

APPROVED: _____

DATE: _____

MINUTES
PUTNAM COUNTY COMMISSION REGULAR SESSION
January 12, 2021

OPENING

The Commission meeting was open to the public by conference call.

Commissioners C. Brian Ellis, Ronald R. Foster and R. Andrew Skidmore were present when the 9:00 a.m. meeting convened in the old courtroom 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
2. An Order to transfer from the General County Fund to the Putnam County Employee Benefit Fund, the sum of \$9,484.00 for November 2020 Optical and Dental Benefits
3. An Order to transfer from the General County Fund to the Putnam County Employee Benefit Fund, the sum of \$9,535.00 for December 2020 Optical and Dental Benefits
4. Putnam County Depository Bond of Putnam County Bank

Commissioner Skidmore made a motion to approve invoices as reflected in the edit registers and the orders as presented by Mr. Wood. Commissioner Ellis seconded the motion. The motion carried unanimously.

GENERAL BUSINESS

Commissioner Skidmore made a motion to approve the December 15, 2020 minutes. President Foster seconded the motion. The motion carried unanimously.

COURT ORDERS APPROVED

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

1. An Order to delete from payroll Regina Zegeer, Full-Time, Office Assistant I, Department 402, effective December 11, 2020 as presented by the Commission Secretary

5. An Order to make a payroll change for Bethany Neff, Full-time, Deputy, Department 700, \$20.15/hourly, effective December 13, 2020 as presented by the Commission Secretary
6. An Order to delete from payroll Jason Wurster, Full-Time, Advanced Care Technician, Department 715, effective December 29, 2020 as presented by the Commission Secretary
7. An Order to make a payroll change for Krystal Harrison, Full-time to Part-time, EMT, Department 715, \$10.00/hourly, effective January 1, 2021 as presented by the Commission Secretary
8. An Order to add to payroll John Pottorff, Full-time, Home Confinement Supervisor, Department 705, \$14.32/hourly, effective January 4, 2021 as presented by the Commission Secretary
9. An Order to make a payroll change for Alex Moore, Full-time to Part-time, Paramedic, Department 715, \$14.00/hourly, effective December 26, 2020 as presented by the Commission Secretary
10. An Order to add to payroll David Rollins, Full-time, Telecommunicator, Department 712, \$15.00/hourly, effective January 24, 2021 as presented by the Commission Secretary
11. An Order to make a payroll change for Amy Carte, Part-time to Full-time, Telecommunicator, Department 712, \$15.00/hourly, effective January 24, 2021 as presented by the Commission Secretary
12. An Amended Public Notice for Putnam County Commission to sit as a Board of Review and Equalization regarding all taxes assessed (personal and real) for the taxable year 2021 on the following dates: Monday, February 1, 2021 at 10:00 a.m., Friday, February 5, 2021 at 1:00 p.m., Thursday, February 11, 2021 at 1:00 p.m., Thursday, February 18, 2021 at 5:30 p.m. The hearings shall be held in the old courtroom on the 2nd Floor of the Putnam County Courthouse, 12093 Winfield Road, Winfield, WV 25213 as presented by the Commission Secretary

Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion for payment of bills as presented by the Commission Secretary. Commissioner Ellis seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

There were none.

RE-DECLARE EMERGENCY PROCLAMATION

Commissioner Skidmore read the Emergency Proclamation COVID-19 Health Emergency. Commissioner Skidmore made a motion to approve the Emergency Proclamation. Commissioner Ellis seconded the motion. The motion carried unanimously.

TIM HANNA, PROJECT COORDINATOR

Commissioner Skidmore made a motion to issue a check from the General County Fund (#024-430-5-67.0) in the amount of \$17,134.64 payable to the Town of Poca for reimbursement out of the Stephen A. Andes Recreation Enhancement Fund as presented by Mr. Hanna. Commissioner Ellis seconded the motion. The motion carried unanimously.

JEREMY YOUNG, COUNTY MANAGER

Jeremy Young read the COVID-19 Emergency Sick Leave Policy approved electronically by the Commissioners.

Commissioner Skidmore made a motion to approve an Order to Extend the Families First Coronavirus Response Act Provision until March 31, 2021 as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

TIMOTHY SMITH, COUNTY ENGINEER

Commissioner Skidmore made a motion to approve the petitions and the orders for Dilapidated & Abandoned Enforcement Agency cases 2020-02, 2020-16, 2020-19 and 2020-21. Commissioner Ellis seconded the motion. The motion carried unanimously.

