the impact study should look at how the text amendment could devalue the C-2 properties. Mr. Yeager wants to know why they are doing the impact study free. President Foster said they get a grant for the study.

Sandy Mellert the previous Planning Director recommended on Tuesday that the Planning Commission have the public hearing, but it should not be closed. Mrs. Mellert explained the Planning Commission should not take action until the impact study is received. President Foster asked Ms. Mellert if she is in favor of the study. Ms. Mellert does not have a problem with the study; however, she feels the Planning Commission should itemize what the report should include. President Foster asked Timothy Smith to ask Mr. Richardson what the study will include.

Commissioner Andes made a motion to table the retainer letter with Mr. Jesse Richardson to do an impact study changing fast food restaurants and restaurants from a special permit use to a permitted use in the C-1 zone as presented by Mr. Smith. Commissioner Skidmore seconded the motion. The motion carried unanimously.

RECESS

Commissioner Andes made a motion for a five-minute recess. Commissioner Skidmore seconded the motion. The motion carried unanimously.

Commissioner Andes made a motion to return to regular session. Commissioner Skidmore seconded the motion. The motion carried unanimously.

TIM HANNA, PROJECT COORDINATOR

Commissioner Andes made a motion to approve and authorize the President to sign the 2019 Courthouse Facilities Improvement Authority Grant Application as presented by Mr. Hanna. Commissioner Skidmore seconded the motion. The motion carried unanimously.

JEREMY YOUNG, COUNTY MANAGER

Commissioner Andes made a motion to approve to sign the Cisco Systems Capital Corporation Lease for the IT upgrade project with Alpha Technologies with documentation supplied by Alpha Technologies for the tariff as presented by Mr. Young. Commissioner Andes amended his motion to authorize the President to sign. Commissioner Skidmore seconded the motion. The motion carried unanimously.

Commissioner Andes made a motion to issue a check from the Technology Fund in the amount of \$100,000.00 payable to De Lage Landen Public Finance LLC for invoice #1PUB18889 for the Technology Upgrade Project as presented by Mr. Young. Commissioner Skidmore seconded the motion. The motion carried unanimously.

Commissioner Andes made a motion to approve the transfer of funds from the General County Fund to the Building Fund in the amount of \$500,000.00, Sewer Fund in the amount of \$300,000.00, Technology Fund in the amount of \$300,000.00 as presented by Mr. Young. Commissioner Skidmore seconded the motion. The motion carried unanimously.

ASHLEY ALFORD, PRESIDENT OF PUTNAM COUNTY PARKS AND RECREATION BOARD

Ashley Alford appeared before the Commission to provide a financial update on the Putnam County Parks and Recreation following the resignation of Parks Director and any lost revenue opportunities. Mrs. Alford reviewed the revenue at the various areas within the park. She explained the trail work was over budget by \$13,000.00 because there was supposed to be a grant to cover the work, but there was not. Mrs. Alford explained they needed additional staff after the park opened, which created an increase in insurance and retirement. After Mrs. Alford makes a \$5,000.00 payment on the water bill today, then the balance will be \$15,000.00. They have \$20,000.00 in the Friends of the Park account and the Wave Pool account has \$47,000, but some had to be transferred to the general account for payroll. Mrs.

Alford said their Finance Manager Justin Williams does not feel confident that they will have the cash flow for expenditures, but said they have set up a Finance Committee to plan fund raising events. President Foster would like the park to be self-funded. Commissioner Andes inquired about the lost revenue. Ms. Alford said there was \$36,000.00 in lost revenue. Mrs. Alford explained she never received a bill for her Candidate Forum and Putnam County Republican Women were not billed for an event, but she since invoiced them. The Purple Onion was utilizing the kitchen without paying the hourly rate and Katelyn Thompson booked a wedding and received a contract with a zero price. Ms. Thompson is a relative of the previous park director and should have been billed \$5,200.00. Ms. Alford explained Ashley Dill books all the events and Justin Williams invoices them. Commissioner Andes thanked Ms. Alford for donating her time at the park. They are in the process of finding a new Parks Director.

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: Brennis Golden Boster, II, Judith Gay Castle, Theodore Michael Cooney, Jr., Helen Beth Covert, Rosemary S. Davis, Anne Elaine Fly, Sally Lynn Paine Hillard, Paul Davis Hull, Delbert E. Jordan, Norma Lee (aka Lea) Kersey Massey, Ollie Elizabeth Neumeyer, John Dale Samples, Joyce A. Vessey Swanson

Long Form Settlement: None

An Order to disburse the sum of \$125.00 from the Fiduciary Special Fund made payable to State Tax Department for estate tax administration fees.