Diana Rogers requested more time to get the cleanup completed.

Commissioner Skidmore made a motion to approve the order for Dilapidated & Abandoned Enforcement Agency case 2020-02 that probable cause exists to believe the property contains dilapidated and abandoned structure(s), refuse or debris that presents a safety or health hazard and a copy of the complaint (and any attachments) shall be served on the landowner(s) of the property in accordance with Rule 4 of the West Virginia Rules of Civil Procedure. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to approve the order for Dilapidated & Abandoned Enforcement Agency case 2020-16 that probable cause exists to believe the property contains refuse or debris (including nonoperational vehicles and appliances) that presents a safety or health hazard and a copy of the complaint (and any attachments) shall be served on the landowner(s) of the property in accordance with Rule 4 of the West Virginia Rules of Civil Procedure. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to approve the order for Dilapidated & Abandoned Enforcement Agency case 2020-19 that probable cause exists to believe the property contains dilapidated and abandoned structure(s), refuse or debris that presents a safety or health hazard and a copy of the complaint (and any attachments) shall be served on the landowner(s) of the property in accordance with Rule 4 of the West Virginia Rules of Civil Procedure. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to approve the order for Dilapidated & Abandoned Enforcement Agency case 2020-21 that probable cause exists to believe the property contains dilapidated and abandoned structure(s), refuse or debris that presents a safety or health hazard and a copy of the complaint (and any attachments) shall be served on the landowner(s) of the

property in accordance with Rule 4 of the West Virginia Rules of Civil Procedure. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to approve the complaints and that they be sent to the landowners for Case 2019-03 and Case 2019-04 as presented by Mr. Smith. Commissioner Ellis seconded the motion. The motion carried unanimously.

Timothy Smith presented the Text Amendment to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, in order to modify Article 600 "C-1," Article 650 "C-2," and Article 1700 "Supplementary." These changes would modify Permitted Principal and Special Permit Uses in the "C-1" and "C-2" zones, including, but not limited to, Automobile Service Station, Automobile Washing or Detailing, Fast Food Restaurant, Personal Storage Facility, Restaurants which serve alcohol, Retail Business size limits, Golf Course, Hospital, Hotel with conference facilities, Retail Sales/Pawnshop/Firearms, Warehousing, and Large Truck and Trailer Sales, Lease, Rental or Service.

At 10:09 a.m., Commissioner Skidmore made a motion to open the public hearing. Commissioner Ellis seconded the motion. Sandy Boster spoke by phone against the text amendment. Ms. Boster has concerns regarding traffic and alcohol being served at restaurants. The motion carried unanimously.

President Foster opened the public hearing and asked for public comments; they were as follows:

Commissioner Skidmore would like to make Sandy Boster's comments as part of public record.

Tawney Hill of 23 Renard Run was upset this text amendment was not at an evening meeting. Ms. Hill is concerned about businesses going in without the public's input. She suggested changing the special permitting process if it is too lengthy.

Kylene Brown stated this is the fourth time the Text Amendment came to the Commission. Ms. Brown said the Planning Commission can change the process including removing the expensive items but allow the residents their input at the BZA public hearing for C-1 properties.

Linda Tennant of 7 Hampton Crossing requested the Commissioners delay the Text Amendment because public participation was minimized due to COVID-19, the call-in number was not on the Planning Commissions website or in the legal advertisement, quality of the teleconference system was poor, public needs more time to evaluate the text amendment, and because the public hearings should be in the evening.

Dave Hobba of 824 Hobba Drive said we need more restaurant options. He asked the Commissioners accept this text amendment or line item by line item.

T.J. Summers emailed his comments. Mr. Summers suggested changing the Special Use Permit process to minimize the upfront cost. Mr. Summers has concerns on the impact the Text Amendment will have on traffic, as well as compatibility with residential properties.

At 10:33 a.m., Commissioner Skidmore made a motion to close the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to modify the text amendment to make add Retail Sales/Pawnshops/Firearms to Special Permitted use in C-1. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to modify the text amendment for Automobile Service Stations to remain in Special Permitted use and add Automobile Washing or Detailing to Special Permitted use in C-1. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Foster made a motion to amend Article 1300 of our ordinance to require fencing around detention ponds. Commissioner Foster withdrew his motion.