An Order to disburse the sum of \$154.00 from the Fiduciary Special Fund made payable to Brian Wood, Clerk, for recording settlements.

An Order directing the Disclaimer of Karen Rae Marshall in the Estate of Fannie Jean Gallaspie be filed in the Miscellaneous Records and the Fiduciary Record Books in the Office of the Clerk of the County Commission.

An Order vacating the Certificate of Completion dated August 29, 2019, in the Estate of Joseph E Ross.

An Order vacating the Certificate of Completion dated August 29, 2019 in the Estate of Mary Joan Lipscomb.

An Order to certify the completion of the ancillary administration of West Virginia Real Estate Without Appointment in the Estate of Mary Joan Lipscomb effective September 10, 2019.

An Order to certify the completion of the ancillary administration of West Virginia Real Estate Without Appointment in the Estate of Joseph E. Ross effective September 10, 2019.

An Order of "Estate Listing" of Actions of Fiduciary Supervisor from August 24, 2019 through September 6, 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.

JEREMY YOUNG, COUNTY MANAGER

Mr. Young presented the following orders for approval:

Commissioner Andes made a motion to issue a check from the Water and Sewer Fund in the amount of \$790.00 payable to WVCoRP for an insurance Bond for the Manila Ridge Water Project 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 \$1,240.00 payable to Thomas M. Lyvers for professional services rendered for September 2, 2019 to September 6, 2019
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 for professional services rendered for August 26, 2019 to August 30, 2019
3. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$965.00 payable to Kimberly Sizemore for professional services rendered for August 2019 invoice
4. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$570.00 payable to Chris Moles for professional services rendered for August 2019 invoice
5. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$276.00 payable to King Tire Service, Inc.
6. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$1,050.00 payable to Pretera Mental Health Services, Inc. for August 2019 invoice for DC
7. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$170.00 payable to Call2test, LLC

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

Commissioner Andes made a motion to issue a check from the Technology Fund in the amount of \$9,220.75 payable to Alpha Technologies for invoice #61363 representing payment

for Hardware Tariff contingent on documentation by Alpha Technologies as presented by Mr. Young. Commissioner Skidmore seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Jarrold Dean said there were payments made to City of Hurricane for the water bill. Mr. Dean explained there was no contract signed for the Putnam County Chamber of Commerce dinner and no discussion about the park being a silver sponsorship to the event. The park had a table at the event and there was a discussion about what the Chamber could afford to pay for the event, but neither he nor Mrs. Alford followed up on this. Mr. Dean said the Purple Onion provided product in exchange for using the kitchen. Mr. Dean said it was unethical to do the wedding at no charge, but they are now being charged \$1,000.00. He gave discounts to nonprofit organizations and had difficulty getting stage rental fees because he got pressure from the community. The Commissioners discussed the stage was purchase by Putnam County Commission, Parks and Recreation, and the Convention and Visitors Bureau. The Commissioners requested Mr. Frye type a formal rental agreement. Mr. Dean said there was a billing procedure put in place when he was acting Parks Director.

Tim Dean who represents Jarrold Dean said at a Parks Board meeting on August 12, 2019 Mr. Dean was told he could either resign or be terminated with thirty days pay. The board President told Jarrold Dean it was in his best interest to resign because the park had outgrown him, there was a disorganized staff, and he had negativity in dealing with vendors/contractors. Tim Dean said the board had a discussion and the motion passed to pay Jarrold Dean sixty days pay and be available by phone as a consultant if he resigned. Jarrold Dean reluctantly resigned. Mr. Dean requested the board President put the terms in writing. Mr. Dean picked up the confidential separation agreement and general release, vacation pay, and reimbursement checks ten days later. Mr. Dean has not received a paycheck. They want was put in the motion and passed by Parks and Recreation Board. President Foster explained the Commission cannot dictate what the Parks and Recreation Board does, but the County Attorney did give them guidance. Tim Dean said if he does not receive his sixty days pay, then they would take legal action. Commissioner Andes explained at the Parks and Recreation Committee Board meeting he made a motion to require a contract, release him from consulting, pay him in two equal payments, and he would not take legal action. Jarrold Dean requested a mutual release that no legal action will be taken against him.

ADJOURN

At 12:39 p.m., having no further business, Commissioner Skidmore made a motion and Commissioner Andes seconded to adjourn the regular session of the County Commission until Thursday, September 26, 2019 at 5:30 p.m.

Respectfully submitted,

Marcie Kimberling
Secretary