Commissioner Skidmore made a motion to approve Fast Food Restaurants and Restaurants including P. Restaurants and Fast Food Restaurants within 200 feet of a Residential District in the C-1 zone: 1. Business shall be conducted within an enclosed building, except that meal service may be provided on an outside patio, provided that the patio is no more than 1/3 the floor area of the entire use. 2. Amplified live performances shall not be permitted. 3. Business shall not be conducted on the premises between 12:00am (midnight) and 6:00am. 4. All restaurants serving alcohol shall be licensed to operate under the laws of the State of West Virginia. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to modify the text amendment to add Personal Storage Facility to Special Permitted use in C-1. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to approve Retail Business; Limited to 20,000 square feet in the floor area to C-1. Commissioner Foster seconded the motion. Commissioner Skidmore voted nay. The motion carried.

Commission Skidmore made a motion to approve Retail Business; Limited to 20,000 square feet in the floor area, Personal Storage Facility, Fast Food Restaurants, Restaurants, Automobile Service Stations, Automobile Washing or Detailing as permitted principal use in C-2. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to approve Retail Sales/Pawnshops/Firearms as permitted principal use in C-2. President Foster seconded the motion. Commissioner Skidmore voted nay. The motion carried.

The County Commission made the following FINDINGS OF FACTS: (1) Commissioners agreed it does protect and promote the public health, safety, convenience, moral and general welfare because it provides more dining options close to home, so people are not driving to other counties (2) Commissioners agreed the commercial properties being developed is consistent in achieving the objective of the adoptive Comprehensive Plan, US 35 Corridor Management Place, and the Teays Valley Land Use Plan.

Commissioner Ellis made a motion to approve Text Amendment as amended to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, in order to modify Article 600 "C-1," Article 650 "C-2," and Article 1700 "Supplementary." These changes modify Permitted Principal and Special Permit Uses in the "C-1" and "C-2" zones. Commissioner Skidmore seconded the motion. The motion carried unanimously.

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: Talmadge Eugene Adkins, Mildred Jane Alford, Donald Ray Andrews, Beatrice Jean Bumgardner, Dwight Richard Jividen, Winston Wayne Lawrence, Nancy Jill LeMaster, Ruth Evangeline Murphy, Dwight L. Musser, Nancy Louise Nelson, Ruth Leona Pendleberry, Robert Donner Ryan, Jr., Claudette Elizabeth Saunders, Rachel Melody Shuler, Georgette B. Stout, James Richard Stout, Denver Stanley Tucker, Larry Michael Westfall

Long Form Settlement: Shirley Ray Karnes, Nancy Sue Miller

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 \$224.00 from the Fiduciary Special Fund made payable to Brian Wood, Clerk, for recording settlements.

An Order admitting the Last Will and Testament of Joseph Ralph Boston, II, to probate and appointing Sue A. Boston, Executrix.

An Order of "Estate Listing" of Actions of Fiduciary Supervisor from December 12, 2020 through January 8, 2021.

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

JEREMY YOUNG, COUNTY MANAGER

Commissioner Skidmore made a motion to issue a check from the Hotel/Motel Tax Fund to Parks and Recreation Commission in the amount of \$24,000.00, to the Convention and Visitors Bureau in the amount of \$39,000.00, and to the Recreation Enhancement Fund in the amount of \$15,000.00 as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to issue a check from the TIF Fund (273-430-5-66.0) in the amount of \$36,744.05 payable to WesBanco Bank, Inc. Trustee for November 2020 TIF Revenue (Acct #108507771 Revenue Fund) – Trustee is to issue debt service payments for Putnam Bonds 2017AB and to issue a check from the TIF Fund (273-430-5-66.0) in the amount of \$19,665.78 payable to WesBanco Bank, Inc. Trustee for December 2020 TIF Revenue (Acct #108507771 Revenue Fund) – Trustee is to issue debt service payments for Putnam Bonds 2017ABas presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to issue a check from the Putnam County Leased Land Preservation Fund (#019-432-5-68.0) in the amount of \$8,500.00 payable to Cooper Water Well Drilling for work completed at the Putnam County Gun Club as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to issue a check from the TIF Fund (#273-430-5-66.0) in the amount of \$7,516.57 payable to Devonshire TIF Account to reflect increments to be collected in fiscal year 2021 as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to issue a check from the TIF Fund, Devonshire Account (#274-430-2-35.0) in the amount of \$7,516.57 payable to United Bank, Inc. – Trustee to transfer Devonshire tax increment revenues to the trustee as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to issue a check from the Putnam County Building Fund (#044-425-4-60.0) in the amount of \$3,372.00 payable to W.Va. Electric Supply Company for materials for the Putnam County Parking Lot Improvement Project as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to issue a check from the Putnam County Building Fund (#044-425-4-60.0) in the amount of \$3,372.00 payable to W.Va. Electric Supply Company for materials for the Putnam County Parking Lot Improvement Project as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to issue a check from the 911 Fund in the amount of \$45,387.00 payable to Tritech Software Systems for yearly maintenance of 911 CAD system as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

BOARD APPOINTMENTS

Commissioner Skidmore made a motion to re-appoint Jared Tully to serve on the Putnam County Board of Zoning Appeals, effective January 2, 2021 with a term to expire on January 1, 2024. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to appoint Kelsey Harding to serve on the Putnam County Board of Zoning Appeals, effective January 12, 2021 with a term to expire on January 1, 2024. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to appoint C. Brian Ellis to serve on the Putnam County Fire Service Board, effective January 12, 2021. President Foster seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to appoint C. Brian Ellis to serve on the Putnam County Convention and Visitors Bureau Board, effective January 12, 2021 with a term to expire on June 30, 2023. President Foster seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to appoint C. Brian Ellis to serve on the Putnam County Parks & Recreation Commission Board, effective January 12, 2021 with a term to expire on August 31, 2022. President Foster seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to re-appoint Joe Rumbaugh to serve on the Putnam County Historic Landmark Board, effective March 29, 2021 with a term to expire on March 28, 2024. President Foster seconded the motion. The motion carried unanimously.

RECESS

At 11:09 a.m., Commissioner Skidmore made a motion to recess until 1:00 p.m. Commissioner Ellis seconded the motion. The motion carried unanimously.

At 1:00 p.m., Commissioner Skidmore made a motion to return to regular session. Commissioner Ellis seconded the motion. The motion carried unanimously.

JEREMY YOUNG, COUNTY MANAGER

Commissioner Skidmore made a motion to approve and sign the order for the COVID-19 Emergency Sick Leave Policy as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

TIMOTHY SMITH, COUNTY ENGINEER

Mike Spratt of 116 Beechwood Estates requested his exhibit be entered into the record. Mr. Spratt said 16 homes in Beechwood Estates are impacted by the flooding events.

Deanna Robinson of 301 Beechwood Estates said the water backs up, since Liberty Square was built. Ms. Robinson requested the Commissioners order Liberty Square property owners to clean out the culvert.

Larry Rine of MSES Consultants, Inc. was hired in September 2020 to provide an engineering report on the Liberty Square Culverts. On December 9, 2020 an inspection of the west side culvert revealed leaves, mud bars, bar stool, fence post, tree trunk, and four tires, but there was not enough debris to cause a problem or flooding. He reported the culverts do not need to be cleaned out, but the stream does have a blockage that needs to be addressed. The east side culvert inspection will be on January 14, 2021.

President Foster said Jonathan Nicols presented a document to the Commissioners. Mr. Nicols confirmed he did not need to present anything if they are provided time to complete the inspection.

Commissioner Skidmore made a motion to refer this matter to the DAEA Board for further review. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to approve and authorize the President to sign the complaint form to be sent to DAEA. Commissioner Ellis seconded the motion. The motion carried unanimously.

JEREMY YOUNG, COUNTY MANAGER

Commissioner Skidmore made a motion to pay COVID-19 Hazard and Incentive Pay from the COVID Fund to First Responders in Departments 700, 711, 712 & 715 and to Bailiffs, Home Confinement Officers, and Fireman through the Putnam County Fire Service Board as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously. County Manager will prepare orders for the next Commission Meeting with the specific criteria approved.

SHERIFF DEWEESE AND ATTORNEY KIRK LIGHTNER

Commissioner Skidmore made a motion to award Sheriff Deweese the 1,324 hours of sick leave to be used towards years of service for retirement due to his active military leave status. Commissioner Ellis seconded the motion. The motion carried unanimously.

ADJOURN

At 3:10 p.m., having no further business, Commissioner Skidmore made a motion and Commissioner Ellis seconded to adjourn the regular session of the County Commission until Thursday, January 28, 2021 at 5:30 p.m.

Respectfully submitted,

Marcie Kimberling
Secretary